

case made and provided. And in case suit shall be brought for the foreclosure of this mortgage, the said parties of the first part for themselves, their heirs, representatives and assigns covenant and agree that they will pay to the said party of the second part, its successors or assigns, all expenses incurred in procuring and continuing abstracts of title for the purposes of the foreclosure suit, and will pay, in addition to the taxable costs in such suit, an adequate and reasonable sum as a solicitor's or attorney's fee, the amount thereof, to be fixed by the Court, and to be included, with the expenses for abstracts above mentioned, in the judgment or decree.

The said parties of the first part hereby covenant and agree to perform the covenants and conditions of this mortgage, without any relief from any valuation or appraisement laws, and hereby expressly waive, appraisement, and waive and release all rights and benefits they have in said premises as a homestead under any act relating to the alienation and exemption of homesteads.

In Witness Whereof The said parties of the first part have hereunto set their hands and seals, the day and year first above written.

Signed, sealed, and delivered in presence of

Geo Lee's

Louis Bergman

Witness to mark of Ann Leay

Louis Bergman.

State of Kansas

Douglas County, Mo.

James J. Leay
Ann ^{her} Leay
mark

Seal
Seal

Be it Remembered that on this 30 day of Dec A.D. 1897 before the undersigned James O. Holloway, a Notary Public, in and for the county and state of Kansas, said, duly commissioned and qualified, personally came James J. Leay and Ann Leay his wife who are personally known to me to be the same persons who executed the foregoing instrument of writing as grantors, and such persons duly and severally acknowledged the execution of the same.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal the day and year last above written

J.O.H.

Commission expires Oct 23rd 1901.

James O. Holloway
Notary Public

Recorded Jan 10, 1898 at 1:00 o'clock A.M.

James Brooks
Register of Deeds