

This Indenture, Made this 10th day of April in the year of our Lord one thousand eight hundred and ninety seven between Christ Eberhardt and Mary Eberhardt, his wife, of the City of Lawrence in the County of Douglas and State of Kansas of the first part, and William J. Sinclair, of same place of the second part,

Witnesseth, That the said parties of the first part in consideration of the sum of Two Hundred and Fifty DOLLARS, to them duly paid, the receipt of which is hereby acknowledged, have sold and by these presents do grant, bargain, sell and mortgage to the said party of the second part his heirs and assigns forever, all that tract or parcel of land situated in the County of Douglas and State of Kansas, described as follows, to-wit: Lot No One Hundred and Twelve (112) on New York Street, in the City of Lawrence, said Christ Eberhardt hereby agrees to maintain Four Hundred Dollars insurance upon the buildings on said lot during the existence of this loan, payable in case of loss, to said Wm J Sinclair or assigns

with all the appurtenances, and all the estate, title and interest of the said parties of the first part therein. And the said parties of the first part do hereby covenant and agree that at the delivery hereof they are the lawful owners of the premises above granted, and seized of a good and indefeasible estate of inheritance therein free and clear of all incumbrances, and that they will warrant and defend the same in the quiet and peaceable possession of second party, her heirs and assigns forever, against all persons lawfully claiming or to claim the same.

This grant is intended as a Mortgage to secure the payment of the sum of Two Hundred and Fifty Dollars according to the terms of One certain Mortgage note this day executed and delivered by the said parties of the first part to the said party of the second part. Due in five (5) years from date, with interest from date to maturity or default as evidenced by coupons attached to said note and interest after maturity or default until fully paid at the rate of ten percent per annum, and this conveyance shall be void if such payments be made as herein specified. But if default be made in such payment, or any part thereof, or interest thereon, or the taxes, or if the insurance is not kept up thereon, then this conveyance shall become absolute, and the whole amount shall become due and payable, and it shall be lawful for the said party of the second part his executors, administrators and assigns, at any time thereafter, to sell the premises hereby granted, or any part thereof, in the manner prescribed by law, appraisement hereby waived or not at the option of the party of the second part his executors, administrators or assigns; and out of all the moneys arising from such sales, to retain the amount then due for principal and interest, together with the costs and charges for making such sales, and the overplus, if any there be, shall be paid by the party making such sale on demand to the said parties of the first part, their heirs and assigns.

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 and delivered in presence of

Christ Eberhardt (SEAL)
Marie Eberhardt (SEAL)
 _____ (SEAL)
 _____ (SEAL)

STATE OF KANSAS,
 County of Douglas } ss.

Be it Remembered, That on this 10th day of April, A. D. 1897, before me, S. A. Wight, a Notary Public in and for said County and State, came Christ Eberhardt and Mary Eberhardt his wife to me personally known to be the same persons who executed the foregoing instrument, and duly acknowledged the execution of the same.

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

My commission expires Nov. 20, 1899 S. A. Wight Notary Public.
 Recorded April 12, A. D. 1897, at 12 o'clock P. M.

James B. Smith
 Register of Deeds

*The following is included on original instrument
 The note herein described having been paid in full this mortgage
 is hereby released and the lien hereby created is discharged
 As witness my hand this 10th day of October A. D. 1900.*

J. W. Bartles
 Justice

*Recorded Oct 10 1900
 (Assigned to Book 31 Page 453)
 W. J. Sinclair Register of Deeds*

S.S.