

This Indenture, Made this 21<sup>st</sup> day of May in the year of our Lord one thousand eight hundred and ninety Eight between John P. Buchheim and Fredericka Buchheim, his wife of the County of Douglas and State of Kansas of the first part, and The Executors of the last will of Nelson Beardsley, deceased of Auburn of the second part,

Witnesseth, That the said parties of the first part in consideration of the sum of Fifty Three Hundred DOLLARS, to them duly paid, the receipt

of which is hereby acknowledged, ha VE sold and by these presents do grant, bargain, sell and mortgage to the said part to of the second part their 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: The south west quarter of Section No. 16, The south east quarter of Section No. 17, less one acre school lot, the north west quarter of Section No. 20, the south east quarter of Section No. 21, The west half of the west half of the south west quarter of Section No. 20, and 28 acres in the north east quarter of Section No. 20 described as follows: commencing at the north east corner of said q. sec. 20, running south 24 and 0/100 chains, thence west 3 and 4/100 chains to center channel Wakarusa River, thence down the channel of said River to the north line of said q. sec. 20, thence east to beg. all in Township 13 North, Range 18 East of 6<sup>th</sup> Rm., in all 548 acres

with all the appurtenances, and all the estate, title and interest of the said part to 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 said second parties, their Successors 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 Fifty Three Hundred 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 on or before five 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 at rate of 10% per annum until fully paid in cash or by Sheriff's deed to said property, together with possession thereof 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 parties of the second part their Successors 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 part of the second part 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 parties making such sale on demand to the said Parties of the first part their heirs and assigns.

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

Signed and delivered in presence of

John P. Buchheim (SEAL.)  
J. P. Buchheim (SEAL.)  
(SEAL.)  
(SEAL.)

STATE OF KANSAS, }  
County of Douglas } SS.

Be it Remembered, That on this 21<sup>st</sup> day of May, A. D. 1898, before me, L. A. Night, a Notary Public in and for said County and State, came John P. Buchheim and Fredericka Buchheim, 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 L. A. Night Notary Public.  
Recorded June 30 A. D. 1898, at 11<sup>30</sup> o'clock A. M.

L. A. Night  
Register of Deeds.

The following is enclosed on the original Instrument.

Recorded May 3<sup>rd</sup> 1894

Attest W. C. Armstrong

Register of Deeds.

In consideration of full payment of the within mortgage

I hereby release the same this

16<sup>th</sup> day of July 1894

Caroline P. Buchheim

John P. Buchheim

Along Underwood

As Executors of the will of Nelson Beardsley, deceased.