

This Indenture, Made this 29th day of July in the year of our Lord one thousand eight hundred and ninety eight between Carl Graber, died Jennie L. Graber his wife of the City of Jaworsnee in the County of Douglas and State of Kansas of the first part, and Wolf Bergman of the second part,

Witnesseth, That the said part is of the first part in consideration of the sum of Two Hundred Seventy five 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 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: The South half of Lot No. Ninety Nine (99) and the North thirty eight (38) feet of Lot No. One Hundred and one (101) both on Rhode Island Street, in the City of Jaworsnee. First parties hereby agree to maintain insurance upon the buildings now on or to be erected on said premises, during the continuance of this loan, for benefit of second party, his heirs or assigns, in sum of at least Two Hundred Seventy five Dollars

with all the appurtenances, and all the estate, title and interest of the said part is 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 owner s 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 party, his 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 Seventy Five 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 part of the second part: Due in five years from date, with interest from date to maturity or default as evidenced by copy one attached to said note, and interest after maturity or default at the rate of 10% per annum until fully paid in cash or by Sheriff deed to above described premises, 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 therefor, 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 part 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 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 part of making such sale on demand to the said Parties of the first part their heirs and assigns.

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

Signed and delivered in presence of

Carl Graber (SEAL.)
Jennie L. Graber (SEAL.)

(SEAL.)

STATE OF KANSAS, }
County of Douglas County } SS. Res. Stamp
1898

Be it Remembered, That on this 29th day of July, A. D. 1898, before me, Wm. J. Sinclair, a Notary Public in and for said County and State, came Carl Graber and Jennie L. Graber 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 November 9, 1900

Recorded July 29th A. D. 1898, at 11¹⁵ o'clock A.M.

Notary Public.

W. J. Sinclair
Register of Deeds.

The following is endorsed on the original instrument
275 on 29th July 1898, Received of Carl Graber the sum of
Two hundred and Seventy five and no Dollars.
in full satisfaction of the within mortgage.
Wolf, Bergman.

Recorded Mar 9th 1904.
W. J. Sinclair.
Register of Deeds.

