

JOURNAL CO., LAWRENCE, KAN.

This Indenture, Made this 26th day of February in the year of our Lord one thousand eight hundred and ninety nine hundred between Lydial J. Carmean and S. H. Carmean, her husband of Laurance in the County of Douglas and State of Kansas of the first part, and William S. Sinclair, of the second place, of the second part,

Witnesseth, That the said parties of the first part in consideration of the sum of Twelve hundred 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. Eighty two (82) and eighty four (84), both on (this street) in the City of Laurance, grant on agreeing to maintain insurance to the amount of \$150. on the buildings now on or to be erected on said lots during the existence of this mortgage for the benefit of the party of the second part, his heirs or assigns, said property being the homestead of said parties of the first part.

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 owner 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 or assigns forever against all persons lawfully claiming the same.

This grant is intended as a Mortgage to secure the payment of the sum of Twelve 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 in five years from date, with interest from date to maturity as evidenced by coupons attached thereto, and interest after maturity or default at the rate of five per cent per annum until fully paid 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 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 cost and charges for making such sales, and the overplus, if any there be, shall be paid by the party of the second part 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 hand and seal the day and year first above written.

Signed and delivered in presence of

Rev. Stamp 25¢

Lydial J. Carmean

(SEAL)

S. H. Carmean

(SEAL)

(SEAL)

(SEAL)

STATE OF KANSAS, }
County of Douglas } SS.

Be it Remembered, That on this 24 day of March, A. D. 1890, before me, James Brooks, a Notary Public in and for said county and State, came Lydial J. Carmean and S. H. Carmean, her husband to me personally known to be the same person who executed the foregoing instrument, and duly acknowledged the execution of the same.

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

My commission expires Nov. 4 - 1901

Recorded March 24 A. D. 1890, at 5³⁰ o'clock P.M.

Notary Public

James Brooks

H. S. Sinclair

Register of Deeds

The above is a true and correct copy of the original as filed in the office of the Register of Deeds of Douglas County, Kansas, on the 27th day of March, 1890. (Assigned Sect Book 37 Page 381)