

JOURNAL CO., LAWRENCE, KAN.

This Indenture, Made this fifteenth day of August in the year of our Lord ~~one thousand eight~~ hundred and ninety ^{and ninety} # between C. B. Miller & Mary M. Miller his wife of Lawrence in the County of Osage and State of Kansas of the first part, and E. B. Evans of the second part,

Witnesseth, That the said part of the first part in consideration of the sum of Three 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 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: Lot numbered twenty six (26) in the town of Winland as shown by plat made from survey by Abner H. Pearson on April 29, 1887 & recorded June 7th, 1887 in the records of Douglas County, Kansas. Also a strip twenty (20) feet in width across the south side of lot numbered twenty eight (28); also the west fifty four (54) feet of lot numbered twenty nine (29) in the town of Winland, Douglas County, Kansas.

with all the appurtenances, and all the estate, title and interest of the said part of the first part therein. And the said first parties 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 except a certain mortgage of Three Hundred & Fifty (350) Dollars, payable to Fannie N. Perme.

This grant is intended as a Mortgage to secure the payment of the sum of Four Hundred Dollars according to the terms of five certain promissory notes this day executed and delivered by the said first parties to the said part of the second part: each note bears even date herewith, is for one hundred dollars with interest at seven per cent per annum & they fall due on one, two, three, four & five years, respectively. 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 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 heirs and assigns.

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

Signed and delivered in presence of

Mary M. Miller (SEAL.)
C. B. Miller (SEAL.)
(SEAL.)
(SEAL.)

STATE OF KANSAS,
County of Osage } SS.

Be it Remembered, That on this 27th day of August A. D. 1900 before me, Robert Morris a Notary Public in and for said county and State, came C. B. Miller & Mary M. Miller (husband & wife) to me personally known to be the same person s, who executed the foregoing instrument, and duly acknowledged the execution of the same.

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

My commission expires March 5th 1901 Robert Morris Notary Public.
Recorded Nov. 1 A. D. 1900, at 5:30 o'clock 2 M.

H. H. Norman Register of Deeds.

The following is endorsed on the original instrument:
The note herein described having been paid in full this mortgage is hereby released and the lien hereby created discharged.
As Witness my hand this 22nd day of Nov. 1900.
Attest, Notary E. B. Evans.

Recorded Nov. 26th 1900,
J. W. Cunningham,
Register of Deeds.