

MORTGAGE RECORD No. 38.

MORTGAGE - Standard Form. SAME DODD WORTH BOOK CO., LEAVENWORTH, KAN.

In consideration of full payment of the within mortgage, I hereby release the same this 22nd day of July, 1901.

Attest: Willie B. Johnson, Dep. Reg. of Deeds.

The following is endorsed on the original instrument:

Received from the parties of the first part, the sum of One Thousand and Fifty Dollars (\$1050) on the 22nd day of July, 1901, in full payment of the within mortgage, and the parties of the first part, John S. Brooke and Emma H. Brooke, his wife, do hereby release the same.

Recorded for Record the 14th day of Oct. 1901.

This Indenture, Made this Second (2) day of April in the year of our Lord, one thousand and nine hundred and _____, between John S. Brooke and Emma H. Brooke, his wife, of Decatur in the County of Douglas and State of Kansas, of the first part, and W. H. Brooke of the second part:

Witnesseth, That the said part is of the first part, in consideration of the sum of One Thousand fifty (\$1050) 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 if 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:

Beginning at a point two hundred and forty three (243) feet from the center of the intersection of second street and vacated Isaac street, and running thence north on the middle line of vacated Isaac street seven hundred and sixty six (766) feet, thence north 58° degrees west seven hundred sixty four (764) feet, to a point in a hedge fence, thence south to a point one hundred and twenty three (123) feet north of the middle line of second street thence east to a point in the middle of vacated Whitfield street thence south one hundred twenty three (123) feet to the middle line of second street thence east one hundred ninety one and one half (191½) feet, thence north two hundred forty three (243) feet, thence east one hundred ninety one and one half (191½) feet to place of beginning.

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 of the premises, above granted, and seized of a good and indefeasible estate of inheritance therein, free and clear of all incumbrances

This Grant is intended as a Mortgage to secure the payment of the sum of One Thousand and fifty dollars (\$1050) according to the terms of One certain promissory note this day executed and delivered by the said parties of the first part to the said part if of the second part

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 if 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; 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 of making such sales, and the overplus, if any there be, shall be paid by the part if 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 hand and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of H. H. Spangler John S. Brooke (SEAL.) Emma H. Brooke (SEAL.)

STATE OF KANSAS, County of Douglas COUNTY ss.

BE IT REMEMBERED, That on this 9th day of April A. D. 1900, before me H. H. Spangler a Notary Public in and for said County and State, came John S. Brooke and Emma H. Brooke his wife 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 set my hand and affixed my official seal on the day and year last above written. My Commission Expires Sept. 17th 1902 H. H. Spangler Notary Public K.P. Filed for Record the 14th day of Oct. A. D. 1901, at 8:35 o'clock A. M. W. H. Brooke Register of Deeds