

## MORTGAGE RECORD No. 38.

MORTGAGE Standard Form. SAML BOURNORTH BOOK CO., LEAVENWORTH, KAN.

This Indenture, Made this Eleventh day of December in the year of our Lord, one thousand Nineteen hundred and one, between B. C. Russ and Sarah J. Russ his wife of Lawrence in the County of Douglas and State of Kansas, of the first part, and William T. Sinclair of same place of the second part:

Witnesseth, That the said part ix of the first part, in consideration of the sum of Three hundred and fifty Dollars, to them duly paid, the receipt of which is hereby acknowledged, he has sold, and by these presents do grant, bargain, sell and mortgage to the said part ix 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 fifty-four (54), and one hundred and twenty-six (126) in Addition No. Three (3) in that part of the City of Lawrence known as North Lawrence, being the Homestead of the parties of the first part who agree to maintain insurance on the buildings erected thereon for not less than four hundred dollars, during the existence of this mortgage.

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 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 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

Three hundred and fifty according to the terms of a certain Mortgage note this day executed and delivered by the said Parties of the first part to the said part ix of the second part due in 5 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 ten percent per annum until fully paid in cash or by Sheriff's deed to said property together with possession thereof. But if default be made in such payment, for 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 ix 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 ix making such sale, on demand, to the said Parties of the first part their heirs and assigns.

IN WITNESS WHEREOF, The said part ix of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in Presence of

B. C. Russ (SEAL.)

Sarah J. Russ (SEAL.)

(SEAL.)

STATE OF KANSAS,

County of Douglas COUNTY } ss.

BE IT REMEMBERED, That on this 13<sup>th</sup> day of December A. D. 1901, before me a Notary Public in and for said County and State, came

B. C. Russ and Sarah J. Russ 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 subscribed my name and affixed my official seal on the day and year last above written.

My Commission Expires March 29 1904

Joseph E. Rigg Notary Public

Filed for Record the 13<sup>th</sup> day of Dec. A. D. 1901 at 3 o'clock P. M.

W. H. Doremus Register of Deeds

Assigned See Book 39 Page 63

The following is a copy of the original instrument as recorded in the mortgage records of the County of Douglas, Kansas, and the same is hereby certified to be a true and correct copy of the original instrument as recorded in the mortgage records of the County of Douglas, Kansas.

Recorded Nov. 20<sup>th</sup> 1903  
A. W. Armstrong  
Recorder