

MORTGAGE RECORD No. 38.

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MORTGAGE Standard Form. SAM'L DODSWORTH BOOK CO., LEAVENWORTH, KAN.

This Indenture, Made this Second day of December in the year of our Lord, one thousand Nineteen hundred and one, between Henry Disque and Lena Disque of Douglas and State of Kansas, of the first part, and John Stebner of the second part:

Witnesseth, That the said parties of the first part, in consideration of the sum of Seven 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:

The west half of the north west quarter of Sec. Thirty six (36) Twp. Fourteen (14) Range Seventeen (17)

with all the appurtenances, and all the estate, title and interest of the said part 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 Seven hundred dollars 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 of the second part payable on or before two years from date with 6% interest payable annually

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; 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 of making such sales 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 hands and seal the day and year first above written.

Signed, Sealed and Delivered in Presence of

Henry Disque (SEAL.)
Magdalena Disque (SEAL.)

STATE OF KANSAS, }
County of Osage COUNTY } ss.

BE IT REMEMBERED, That on this 2nd day of December A. D. 1901, before me E. J. Hilkey a Notary Public in and for said County and State, came Henry Disque and Lena Disque, 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 set my hand and affixed my official seal on the day and year last above written.

My Commission Expires 6/26 1905 E. J. Hilkey Notary Public

Filed for Record the 6th day of Feb A. D. 1902, at 10 o'clock AM.
H. J. Hilkey Register of Deeds

The following is endorsed on the original mortgage:
The note, herein described, having been paid in full, this mortgage is hereby released. And the lien thereof is hereby released.
As witness my hand this 23rd day of February, 1906.
John Stebner.

Recorded July 20th 1906.
U. W. Armstrong,
Register of Deeds.