

MORTGAGE RECORD No. 38.

271

MORTGAGE Standard Form. SAME DODSWORTH BOOK CO., LEAVENWORTH, KAN.

This Indenture, Made this Fifteenth day of April in the year of our Lord, one thousand fourteen hundred and two, between Oliver P. Barber and Fannie B. Barber, his wife, John Barber and Arabella P. Barber, his wife, of City of Lawrence in the County of Douglas and State of Kansas, of the first part, and William C. Sinclair, of the same place, of the second part:

Witnesseth, That the said parties of the first part, in consideration of the sum of Twenty-five 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 north west quarter (less three and three fourths acres to Railroad) of section No. Thirteen (13), in Township No. Thirteen (13), South, of Range No. Eighteen (18), East of the Sixth P.M.

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

Twenty-five 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 part 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 ten percent per annum until fully paid in cash or by Sheriff's deed to above described property.

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 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, Sealed and Delivered in Presence of

Oliver P. Barber (SEAL)

Fannie B. Barber (SEAL)

John Barber (SEAL)

Arabella P. Barber (SEAL)

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

BE IT REMEMBERED, That on this 17th day of April A. D. 1902, before me

Nellie Benjamin a Notary Public in and for said County and State, came

Oliver P. Barber and Fannie B. Barber, his wife, John Barber and Arabella P. Barber, 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 Sept. 29 1903

Nellie Benjamin Notary Public

Filed for Record the 19th day of April A. D. 1902, at 10⁰⁰ o'clock a M.

W. H. Swann Register of Deeds

The mortgage described herein is hereby released and the same is hereby created discharged. As witness my hand this 23rd day of April A. D. 1902.

Julia Friend
My friend, make two attests - Jack
Hugh Blair

Recorded April 26th 1902
- Correll Notary -

(For Assignments See Book 41 of Mortgages page 67)