

MORTGAGE RECORD No. 42.

MORTGAGE Standard Form. JOURNAL CO. PRINTERS, BINDERS AND BLANK BOOK MAKERS LAWRENCE, KAN.

This Indenture, Made this 5th day of December in the year of our Lord, one thousand nine hundred and four, between Joseph Morris Banks and Ethel Maria Banks his wife of Marion Twp. in the County of Douglas and State of Kansas, of the first part, and The Board of Trustees of Ottawa University of the second part:

Witnesseth, That the said party of the first part, in consideration of the sum of Sixteen 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 party of the second part its 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 forty acres (40%) of the North east quarter (N.E. 1/4) of Section Nine (9) Township Fifteen (15) Range Eighteen (18). Also 40 acres of land described as follows: Commencing at the N.E. Corner of the North West quarter (N.W. 1/4) of Section Nine (9) Township Fifteen (15) Range Eighteen (18) thence West on the North line of said 1/4 section 40 rods; thence South parallel with the east line of said 1/4 section to the South line of said 1/4 section; thence east on the South line of said 1/4 section 40 rods to the S.E. corner of said 1/4 section; thence North on the East line of said 1/4 section to the first of beginning; being the east 40 acres of said North west quarter (N.W. 1/4) of said Section Nine (9) Township Fifteen (15) Range Eighteen (18).

with all the appurtenances, and all the estate, title and interest of the said party 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

Sixteen Hundred according to the terms of one certain note, and this day executed and delivered by the said Joseph Morris Banks and Ethel Maria Banks to the said party of the second part

and payable in 5 years from this date at the State Bank of Ottawa, with interest thereon at the rate of 6% per annum payable annually on the 5th day of the first month of the year.

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 incontinently become absolute and the whole amount shall become due and payable, and it shall be lawful for the said party of the second part, its 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 cost and charges of making such sale, and the overplus, if any there be, shall be paid by the party of the first part, making such sale on demand, to said party of the second part, its heirs and assigns.

IN WITNESS WHEREOF, The said parties 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

Joseph Morris Banks [SEAL]
Ethel Maria Banks [SEAL]
[SEAL]

STATE OF KANSAS,

County of Franklin

BE IT REMEMBERED, That on this 5 day of December, A. D. 1904, before me

a Notary Public in and for said County and State, came Joseph Morris Banks and Ethel Maria Banks his wife,

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 20th April 1906 E. C. House Notary Public.

Filed for Record the 15 day of Dec. A. D. 1904 at 2³⁰ o'clock P.M.

W. C. Cunningham Register of Deeds.
By Oliver E. Cunningham Deputy.

The following is endorsed on the original instrument
The Ottawa Mortgage, having been filed in full, it is hereby released under the original instrument, this 15th day of May A.D. 1910.
By Board of Trustees of Ottawa University
Ottawa, Kansas.
By Board of Trustees of Ottawa University
(Corporate Seal)

Recorded - June 23, 1906
Estelle V. Thompson
Register of Deeds