

MORTGAGE RECORD No. 43.

MORTGAGE Standard Form. Journal Co., Printers, Binders and Blank Book Makers, Lawrence, Kan.

This Indenture, Made this 11th day of November in the year of our Lord, 1909 1909 and Six between Ella A. Rayhill and M. H. Rayhill, her husband of Lawrence in the County of Douglas and State of Kansas, of the first part, and Louretta E. Miller of the second part:

Witnesseth, That the said part 1st of the first part, in consideration of the sum of Five Hundred (\$500.) Dollars, to them duly paid, the receipt of which is hereby acknowledged, has sold, and by these presents do grant, bargain, sell and mortgage to the said part 2d of the second part her 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: Commencing at a point 20 Rods North of the South West corner of Section No. 20, in Township No. 12, South, of Range No. 20, East of the 2d P. M., running thence East 70 rods, thence North 12 rods, thence West 70 rods, thence South 12 rods, to place of beginning, containing three acres of land, more or less.

Parties of the first part hereby agree to maintain insurance of \$200. on the buildings, mops or to be erected on said premises during the existence of this loan.

with all the appurtenances, and all the estate, title and interest of the said part 1st of the first part therein. And the said Ella A. Rayhill & M. H. Rayhill 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 the said second party, their heirs and assigns free against persons lawfully claiming the same. This Grant is intended as a Mortgage to secure the payment of the sum of 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 2d of the second part over for part purchase money, and due in three years from date, with interest from date of maturity as evidenced by coupons attached thereto, and duty for in case of any default to be paid 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 2d of the second part, her 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 sales, and the overplus, if any there be, shall be paid by the party making such sale, on demand, to said parties of the first part, their heirs and assigns.

IN WITNESS WHEREOF, The said part 1st of the first part has hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in Presence of Ella A. Rayhill [SEAL] M. H. Rayhill [SEAL] [SEAL]

STATE OF KANSAS, } ss. County of Atchison BE IT REMEMBERED, That on this 11th day of November A. D. 1909, before me the undersigned a Notary Public in and for said County and State, came Ella A. Rayhill and M. H. Rayhill, her husband 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 June 5 - 1910 C. L. Cummings Notary Public.

Filed for Record the 16th day of Nov. A. D. 1909, at 1:00 o'clock P.M. Atchison Register of Deeds. By C. L. Cummings Deputy.

The following is evidence on the original instrument: Recorded May 7, 1909. W. W. Cummings, Register of Deeds. (For Original see Book 411 page 284) This instrument is described in the original instrument filed this 12th day of May, 1909, in Book 411 page 284.

Recorded Nov 17 1909. The following is described in the original instrument filed this 12th day of May, 1909, in Book 411 page 284.