

MORTGAGE RECORD No. 43.

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This Indenture, Made this 8 day of August in the year of our Lord, nineteen hundred and seven (1907), between Ellen H. Bruce and her husband, J. J. Bruce, of Topeka, in the County of Douglas, and State of Kansas, of the first part, and
Merchants Loan & Savings Bank of the second part:

Six hundred and fifty Dollars, to them duly paid, the receipt of which is hereby acknowledged, has sold, and by these presents doth grant, bargain, sell and mortgage to the said party of the second part all rights 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 premises consist of one half section of land containing twenty-five acres, lying west and south from the intersection of the principal road leading to the town of Topeka, and the P.M. Railroad, and bounded on the north by a line running due north and south, and on the east by a line running due east and west, and on the south by a line running due west and south, and on the west by a line running due north and east, all in the town of Topeka, having a width of one-half mile, and a length of one-half mile, containing one-half section of land, being one-half of the original quarter section on the right bank of the Kansas river, having been and since 1865, a lot of three chains and thirty links (40 rods) in width, thence 11.63° E. for chains and thirty links (40 rods) to a stake, thence 11.63° E. for chains and thirty links (40 rods) to a corner tree (one chain and forty links (20 rods) to a post, thence 11.63° E. for chains and thirty links (40 rods) to a post; thence 11.63° E. for chains and twenty links (10 rods); thence 11.63° E. one chain and five links (5 rods) to a post three and one-half chains (80 rods) square on the south boundary line of said section, being five rods hence west with said boundary line, seven chains and six links (30 rods) to the place of beginning less the right of way, one hundred feet in width, divided to woodland and road, amounting to Alexander hill, and total, July 28, 1907, and recorded June 5th 1907 in Book 1, page 370. Amount surveyed on this date, five acres, more or less,

with all the appurtenances, and all the estate, title and interest of the said party of the first part therein. And the said

Ellen H. Bruce

doth hereby covenant and agree that

at the delivery hereof she is 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

\$ 600.00

according to the terms of the certain July 28, 1907 this day executed

and delivered by the said Ellen H. Bruce and J. J. Bruce to the said party of the second part

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 party of the second part, their 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 Ellen H. Bruce her heirs and assigns.

IN WITNESS WHEREOF, The said party 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

Ellen H. Bruce [SEAL]
J. J. Bruce [SEAL]
E. S. [SEAL]

STATE OF KANSAS,
Douglas County ss.

BE IT REMEMBERED, That on this 8 day of August A. D. 1907, before me

Frank E. Banks, a Notary Public in and for said County and State, came Ellen H. Bruce and J. J. Bruce 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 7/1/81

Frank E. Banks,
Notary Public.

Filed for Record the 12 day of August A. D. 1907, at 9th o'clock A. M.

Allie Grunberg, Register of Deeds.
By Elzie O. Hutchinson, Deputy.