

## MORTGAGE RECORD No. 45.

MORTGAGE STANDARD FORM. Gazette Co., Printers, Binders and Blank Book Makers, Lawrence, Kan.

This Indenture, Made this 30<sup>th</sup> day of December in the year of our Lord nineteen  
hundred and nine, between Asa Harrison Dutton, single, and  
Rebecca Dutton a widow, of the City of Lawrence in the County of  
Douglas and State of Kansas, of the first part, and  
E. F. Colby of the second part:

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

The East half (1/2) of the South East quarter (1/4) of Section Twenty-  
three (23) in Township Thirteen (13) of Range Nineteen (19) in  
said County and State.

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.

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 note this day executed  
 and delivered by the said Parties of the first part to the said party of the second part  
Payable five years after date with interest thereon according to the  
terms of said note and coupons thereto attached

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, 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 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  
Jessie Watt  
Having first been read over and  
explained to said Rebecca Dutton  
who said she understood the  
same, made her mark hereto in my presence.

Asa Harrison Dutton [SEAL]

Rebecca Dutton [SEAL]

mark [SEAL]

## STATE OF KANSAS,

Douglas County } ss.

BE IT REMEMBERED, That on this 30<sup>th</sup> day of Dec. A. D. 1909, before me,

Jessie Watt a Notary Public in and for said County and State, came  
Asa Harrison Dutton, single, and Rebecca Dutton,  
widow 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 30<sup>th</sup> Nov 1912

Jessie Watt Notary Public.

Filed for Record the 31<sup>st</sup> day of Dec. A. D. 1909, at 5<sup>57</sup> o'clock A. M.

Floyd L. Lawrence Register of Deeds.  
Ernest A. Lawrence Deputy.

The following is enclosed for the original instrument of  
 the party herein described having been put in full, this mortgage is hereby  
 is hereby released and the right thereby created is discharged. As witness  
 my hand this 30<sup>th</sup> day of August A. D. 1910.  
 E. F. Colby, Jr. & Co. Attorneys at Law  
 1000 Broadway, New York City

Recorded Aug 29, 1910  
 by M. A. Lawrence  
 Register of Deeds  
 By M. A. Lawrence

This instrument is returned on the original instrument.  
 The note herein described having been put in full, this mortgage is hereby released and the  
 right thereby created is discharged. As witness my hand this 31<sup>st</sup> day of April A. D. 1910.

Recorded Apr 28, 1910  
 By M. A. Lawrence