

MORTGAGE RECORD No. 49.

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Mr. Release per Book 51 Page 349

This Indenture, Made this twenty day of February in the year of our Lord sixteen hundred and eleven, between Louis C. Simon and Elmer W. Simon his wife of the City of Lawrence in the County of Douglas and State of Kansas, of the first part, and B. F. Donny Estate of the second part:

Witnesseth, That the said part first of the first part, in consideration of the sum of Five thousand 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 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:

Lot Number Two Hundred Sixty Two (62) Louisiana Street in the City of Lawrence, Douglas County, Kansas

with all the appurtenances, and all the estate, title and interest of the said part first of the first part therein. And the said Louis C. Simon and Elmer W. Simon his wife do hereby covenant and agree that at the delivery hereof they are the lawful owners 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 thousand Dollars according to the terms of an certain note this day executed and delivered by the said Louis C. Simon and Elmer W. Simon his wife to the said part of of the second part said note being dated January 18, 1911

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 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 sales, and the overplus, if any there be, shall be paid by the part of making such sale, on demand, to said Louis C. Simon and Elmer W. Simon his wife their heirs and assigns.

IN WITNESS WHEREOF, The said part first of the first part have hereunto set their hand and seals the day and year first above written.

Signed, Sealed and Delivered in presence of  
J. J. Meader Louis C. Simon [SEAL]  
L. B. Riddle Elmer W. Simon [SEAL]

STATE OF KANSAS, } ss.  
Douglas County

BE IT REMEMBERED, That on this 20<sup>th</sup> day of February A. D. 1911, before me, W. J. Carpenter a Notary Public in and for said County and State, came Louis C. Simon and Elmer W. Simon his wife to me personally known to be the same persons 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 Dec 28 1911 W. J. Carpenter Notary Public.

Filed for Record the 20<sup>th</sup> day of Feb A. D. 1911, at 3<sup>32</sup> o'clock P. M.  
Joseph Lawrence Register of Deeds.  
Deputy.