

# MORTGAGE RECORD No. 49.

229 1

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

This Indenture, Made this 26th day of September in the year of our Lord nineteen hundred and eleven (1911), between Frank P. Smith and Rose E. Smith his wife of Lawrence in the County of Douglas and State of Kansas, of the first part, and Ephraim Miller of the second part:

**Witnesseth**, That the said part 1st of the first part, in consideration of the sum of Three thousand (\$3000.00) and no/10 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 2d of the second part his 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:

Lots Numbered One Hundred Ninety (190) and One Hundred Ninety Two (192) on Tennessee Street in the City of Lawrence

with all the appurtenances, and all the estate, title and interest of the said part 1st of the first part therein. And the said Frank P. Smith and Rose E. Smith, 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 Three Thousand Dollars according to the terms of Five certain notes this day executed and delivered by the said Frank P. Smith and Rose E. Smith his wife to the said part 2d 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 part 2d of the second part, his 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 Frank P. Smith his heirs and assigns.

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

Signed, Sealed and Delivered in presence of

Frank P. Smith [SEAL]  
Rose E. Smith [SEAL]  
[SEAL]

## STATE OF KANSAS,

Douglas County ss.

BE IT REMEMBERED, That on this 26th day of September A. D. 1911, before me, Frank C. Banks a Notary Public in and for said County and State, came Frank P. Smith and Rose E. Smith, his wife 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 November 9th, 1914

Frank C. Banks Notary Public.

Filed for Record the 26 day of Sept A. D. 1911, at 10:50 o'clock 9 M.

Floyd L. Lawrence Register of Deeds.  
Deputy.

This note herein described having been paid in full, this mortgage is hereby released and the same is hereby canceled. As witness my hand this 26th day of September, 1911. Ephraim Miller My Notary

Recorded Sept 30 1911 Floyd L. Lawrence Register of Deeds.

Witness  
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of the second part:  
consideration of the sum of  
DOLLARS,  
bargain, sell and mortgage  
in the County of Douglas,  
September 18  
to the city  
said  
covenant and agree that  
a good and indefeasible  
the payment of the sum of  
part 2d of the second part  
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ministrators and assigns, at  
of all the moneys arising  
making such sales, and the  
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day and year first above  
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official seal on the day and  
Frank  
Notary Public.  
M.  
Register of Deeds.  
Deputy.