

MORTGAGE RECORD NO. 55.

This Indenture, Made this 7th day of September in the year of our Lord Nineteen Hundred Sixteen, between Susan Elburn and J. F. Elburn, her husband and M. W. Herr and Ethel G. Herr, his wife in the County of Douglas and State of Kansas, of the first part, and

Jacob Bowers of the second part: WITNESSETH, That the said part first of the first part, in consideration of the sum of Twelve Hundred (\$1200.00) DOLLARS,

to them duly paid, the receipt of which is hereby acknowledged, he has sold, and by these presents do grant, bargain, sell and mortgage to the said part second 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: The East Twelve and one half (12 1/2) acres of the north half of the north-west quarter of the North East quarter and the north one acre of the west fifteen acres of the north-west quarter of the north-east quarter of Section 11, T. 19 N., R. 10 W., Begin at the Southwest Corner of the South-east quarter, thence East ten (10) Chains, North four hundred and ninety-eight feet (498) West four hundred and twenty-one (421) feet to Center of public road, thence South-west along said Center of Road to beginning, less north one and one half acres to Winery Section 2-14-19.

with all the appurtenances, and all the estate, title and interest of the said part second of the first part therein. And the said Susan Elburn and M. W. Herr do hereby covenant and agree that at the delivery hereof they are the lawful owner S of the premises, above granted, and seized of a good and indefeasible estate of inheritance therein, free and clear of all incumbrances.

Except a certain mortgage for (\$1000.00) from W. D. Harwood to Rachel Ellis This Grant is intended as a Mortgage to secure the payment of the sum of Twelve Hundred Dollars

according to the terms of one certain Note this day executed and delivered by the said Susan Elburn and M. W. Herr to the said part second of the second part Dated September 7, 1916 and due five (5) years after date with interest thereon at the rate of five per cent (5%) per annum, payable annually 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 second 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 part second making such sale, on demand, to said Susan Elburn and M. W. Herr heirs and assigns.

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

Signed, Sealed and Delivered in presence of

Susan Elburn (SEAL)
J. F. Elburn (SEAL)
M. W. Herr (SEAL)
Ethel G. Herr (SEAL)

STATE OF KANSAS,

Douglas County } ss.

BE IT REMEMBERED, That on this 19th day of September A. D. 1916, before me, Raymond E. Rice Notary Public in and for said County and State, came Susan Elburn and J. F. Elburn her husband and M. W. Herr and Ethel G. Herr his wife to me personally known to be the same person who 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 Jan. 26 1917 Raymond E. Rice Notary Public.

Filed for Record the 23 day of January A. D. 1917, at 2⁰⁰ o'clock P.-M.
Estelle Northrup Register of Deeds.
W. W. Armstrong Deputy.

The following is returned on the original instrument:
 The same benefit described having been paid in full, this mortgage is hereby released and the same is hereby created unincumbered. As witness my hand this 23rd day of January A. D. 1917.
Wm. A. Messenger
 Register of Deeds
 Douglas County, Kansas
 at the City of Great Bend, Kansas
 Recorded - Sept. 23rd 1917
Estelle Northrup
 Register of Deeds