

ASSIGNMENT OF LIFE ESTATE IN
REAL ESTATE.

THESE PRESENTS CERTIFY, That whereas Henry Albach, of the City of Lawrence, Douglas County, Kansas, is indebted unto H. A. Koch of the City of Chanute, Neosho County, Kansas, in the principal sum of Thirty seven Hundred Dollars (\$3700.00) on two promissory notes in the sums of \$2000 and \$1700 respectively, and with interest on said sum and sums as provided and stipulated in said notes:

And Whereas the said Henry Albach is the owner of and has a life estate in the income from the South one-half ($S\frac{1}{2}$) of Lot number Sixty *five* (65) on Massachusetts street in the City of Lawrence, Kansas:

Be it therefore known that the said Henry Albach and his wife, Bertha Albach, for and in consideration of the aforesaid sum of Thirty Seven Hundred Dollars (\$3700) to them duly paid, the receipt whereof is and was by said aforesaid promissory notes acknowledged and confessed, and in consideration of the premises do hereby and now assign, sell, transfer, set over and convey unto said H. A. Koch aforesaid all their right, title and interest in and to said life estate in said south half ($S\frac{1}{2}$) of said Lot Sixty *five* (65) Massachusetts street in the City of Lawrence, Kansas, until the entire sum of Thirty Seven Hundred Dollars (\$3700) as evidenced by said promissory notes aforesaid, together with interest thereon as specified in said notes, shall be paid in full and said indebtedness completely satisfied; said Henry Albach reserving from such income in the hands of said H. A. Koch, however, a sufficient amount to pay the proper and legal taxes levied and assessed against said south Half ($S\frac{1}{2}$) of said Lot sixty *five* (65) Massachusetts street aforesaid, and which said taxes the said "H. A." Koch agrees and undertakes to pay out of and from any sum collected hereunder, and to pay same when same are and become due and payable without defalcation and without allowing Penalties to accumulate thereon for non-payment or otherwise; this to include any and all special taxes levied and assessed against said property as well as general taxes.

It is hereby understood and agreed by and between the parties hereto that this arrangement is simply an assignment of said life estate as security for the payment of said aforesaid sum and sums, the said thirty seven Hundred Dollars (\$3700.00) represented by said aforesaid two promissory notes and as virtually a mortgage securing the payment of said sum and sums aforesaid, and that whenever the said Henry Albach and Bertha Albach, his wife, or anyone in their behalf or on their account, or their heirs, executors, administrators, devisees, trustees or assigns, shall pay or cause same to be paid in full, together with the interest thereon as is specified and provided in said promissory notes, that the said H. A. Koch will thereupon release this assignment of record and cause full satisfaction of his lien hereunder and of all his right, title and interest hereunder and created hereby to be entered of record in the office of the register of deeds of Douglas County, Kansas, and to surrender up to said Henry Albach all notes or other evidences of indebtedness whatsoever, or to his heirs, executors, administrators, devisees or assigns.

And the wife of said Henry Albach, Bertha Albach, hereby makes her self a party hereto insofar as to enable the said Henry Albach, her husband, to assign and transfer and mortgage his said life estate in said aforesaid real estate, and she hereby and now specifically agrees to said aforesaid arrangement.

In witness whereof, the said Henry Albach and Bertha Albach, husband and wife, have hereunto set their hands and seals on this, the 22 day of January, A.D. 1918.

Henry Albach,
Bertha Albach.

State of Kansas,
County of Douglas, SS:

Be it remembered, That on this 22nd day of January A.D. 1918, before me, The undersigned, a Notary Public, in and for said county and state, came Henry Albach and Bertha Albach, husband and wife, to me personally known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

My Comm Exp. March 30, 1921.

(L.S.)

Emma Christensen,

Notary Public.

Douglas County, Kansas.

Recorded January 25 1918.
At 11:10 o'clock A.M.

Estelle Westrup,
Register of deeds,
Lawrence, Kansas.
Deputy.