

MORTGAGE RECORD NO. 58

This Indenture, Made this First day of August in the year of our Lord twentieth hundred nineteen (1919), between David P. Penson and Rachel Penson, his wife of Lawrence in the County of Douglas and State of Kansas, of the first part, and

John Hengicker of the second part: WITNESSETH That the said parties of the first part, in consideration of the sum of (32353.00) Ten Thousand Three Hundred Eighty Three and 00/100 DOLLARS, to them duly paid, the receipt of which is hereby acknowledged, have well sold, and by these presents do grant, bargain, sell and mortgage to the said party 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 North One-half (1/2) of Lot Number Twenty Three (23) and all of Lot Number Twenty Four (24) in Block Twenty Three in Sinclair's Addition to the City of Lawrence.

with all the appurtenances, and all the estate, title and interest of the said parties of the first part therein. And the said David Penson and Rachel Penson 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 \$2353.00 Dollars according to the terms of one certain note this day executed and delivered by the said David Penson and Rachel Penson, his wife to the said party 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 payments for 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, 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 sale, and the overplus, if any there be, shall be paid by the party making such sale, on demand, to said David Penson heirs and assigns.

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

Signed, Sealed and Delivered in the presence of

David Penson (SEAL)

Rachel Penson (SEAL)

(SEAL)

STATE OF KANSAS,

Douglas County ss.

BE IT REMEMBERED, That on this 4th day of August A. D. 1919, before me,

David Penson and Rachel Penson, his wife a Notary Public in and for said County and State, came

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 30th 1920

Frank E. Barker Notary Public.

Filed for Record the 4 day of August A. D. 1919, at 5:35 o'clock P.M.

Estelle Marshall Register of Deeds
Frank Stern Deputy.

For Assignment See Book 62 Page 358.
" " " " 359
" " " " 359
" " " " 359