

# MORTGAGE RECORD-59.

126

Received of Ben Emery and Bessie Emery, husband and wife, the sum of Seven Hundred and 00/100 Dollars, in full satisfaction of the within Mortgage.

This Indenture, Made this 16th day of May, A. D. 1924, between Ben Emery and Bessie Emery, husband and wife of Douglas County, in the State of Kansas, of the first part, and L. H. Warner of Shawnee County, in the State of Kansas, of the second part; Witnesseth, That said part 1st of the first part, in consideration of the sum of Seven Hundred and 00/100 DOLLARS, the receipt of which is hereby acknowledged, do by these presents, grant, bargain, sell and convey unto said part 2d of the second part, his heirs and assigns, all the following described REAL ESTATE, situated in the County of Douglas and State of Kansas to wit:

One undivided one fourth of the northeast quarter of Section thirteen, Township twelve, Range seventeen lying South of the Lawrence and Topeka Road, consisting of thirty-six and one half acres, and the north forty-four acres of the southeast quarter of Section Thirteen Township twelve, Range Seventeen, Douglas County, Kansas.

To Have and to Hold the Same, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in any wise appertaining, forever:

Provided Always, And these presents are upon this express condition, that whereas said Ben Emery and Bessie Emery husband and wife this day executed and delivered their certain promissory note in writing to said part 2d of the second part, of which the following is a copy - \$700.00 Topeka Kansas May 16th 1924 For Value Received, we promise to pay to L. H. Warner or order, the sum of Seven Hundred and 00/100 Dollars at Topeka Kansas, in installments payable as follows to wit: Twenty five - Dollars on the 15th day of June 1924 and Twenty five - Dollars on the 15th day of each succeeding month thereafter up to and including the 15th day of Sept. 1926 and with interest from maturity until paid, at the rate of 6 per cent per annum.

It is further provided that in the event of any installment when due, then all the remaining installments shall become due and collectible at once. All signers, endorser and parties to this instrument hereby warrant, defend, protect and release from payment and agree to all extensions and partial payments after maturity, and agree to pay all costs and expenses incurred in collection of this note.

Now, If said part 1st of the first part shall pay or cause to be paid to said part 2d of the second part, his heirs or assigns, said sum of money in the above described note mentioned, together with the interest thereon, according to the terms and tenor of the same, then these presents shall be wholly discharged and void; and otherwise shall remain in full force and effect. But if said sum or sums of money, or any part thereof, or any interest thereon, is not paid when the same is due, and if the taxes and assessments of every nature which are or may be assessed and levied against said premises or any part thereof, are not paid when the same are by law made due and payable; then the whole of said sum and sums and interest thereon, shall, and by these presents, become due and payable and said part 2d of the second part shall be entitled to the possession of said premises.

In Witness Whereof, The said part 1st of the first part have hereunto set their hands the day and year first above written.

Executed in the presence of

Ben Emery  
Bessie Emery

STATE OF KANSAS,

Shawnee County, ss.

Be it Remembered, That on this 17th day of May, A. D. 1924, before me

L. S.

Ben Emery and Bessie Emery, husband and wife

who are personally known to me to be the same persons who executed the within instrument of writing, and such person

have duly acknowledged the execution of the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal on the day and year last above written.

My Commission Expires October 14th 1925

Walter J. Nelson

Notary Public

Recorded July 1 1924  
At 9 A.M.

L. E. Williams  
Register of Deeds

For Assignment See Book 65-Page 207

101042

Recorded March 18 1925  
L. E. Williams  
Register of Deeds

THE FOLLOWING IS REPRODUCED FROM THE ORIGINAL INSTRUMENT  
Shawnee Kansas Mar 18 1925