

MORTGAGE RECORD NO. 60

This Indenture, Made this 9th day of June in the year of our Lord 1922 between J. Whalsh and Auguste Whalsh his wife of Douglas and State of Kansas, of the first part, and H. B. Butler, A.D. Heavens, Executor of Ralph Butler of the second part:

WITNESSETH That the said part of the first part, in consideration of the sum of Three Thousand DOLLARS, to them duly paid, the receipt of which is hereby acknowledged, have been sold, and by these presents do sell grant, bargain, sell and mortgage to the said part of the second part their 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:

Lot Thirty Four + the North half of lot Thirty six New Hampshire
in the City of Lawrence, Kansas

Revenue Stamp to be affixed

with all the appurtenances, and all the estate, title and interest of the said part of the first part therein. And the said J. Whalsh do hereby covenant and agree that at the delivery hereof he is 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 Three Thousand according to the terms of certain promissory note this day executed and delivered by the said J. Whalsh to the said part 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 of the second part the 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 making such sale, on demand, to said H. B. Butler + A. D. Heavens heirs and assigns.

IN WITNESS WHEREOF, The said part 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

J. Whalsh (SEAL)
Auguste Whalsh (SEAL)

STATE OF Kansas } ss.
Douglas County

BE IT REMEMBERED, That on this 10 day of June A. D. 1922, before me, Geo. H. Whalsh Notary Public in and for said County and State, came J. Whalsh and Auguste Whalsh, his wife to me personally known to be the same persons who executed the foregoing instrument, and duly acknowledged execution of the same.

(sd) 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. 25 1923 Geo. H. Whalsh Notary Public.

Filed for Record the 26 day of April A. D. 1922 at 6:10 o'clock P.M.
Esther M. Whalsh Register of Deeds
James L. Lard Deputy.

The following is endorsed on the original instrument.
released and the fee therefor charged.
A witness my hand this 15th day of May A. D. 1923
Attest: Ch. Parker Register of Deeds of Douglas County, Kansas
Recorded May 15th 1923
Geo. H. Whalsh
Register of Deeds