

# MORTGAGE RECORD NO. 60

This Indenture, Made this 4th day of May 1923 in the year of our Lord one thousand nine hundred and twenty three between Edward F. Kutz and Gertrude G. Kutz, his wife of Douglas in the County of Douglas and State of Kansas, of the first part, and Ida C. Morrison of the second part:

WITNESSETH That the said part 1st of the first part, in consideration of the sum of Eighteen Hundred DOLLARS, to them duly paid, the receipt of which is hereby acknowledged, have sell sold, and by these presents do grant grant, bargain, sell and mortgage to the said part 2d of the second part her 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 One Hundred and Thirty-four (134) and One Hundred and Thirty-six (136) on Ohio Street in the City of Lawrence Douglas County, Kansas according to the plat thereof on file in the Register of Deeds office.

with all the appurtenances, and all the estate, title and interest of the said part 1st of the first part therein. And the said Edward F. Kutz, Gertrude G. Kutz, his wife do hereby covenant and agree that at the delivery hereof that they the lawful owner of of the premises, above granted, and seized of a good and indefeasible estate of inheritance therein, free and clear of all incumbrances except a mortgage of \$4500.00 held by the Lawrence Building & Loan Association This Grant is intended as a Mortgage to secure the payment of the sum of Eighteen Hundred Dollars

according to the terms of a certain note this day executed and delivered by the said Edward F. Kutz, Gertrude G. Kutz, his wife to the said part 2d of the second part Ida C. Morrison

and this conveyances 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 2d of the second part her 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 said Edward F. Kutz and Gertrude G. Kutz, his wife making such sale, on demand, to said Edward F. Kutz and Gertrude G. Kutz, his wife heirs and assigns.

IN WITNESS WHEREOF, The said part 1st of the first part have here hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of Walter L. Morrison (SEAL) E. F. Kutz (SEAL) Gertrude G. Kutz (SEAL)

STATE OF Kansas Douglas County ss.

RE IT REMEMBERED, That on this 16th day of May A. D. 1923 before me, D. Coen Byrum a Notary Public in and for said County and State, came Edward F. Kutz and Gertrude G. Kutz

L. S. to me personally known to be the same person who who executed the foregoing instrument and duly acknowledged 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 December 16th 1925 D. Coen Byrum Notary Public.

Filed for Record the 13th day of June A. D. 1923 at 3:40 o'clock P. M.

Ida C. Morrison Register of Deeds

Deputy.

The following is entered on the original instrument.  
 released and the lien thereby created discharged.  
 At witness my hand this 10th day of May 1923  
W. L. Morrison  
 Attest:  
 Recorded 10-3 1923  
Don Edelman  
 For Assignment See Book 67 Page 217-

...in the year of our Lord  
 and  
 in the County of  
 of the second part:  
 of the sum of  
 DOLLARS,  
 grant, bargain,  
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 a mortgage  
 the State  
 of the sum of  
 of the second part  
 or any part thereof, or inter-  
 amount shall become due  
 administrators and assigns, at any  
 the moneys arising from such  
 and the overplus, if any there  
 hand, and seal of  
 (SEAL)  
 (SEAL)  
 (SEAL)  
 A. D. 1923, before me,  
 said County and State, came  
 Jensen  
 to me personally known to be  
 tion of the same.  
 ial seal on the day and year  
 Notary Public  
 20 o'clock P. M.  
 Register of Deeds  
 Deputy.