

MORTGAGE RECORD NO. 63

359

BANK DODGEWORTH STATIONERY CO KANSAS CITY MO 64108

This Indenture, Made this 1st day of October in the year of our Lord nineteen hundred twenty three, between Yale H. Kerns and Ruth Kerns his wife of Chinook in the County of Montana and State of Kansas, of the first part, and The Baldwin State Bank of the second part: **WITNESSETH** That the said parties of the first part, in consideration of the sum of Nine Hundred DOLLARS, to them duly paid, the receipt of which is hereby acknowledged, have sold, and by these presents do grant, bargain, sell and mortgage to the said part y of the second part its successors 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 undivided one sixth interest in the east half of the south west quarter (SW 1/4) of section Ten (10) in Township fifteen (15) Range twenty (20)

with all the appurtenances, and all the estate, title and interest of the said part ies of the first part therein. And the said Yale H. Kerns and Ruth Kerns 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 X

This Grant is intended as a Mortgage to secure the payment of the sum of Nine hundred Dollars according to the terms of one certain note this day executed and delivered by the said Yale H. Kerns and Ruth Kerns to the said part y of the second part due in three years with 7% interest payable semi-annually and this conveyance shall be void if such payments be made as herein specified. But if default be made in such payments 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 y of the second part its successors 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 y making such sale, on demand, to said Yale H. Kerns and Ruth Kerns their heirs and assigns.

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

Signed, Sealed and Delivered in the presence of Yale H. Kerns (SEAL) Ruth Kerns (SEAL) O. B. Silvey (SEAL) Helen Silvey (SEAL)

STATE OF Montana } ss. Blairstown County } BE IT REMEMBERED, That on this 16 day of Oct A. D. 1923, before me, O. B. Silvey a Notary Public in and for said County and State, came Yale H. Kerns and Ruth Kerns

L.S. to me personally known to be the same person ... 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 Jan 4 1926 O. B. Silvey Notary Public. Residing at Chinook Montana. Filed for Record the 27 day of Feb A. D. 1925, at 9 o'clock A. M. John E. Wellman Register of Deeds. Deputy.

As witness my hand this 16 day of Oct A. D. 1923 The Baldwin State Bank Chinook, C. Beck W. M. Clark Chinook

Recorded Dec 18 1925 John E. Wellman Register of Deeds