

MORTGAGE RECORD NO. 63

585

Reg. No. 3168

Per 1512 42625

SAUL BODENWORTH STATIONERY CO KANSAS CITY MO 64108

The following is a true and correct copy of the original instrument.

Recorded Sept. 26, 1932

Elmer E. Armstrong

Register & Deputy

As witness my hand this 26th day of September A.D. 1928

Elizabeth M. Matthews

Attest

This Indenture, Made this second day of February in the year of our Lord nineteen hundred twenty eight (1928) between C. F. Nelson and Hearty Brown Nelson, his wife of Douglas in the County of Douglas and State of Kansas, of the first part, and W. Louis Johnson of the second part:

WITNESSETH that the said parties of the first part, in consideration of the sum of Ten thousand Five hundred (\$10,500.00) 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 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: Commencing at a point ten (10) rods West of a point forty (40) rods south of the northeast corner of section one (1) Township Thirteen (13) Range nineteen (19) thence running south one hundred (100) feet thence west ten (10) rods thence north one hundred (100) feet thence east ten (10) rods to the place of beginning, except such portion as lies in Indian street and except a strip of land 12 feet wide on the north side of the tract as above described which has been deeded to the city of Lawrence for the purpose of a street to-wit: Sixteenth (16) street in Douglas County, Kansas

with all the appurtenances, and all the estate, title and interest of the said parties of the first part therein. And the said parties of the first part 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 Ten thousand Five hundred according to the terms of one certain note this day executed and delivered by the said C. F. Nelson and Hearty Brown Nelson, 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 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 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 sales, and the overplus, if any there be, shall be paid by the party making such sale, on demand, to said C. F. Nelson his heirs and assigns.

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

Signed, Sealed and Delivered in the presence of C. F. Nelson (SEAL) Hearty Brown Nelson (SEAL)

STATE OF Kansas Douglas County ss. BE IT REMEMBERED, That on this 3rd day of February A. D. 1928, before me, a Notary Public in and for said County and State, came C. F. Nelson and Hearty Brown Nelson his wife 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 Nov 8 1928 Frank E. Banks Notary Public.

Filed for Record the 3 day of Feb A. D. 1928, at 25 o'clock P. M. Geo E. Wellman Register of Deeds. Deputy.

For Assignment See Book 72 Page 552