

MORTGAGE RECORD 67

325

SAMUEL DOWENORTH STATIONERY CO KANSAS CITY MO 64114

MORTGAGE.

From O. M. Row et ux
To Alfred Kersley

State of Kansas Douglas County, ss;
This instrument filed April 6th, 1926 at
10:00 A.M.

John E. Helleman
Register of Deeds

Reg. No. 621
Fee Paid \$5.00

This Mortgage, Made this First day of March in the year of Our Lord One Thousand Nine Hundred Twenty-six by and between ---O. M. Row and Janie Row, his band and wife of the County of Franklin and State of Kansas parties of the first part, and Alfred Kersley party of the second part, Witnesseth that said party of the first part for and in consideration of the sum of ---Ten Thousand (10,000.00) Dollars --- to them in hand paid for and in consideration of the sum of receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said party of the second part, and to his heirs and assigns forever, all of the following described tracts, pieces and parcels of land lying and situate in the County of Douglas and State of Kansas, to-wit:

Southwest Quarter of Section Nine (9) in Township Fifteen (15)
in Range Twenty-one (21) containing 160 acres more or less

To Have and To Hold the same with all and singular the hereditaments and appurtenances thereto belonging unto the said party of the second part and to his heirs and assigns forever, provided always and this instrument is made, executed and delivered upon the following conditions, to-wit:

Whereas, O. M. Row and Janie Row, his wife, the said parties of the first part have date herewith, by which they promise to pay to the said Alfred Kersley or order, for value received, ---Ten Thousand (10,000.00) Dollars due April 1, 1929 with interest from April 1, 1926 to maturity at the rate of Six per cent per annum, payable annually as evidenced by Three interest coupons for the sum of \$600.00 each falling due on the first days of April in each year, both principal and interest notes are payable at Commerce Trust Company in Kansas City, Mo., and bear interest from maturity until paid at the rate of Ten per cent per annum payable annually.

Now, if the said O. M. Row and --- Row shall well and truly pay, or cause to be paid, the sum of money in said note mentioned, with the interest thereon, according to the tenor and effect of said note, then these presents shall be null and void. But if said sum of money or either of them, or any part thereof, or any interest thereon, be not paid when the same become due, then, and in that case, the whole of said sums and interest shall at the option of said party of the second part or assigns by virtue of this Mortgage, immediately become due and payable; or if the taxes and assessments of every nature which are or may be assessed against said land and appurtenances, or either of them, or any part thereof, are not paid at the time when the same are by law made due and payable, then in like manner the said note and the whole of said sum shall immediately become due and payable, and upon forfeiture of this mortgage, or in case of default in any of the payments herein provided for, the party of the second part, his heirs, executors, administrators and assigns, shall be entitled to a judgement for the sum due upon said note and the additional sums paid by virtue of this Mortgage, and all costs and expenses of enforcing the same, as provided by law, and a decree for the sale of said premises in satisfaction of said judgment, foreclosing all rights and equities in and to said premises of said parties of the first part, their heirs and assigns, and all persons claiming under them at which sale, appraisal of said property is hereby waived by said parties of the first part, and all benefits of the Homestead, Exemption and Stay Laws of the State of Kansas are hereby waived by said parties of the first part. And the said parties of the first part shall and will at their own expense from the date of the execution of this Mortgage until said note and interest, and all liens and charges by virtue hereof, are fully paid off and discharged, keep the buildings erected and to be erected on said lands, insured in some responsible insurance company duly authorized to do business in the State of Kansas, to the amount of Ten Thousand (\$10,000.00) Dollars, for the benefit of the said party of the second part, or his assigns, and the premium or premiums, costs, charges and expenses for effecting the same shall be an additional lien on said mortgaged property and may at his own option pay any taxes or statutory liens against said property, all of which sums with 10 per cent interest may be enforced and collected in the same manner as the principal debt hereby secured.

And the said parties of the first part hereby covenant and agree that at the delivery hereof said Parties of the first part the lawful owners of the premises above granted and seized of a good and indefeasible estate of inheritance therein, free and clear of all incumbrances; and that they will Warrant and Defend the same in the quiet and peaceable possession of said party of the second part, his heirs and assigns forever; against the lawful claim of all persons whomsoever.

In Witness Whereof, The said parties of the first part have hereunto set their hands the day and year first above written.
Executed and delivered in presence of

O. M. Row
Janie Row.

State of Kansas)
County of Franklin) ss;

Be It Remembered That on this-day of April A.D. 1926, before me, the undersigned a Notary Public in and for the County and State aforesaid, came O. M. Row, and Janie Row, his wife, who are personally known to me to be the same persons who executed the within instrument of writing and such persons who executed the within instrument of writing and such persons duly acknowledged the execution of the same.

In Testimony Whereof, I have hereunto set my hand and affixed my Notarial seal the day and year last above written
Term expires Feb- 12-1929.

H. E. DeFar
Notary Public

L.S.

For Assignment of \$10,000.00

Recorded April 19th 1926
John E. Helleman
Register of Deeds

\$10,000.00
THE FOLLOWING IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT
Recorded of O. M. Row & Janie Row to Alfred Kersley
the sum of Ten Thousand & no/100 Dollars in full
satisfaction of the within Mortgage.
April 9 1926
Notary Public
H. E. DeFar