

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:

Beginning at a point 77 rods north of the South East corner of the South West $\frac{1}{4}$ of Section 34. Town 11. Range 18 thence North 32 rods thence West 97 rods to the middle of Croon Creek thence southward following the meanderings of said Creek to a point 73 rods west of the east line of the said quarter section, thence North 7 rods thence east 73 rods to place of beginning containing twenty acres more or less with the appurtenances and all the estate title and interest of the said party of the first part therein. And the said Erastus Atkinson party of the first part does hereby covenant and agree that at the delivery hereof that they are 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.

This Grant is intended as a Mortgage to secure the payment of the sum of Four Hundred Dollars according to the terms of a certain promissory note this day executed and delivered by the said Erastus Atkinson party of the first part to the said party of the second part; and this conveyance shall be void if such payment 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 thereon then this conveyance shall become absolute and the whole shall become due and payable and it shall be lawful for 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 appraisement hereby waived or not at the option of the party of the second part his executors administrators or assigns; and out of all the moneys arising from such sale to retain the amount then due for principal and interest together with the costs and charges of making such sale and the surplus if any there be shall be paid by the party making such sale on demand to the said Erastus Atkinson & wife their heirs and assigns.