

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:

Lot 46. New York Street with the appurtenances and all the estate, title and interest of the said party of the first part therein. And the said Emil Butze and Marie Butze his wife do hereby covenant and agree that at the delivery hereof 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 One Hundred dollars (\$100.⁰⁰) according to the terms of a certain promissory note this day executed and delivered by the said Emil Butze 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 up 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 saved 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 thereof shall be paid by the party making such sale, on demand to the said parties of the first part or their heirs and assigns.

In Witness Whereof. The said parties of the first part have hereunto set their hands and seals the day and year last above written.

Emil Butze Real
 Maria Butze Real

State of Kansas Douglas County ss.

Be it Remembered, That on this 1st day of August A.D. 1884 before me E. A. Menger a Notary