

said party of the first part therein. And the said J. M. Wilbush does hereby covenant and agree that at the delivery hereof he is 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 Two Hundred and fifty Dollars according to the terms of a certain note given this day executed and delivered by said J. M. Wilbush 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 any 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 waived or not at the option of the party of the second part his executors administrators or assigns and out of all the money 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 there be any shall be paid by the party making the sale on demand to the said party of the first part his heirs and assigns.

In Witness Whereof The said party of the first part has herewith set his hand and seal the day and year last above written.

Signed Sealed & Delivered in the Presence of
P. B. Reed.

J. M. Wilbush

State of Kansas Douglas County ss.

Be it Remembered That on this 30th day of September A. D. 1884 before me a Notary Public in and for said County and State came J. M. Wilbush to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution of the same.

In Witness Whereof I have herewith subscribed my name and affixed my official seal on the day and year last above written.

(L.S.)

C. E. Gaddis

My Commission expires Jan 17th 1885.

Notary Public

Recorded October 3rd 1884 at 9 O'clock A.M.

A. J. Donnell

Register of Deeds