

quarter of Section Three (3) Town Twelve (2) Range Eighteen (18) with the appurtenances and all the estate title and interest of the said parties of the first part therein. And the said John S. Brooke and Emma E. Brooke do hereby covenant and agree that at the delivery hereof they are the lawful owners of the premises above granted and seised 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 thousand dollars and the interest thereon to A. Frank Kerns according to the terms of two certain promissory notes this day executed and delivered by the said John S. Brooke 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 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.

John S. Brooke 
Emma E. Brooke 

State of Kansas, Douglas County, ss.

Be it Remembered that on this 29th day of July A.D. 1884 before me J. H. Bonebrake a Notary Public in and for said County and State came John S. Brooke and Emma E. Brooke his wife to me personally known to be the same person who executed the foregoing instrument and duly acknowledged the execution