

MORTGAGE RECORD 75

107

SANBORN'S STATISTICAL CITY MAP OF KANSAS CITY, MO. 1914

From
Edwin M. Belles et ux
To
State Savings Bank

MORTGAGE

State of Kansas, Douglas County, SS.
This instrument filed for record August
23, 1927 at 9:25 A. M.

Isa E. Wellman
Register of Deeds

2842
1.50

THIS INDENTURE, Made this 20th day of August in the year of our Lord one thousand nine hundred and twenty seven by and between Edwin M. Belles and Hortense K. Belles (his wife) of the County of Douglas and State of Kansas, parties of the first part, and The State Savings Bank, Topeka, Kansas, a Corporation, party of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Six hundred Dollars to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto said party of the second part, and to its successors and assigns, forever, all of the following described real estate, lying and situated in Lawrence, County of Douglas and State of Kansas, to-wit:

Lots numbered one (1) and two (2) both in block number ten (10) in University Place, an addition to the city of Lawrence, Douglas County, Kansas.

Should the above property be sold by us to others, the note secured by this mortgage shall become due and payable at once at the option of the legal holder of this mortgage.

TO HAVE AND TO HOLD THE SAME, With all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and all rights of homestead exemption, and every contingent right or estate therein, unto the said party of the second part, and to its successors and assigns forever. And the said parties of the first part 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, and that they will warrant and defend the same in the quiet and peaceable possession of said party of the second part, its successors and assigns, forever, against the lawful claims of all persons whomsoever; the intention being to convey an absolute title in fee to said premises.

PROVIDED, ALWAYS, And this instrument is made, executed and delivered upon the following conditions, to-wit:

First.--Said grantors are justly indebted unto the said party of the second part in the principal sum of Six hundred Dollars, lawful money of the United States of America, being for a loan thereof made by the said party of the second part to the said grantors and payable according to the tenor and effect of their certain First Mortgage Real Estate Note No. 3872 executed and delivered by the said grantors bearing date August 20th 1927, payable to the order of The State Savings Bank, Topeka, Kansas, at its office in Topeka, Kansas, with interest thereon at the rate of ten per cent per annum after maturity or after default.

Second.--Said first parties agree that in addition to securing the other sums mentioned herein, that this mortgage shall also stand as security for any and all additional sums up to five hundred dollars that may be loaned or advanced to first parties by second party; and upon the maturing of the present indebtedness for any cause, the total debt on any such additional loans shall at the same time and for the same specified cause, be considered matured and draw ten per cent interest and be collectible out of the proceeds of sale through foreclosure.

Third.--That the parties of the first part agree to keep all fences, buildings and improvements on the said premises in as good repair as they are at the date hereof; to permit no waste of any kind; to keep all the buildings which are now or may hereafter be upon the premises continually insured against fire to the amount of \$ - - - - Dollars, and against tornado to the amount of \$ - - - - Dollars, in insurance Companies acceptable to, and with policies payable to, said second party; to procure, assign and immediately deliver to said second party, with satisfactory mortgage clauses, all insurance policies, on any buildings situated upon the land described in this mortgage and to pay all insurance premiums when due. In case of loss second party may collect the insurance moneys or may require first parties to make such collection. The insurance moneys shall be applied either on the indebtedness hereby secured or in rebuilding, as the second party may elect. Should an acceptable renewal policy not be delivered to second party immediately upon expiration of the former policy, said second party may insure the property.

Fourth.--Said parties of the first part agree to pay immediately when due, and before penalty for nonpayment attaches thereto, all taxes and assessments, general or special, which may be assessed or levied in the State of Kansas, under any law now existing or hereinafter enacted, upon the said land, premises or property, or upon the interest of the holder of this mortgage therein, whether such holder be a resident or a non-resident of the State of Kansas. Upon the violation of the foregoing undertaking in any particular, or upon the passage by the State of Kansas of any law imposing payment of the whole or any portion of the aforesaid taxes upon the party of the second part herein or any subsequent holder of this mortgage, whether a resident or a non-resident of the State of Kansas, or upon the rendering of any court of competent jurisdiction of a decision that an undertaking to pay such taxes or any of them, or any similar undertaking in whole or in part is legally imperative or void, then and in any such event the debt hereby secured without deduction, shall, at the option of the party of the second part, and with out notice, become immediately matured, due and collectible notwithstanding anything contained in this mortgage or any law hereinafter enacted. The parties of the first part further agree to furnish to the holder of this mortgage, on or before July 15th of each year, a certificate of the proper authority, showing full payment of all such taxes and assessments for the preceding year.

Fifth.--That the party of the second part may make any payments necessary to remove or extinguish any prior or outstanding title, lien or encumbrance on the said premises, pay any costs, charges or attorney fees necessary to maintain the priority of this mortgage, pay any of the above mentioned taxes, assessments, make all needed repairs and effect the required insurance; and any sums so paid shall become a lien upon the said real estate and be collected as a part of the principal debt hereby secured with interest at ten per cent per annum.

Sixth.--That the parties hereto further agree that all the covenants and agreements of the parties of the first part herein contained extend to and bind themselves, their heirs, executors, administrators, successors, and assigns, and shall inure to the benefit of the party of the second part, its successors and assigns.

Seventh.--That if such payments as are herein specified be made, ~~(the mortgage shall be void)~~ this conveyance shall be void; but in case of default in payment of any installment of interest or of principal either on the present debt or any such additional loan, or in the performance of any of the covenants or agreements herein contained, then or at any time thereafter, during the continuance of such default, the said party of the second part may, without notice, declare the entire debt hereby secured immediately due and payable, and thereupon, or in case of default in payment of said principal debt upon maturity, the said party of the second part shall be entitled to the immediate possession of said premises and to receive the rents and profits therefrom as additional and collateral security for the indebtedness hereunder, and may proceed to foreclose this mortgage; and from the date of such default all items of indebtedness hereunder shall draw interest at the rate of ten per cent per annum; and in case of foreclosure the judgment rendered shall provide that the real estate shall be sold in the entirety and not in parcels, and any then existing law reducing the present redemption period may govern.

Handwritten notes on the right margin:

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- Lawrence, Douglas County, Kansas
- State Savings Bank, Topeka, Kansas
- First Mortgage Real Estate Note No. 3872
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- August 20