

MORTGAGE RECORD 75

141

From Janney Duncan et al
To E. R. Ambrose

MORTGAGE

This instrument filed for record
Nov. 28th, 1927 at 2:00 P.M.
J. C. Wellman
Register of Deeds

THIS INDENTURE, Made this 26th day of October A.D. 1927 between Janney Duncan, unmarried and Eliza A. Gates and Perry Gates, her husband, of Douglas County, in the State of Kansas, of the first part, and E. R. Ambrose of Shawnee County, in the State of Kansas, of the second part,

WITNESSETH, That said parties of the first part, in consideration of the sum of ----- Five Hundred and 00 Dollars, the receipt of which is hereby acknowledged, do by these presents grant bargain, sell and convey unto said party of the second part, his heirs and assigns, all the following described real estate, situated in the County of Douglas and State of Kansas, to-wit:

The North Half of the Northwest fractional Quarter of Section one Township Twelve Range Seventeen East of the 6th Principal Meridian, containing 78 acres more or less-----

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, forever:

PROVIDED, ALWAYS, And these presents are upon this express condition, that whereas, said Janney Duncan, unmarried and Eliza A. Gates and Perry Gates, wife and husband, have this day executed and delivered their certain promissory note in writing to said party of the second part, of which the following is a copy:

\$500.00 Topeka, Kansas October 26th, 1927
FOR VALUE RECEIVED, We promise to pay to the order of E. R. Ambrose-----
-----Five Hundred and No/100 Dollars----- payable as follows: to wit:

\$500.00 Dollars on November 1st, 1928 ----- Dollars----- on----- 1st 19-----
With interest at seven per cent from November 1st, 1927.
with interest on each installment from date due until paid, at ten per cent per annum; but it is expressly understood and agreed, that if default be made in the payment of any one of the installments, then the whole amount, and each and every installment unpaid, shall at the election of the legal holder hereof, without notice, at once become due and payable, and shall draw interest from the date hereof until paid, at ten per cent per annum, anything herein to the contrary notwithstanding.
APPRAISEMENT WAIVED.

This note is negotiable and transferable, and is secured by second Mortgage on real estate in Douglas County, State of Kansas.

NOW, if said parties of the first part shall cause to be paid to said party of the second part his heirs or assigns, said sum of money in the above-described note mentioned, together with the interest thereon, according to the terms and tenor of the same, then these presents shall be wholly discharged and void; and otherwise shall remain in full force and effect. But if said sum or sums of money, or any part thereof, or any interest thereon, is not paid when the same is due and of the taxes and assessments of every nature which are or may be assessed and levied against said premises, or any part thereof, are not paid when the same are by law made due and payable, then the whole of said sum and sums and interest thereon, shall, and by these presents, become due and payable, and said part of the second part shall be entitled to the possession of said premises.

This Mortgage shall be released of record at cost of parties of the first part.
IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands, the day and year first above written.

Janney Duncan
Eliza A. Gates
Perry Gates.

State of Kansas, Shawnee County, ss:

BE IT REMEMBERED THAT on this 12 day of November A.D. 1927, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Janney Duncan, a widow, who is personally known to me to be the same person who executed the within instrument of writing, and such person she duly acknowledged the execution of the same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal, the day and year last above written.
Term expires November 8th, 1928.
L.S. E. R. Ambrose, Notary Public

State of California, County of Orange

BE IT REMEMBERED, That on this 5th day of November A.D. 1927, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Eliza A. Gates and Perry Gates, her husband, who are personally known to me to be the same persons who executed the within instrument of writing, and such persons duly acknowledged the execution of the same.

In Testimony Whereof, I have hereunto set my hand and affixed my notarial seal, the day and year last above written.
L.S. S. M. Davis, Notary Public.
My Commission expires
Feb. 5, 1930..