

MORTGAGE RECORD 75

155

Provident Mutual Life Insurance Company of Philadelphia formerly The Provident Life and Trust Company of Philadelphia.

LS
My commission expires January 6th, 1929

Kellie T. Park
Notary Public, Philadelphia
County, Pa.

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State of Kansas I
County of Cange ISS

Be it remembered, that on this 5th day of December A.D. 1927 before me the undersigned a Notary Public duly appointed, commissioned and qualified in and for the County and State aforesaid, personally came James H. Jones and Kellie M. Jones his wife 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 official seal at Overbrook in said County the day and year last hereinabove written.

LS
My commission expires July 12, 1931.

J.A. Kesler
Notary Public in and for Cange
County, Kansas

From
Wm F. Ellington
To
Merchants Nat'l Bank

MORTGAGE.

State of Kansas Douglas Co. ss
Filed for record Jan 3, 1928
At 9:45 A.M.

302
\$5.00

Geo. C. Wellman
Register of Deeds

This Indenture, Made this thirtieth day of December in the year of our Lord nineteen hundred twenty seven between Wm F. Ellington and Mary V. Ellington his wife of Lawrence in the County of Douglas and State of Kansas, of the first part, and The Merchants National Bank, a banking corporation of Lawrence, Kansas, of the second part.

Witnesseth, that the said parties of the first part, in consideration of the sum of One Dollar (\$1) and the further covenants, agreements and advancements hereinafter specified to them duly paid, the receipt of which is hereby acknowledged have sold and by these presents do grant bargain, sell, and mortgage to the said party of the second part, its successors 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 number one hundred Eighty eight (188) on New Hampshire Street in the City of Lawrence, Kansas.

with all the appurtenances, and all the estate, title and interest of the parties of the first part therein. And the said Wm F. Ellington and Mary V. Ellington 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 except a first mortgage of \$3000.00 given to The Merchants Loan & Savings Bank, Lawrence, Kansas.

This grant is intended as a mortgage to secure the payment of any sum or sums of money which may be advanced by the party of the second part, or its assigns, to the parties of the first part herein or either of them, at date hereof or from time to time, as the parties hereto or either of them may now or hereinafter agree, with interest on said advancements from the date of the advancement until paid, it being the intention of the parties hereto that this mortgage shall secure any advancement made from time to time to the parties of the first part or either of them, by the party of the second part, however evidenced, whether by note, check, receipt, or book account, and to remain in full force and effect between the parties hereto, or assigns, until all advancements made by virtue hereof are paid in full, with interest; and this conveyance shall be void if such payments be made as herein specified. But if default be made in such payment, or any part thereof, or interest thereon, or the taxes or the insurance is not kept up thereon, this conveyance shall become absolute, and the whole amount shall become due and payable, and it shall be lawful for the said party of the second part, its successors and assigns, at any time thereafter, to sell the premises hereby granted, or any part thereof in the manner prescribed by law, and out of all the moneys arising from such sales to retain the amount then due for the principal and interest, together with the cost 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 said parties of the first part their heirs and assigns.

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

Wm F. Ellington (SEAL)
Mary V. Ellington (SEAL)

Signed, sealed and delivered in
presence of -----

State of Kansas I
Douglas County ISS

Be it remembered, That on this 30th day of December A.D. 1927 before me the undersigned a Notary Public in and for said County and State came Wm F. Ellington and Mary V. Ellington his wife to me personally known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

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

LS
My commission expires April 20, 1929.

A.F. McClanahan
Notary Public

For record see vol. 153, p. 155