

# MORTGAGE RECORD 75

From Claude Sims

MORTGAGE.

State of Kansas Douglas Co. ss  
Filed for record Oct 8, 1928  
At 2:30 P.M.

To Elizabeth Cox.

Register of Deeds

This Indenture, Made this 8th day of October in the year of our Lord one thousand nine hundred and twenty eight between Claude Sims and Ima Jean Sims husband and wife of---- in the County of Douglas and state of Kansas parties of the first part and Elizabeth Cox party of the second part: Witnesseth, That the said parties of the first part in consideration of the sum of \$4,000.00 Four Thousand Dollars to them duly paid the receipt of which is hereby acknowledged have sold and by these presents does Grant Bargain, Sell and Mortgage to the said party of the second part her heirs 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:

The West half of the southeast quarter of section ten (10) in Township Fifteen (15) of range twenty one (21) Containing eighty (80) acres. with the appurtenances and all the estate, title and interest of the said parties of the first part therein. And the said parties of the first part does 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 encumbrances, Whatsoever. First party hereby agrees to keep both fire and tornado policies of insurance on the buildings on said premises, in some company or companies approved by said second party, for the benefit of said second party, or assigns, in the sum of not less than \$ Fifteen Hundred Dollars each, and shall deliver the policies to said second party and should said first party neglect so to do, the legal holder hereof may effect such insurance, and recover of said first party the amount paid therefor, with interest at ten per cent per annum and this mortgage shall stand as security therefor.

This Grant is intended as a Mortgage to secure the payment of the sum of \$4,000.00 Four Thousand Dollars according to the terms of certain mortgage note or bond this day executed by the said parties of the first part, and payable on the 12th day of October 1933 to the order of said second party.

And this conveyance shall be void if such payment be made as is herein specified. But if default be made in such payment or any part thereof or interest thereon, or if the taxes on said land are not paid when the same become due and payable, or if the insurance is not kept up thereon, as provided herein, or if the buildings aforesaid kept in good repair or if the improvements are not kept in good condition, or if waste is committed on said premises, then this conveyance shall become absolute, and the whole sum remaining unpaid shall immediately become due and payable, at the option of the holder hereof; and it shall be lawful for the said party of the second part her executors, administrators and assigns, at any time thereafter to take possession of the said premises, and all the improvements thereon, and receive the rents, issues and profits thereof, and to sell the premises hereby granted, or any part thereof, in the manner prescribed by law, and out of all moneys arising from such sale, to retain the amount then unpaid of principal and interest, together with the costs and charges of making such sale, and the overplus if any there be shall be paid by the parties making such sale, on demand to the said first parties or their heirs and assigns.

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

Claude Sims (SEAL)  
Ima Jean Sims (SEAL)

Signed, Sealed and Delivered in the presence of:

State of Kansas |  
Franklin County |SS

Be it remembered, That on this 8 day of October A.D. 1928 before me a Notary Public in and for said county and state came Claude Sims and Ima Jean Sims husband and wife to me personally known to me the same person who executed the foregoing instrument 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.

S.D. Moherman  
Notary Public

LS  
Commission expires March 11, 1932.

From T.F. Rickenbacher et al  
To Prudential Invest. Co.

MORTGAGE.

State of Kansas Douglas Co. ss  
Filed for record Oct. 8, 1928  
At 1:30 P.M.

Register of Deeds

This Indenture, Made this 1st day of October A.D. 1928 by and between T.F. Rickenbacher and M.G. Rickenbacher his wife of the County of Shawnee and State of Kansas, parties of the first part, and The Prudential Investment Company a corporation organized under the laws of Kansas, of Topeka, State of Kansas party of the second part:

Witnesseth, That the said parties of the first part, in consideration of the sum of Five Thousand and no/100 (\$5000.00) Dollars to them in hand paid, the receipt whereof is hereby acknowledged do by these presents, Grant, Bargain, Sell and convey unto the said party of the second part its successors and assigns, all of the following described real estate situated in the County of Douglas and State of Kansas, to-wit:

The northeast quarter (NE 1/4) of Section Nine (9) Township Fourteen (14) Range eighteen (18) east of the 6th P.M. To Have and to hold the same with all and singular the hereditaments and appurtenances, therunto belonging or in anywise appertaining, and all rights of homestead exemption, 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.

Provided, Always, And these presents are upon the following agreements, covenants and conditions, to-wit:

The following is a true and correct copy of the original instrument as recorded in the office of the Register of Deeds for the County of Douglas, State of Kansas, on the 8th day of October, 1928, at 2:30 P.M. The original instrument is on file in the office of the Register of Deeds for the County of Douglas, State of Kansas, and is subject to the provisions of the original instrument.

See Assignment See Book 75 Page 61