

MORTGAGE RECORD 75

451

MORTGAGE

THIS INDENTURE, Made this sixth day of March A. D. 1929, between LILLIAN I. COX, a widow, of Douglas County, Kansas, GRACE L. SMITH and JAY W. SMITH, her husband, of Douglas County, Kansas, RICHARD A. COX and JESSIE COX, his wife, of Shawnee County, Kansas, ROY C. COX and LILLIE COX, his wife, of Jackson County, Missouri, ELMER E. COX and EDNA COX, his wife, of Douglas County, Kansas, DAISY M. WINEY and WILLARD WINEY, her husband, of Riley County, Kansas, OSCAR LEWEL COX, a single man, of Douglas County, Kansas, and LILLIAN I. COX, as GUARDIAN OF THE ESTATES OF ALBERT L. COX AND DOROTHY L. COX, Minors, of Douglas County, Kansas, hereinafter referred to as the parties of the first part, and WATER G. THIELE, of Lawrence, Douglas County, Kansas, hereinafter referred to as the party of the second part,

WITNESSETH, That the said parties of the first part, in consideration of the sum of TWO THOUSAND SIX HUNDRED (\$2,600.00) DOLLARS, 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, his 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:

Beginning at the Southeast corner of the Southwest Quarter of Section Two (2), Township Thirteen (13), Range Twenty (20); Thence West Two Thousand Three Hundred sixty-one (2361) feet; Thence North Four Hundred Sixty-six (466) Feet; Thence East Two Thousand Three Hundred Sixty-six (2,366) feet; Thence South Four Hundred Seventy (470) Feet to the beginning, containing Twenty-five and Thirty-nine Hundredths (25.39) Acres, more or less, in Douglas County, Kansas, 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 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.

This grant is intended as a mortgage to secure the payment of the sum of Two Thousand Six Hundred Dollars, according to the terms of two certain promissory notes this day executed and delivered by the parties of the first part to the party of the second part, one note for One Thousand Nine Hundred and Fifty (\$1,950.00) Dollars made by Lillian I. Cox, Grace L. Smith, Richard A. Cox, Roy C. Cox, Elmer E. Cox, Daisy M. Winey and Oscar Lemuel Cox, and one note for Six Hundred Fifty (\$650.00) Dollars made by Lillian I. Cox and Lillian I. Cox as Guardian of the Estates of Albert L. Cox and Dorothy L. Cox, Minors, both of said notes being payable according to their respective terms, and this conveyance shall be void if such payments be made as herein specified. But if default be made in such payments, or any part thereof, or interest thereon, or the taxes, or if insurance is not kept up on any improvements on said real estate, then 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, or 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, and out of the moneys arising from said 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 shall be, shall be paid by the party making such sale on demand, to said parties of the first part, their heirs and assigns.

Insofar as Albert L. Cox and Dorothy L. Cox, minors, are concerned, this mortgage and the notes secured thereby, are made, executed and delivered under and by virtue of the power and authority conferred by reason of an order of the Probate Court of Douglas County, Kansas, made March 6th 1929.

IN WITNESS WHEREOF, We have hereto signed our names, this the day and year first above written.

Lillian I. Cox	L. I. C.
Grace L. Smith	G. L. S.
Jas. W. Smith	J. W. S.
Richard A. Cox	R. A. C.
Jessie Cox	J. C.
Roy C. Cox	R. C. C.
Lillie Cox	L. C.
Elmer E. Cox	E. E. C.
Edna May Cox	E. C.
Daisy Margaret Winey	D. M. W.
Willard L. Winey	W. W.
Oscar I. Cox	O. L. C.

For themselves individually.

Lillian I. Cox L. I. C.
As Guardian of the Estates of Albert L. Cox and Dorothy L. Cox Minors.

STATE OF KANSAS, DOUGLAS COUNTY, SS.

Be It Remembered, That on this 28 day of March A. D. 1929, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Lillian I. Cox, widow to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereto signed my name and affixed my notarial seal on this the day and year last above written.

Legal Seal

Dick Williams Notary Public

My commission expires Apr. 18, 1929

STATE OF KANSAS, DOUGLAS COUNTY, SS.

Be It Remembered, That on this 16 day of March A. D. 1929, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Grace L. Smith and Jay W. Smith, her husband, 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 hereto signed my name and affixed my notarial seal on this the day and year last above written.

Legal Seal

Corydon E. Lindley

Notary Public

My Commission expires March 21, 1929