

MORTGAGE RECORD 75

MORTGAGE

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THIS INDENTURE, Made this 22nd day of March in the year of our Lord one thousand nine hundred and twenty nine between J. W. Foulke and Ermine B. Foulke, husband and wife and J. A. Foulke and Grace Foulke, husband and wife of Franklin township in the County of Franklin and State of Kansas parties of the first part, and Elizabeth Cox parties of the second part:

WITNESSETH, That the said parties of the first part, in consideration of the sum of \$3,500.00 Thirty Five Hundred & No/100 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 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 East one half of the Southeast Quarter of Section Eighteen (18), Township Fifteen (15), Range Twenty One (21), containing eighty acres more or less

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 indefensible estate of inheritance therein free and clear of all encumbrances whatsoever.

First party hereby agree 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 & No/100 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 \$3,500.00 Thirty Five Hundred & No/100 Dollars, according to the terms of a certain mortgage note or bond, this day executed by the said party of the first part, and payable on the 22nd day of March 1936 to the order of said second party her heirs or assigns, interest payable annually with privilege of paying \$500.00 or any multiple at any interest payment date, interest at the rate of 7%.

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 are not 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 party making such sale, on demand to the said first parties or heirs and assigns.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the presence of

J. W. Foulke (Seal)
Ermine B. Foulke
J. A. Foulke (Seal)
Grace Foulke

STATE OF KANSAS,

SS.

FRANKLIN COUNTY

BE IT REMEMBERED, That on this 22nd day of March A. D. 1929 before me a notary public in and for said County and State, came J. W. Foulke and Ermine B. Foulke husband and wife and J. A. Foulke and Grace Foulke, husband and wife to me personally known to be the same persons 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.

Legal Seal

Commission expires Feb. 22, 1933

H. E. Deter Notary Public

Recorded April 6, 1929 A. D. at 8:30 A. M.

Elizabeth Cox Register of Deeds

This release
was written
on original
mortgage
the 9th day
of April
1929
H. E. Deter
Notary Public

Deed

The within Mortgage having been paid in full, it is hereby released on this the original instrument, this 13th day of March, 1936 Elizabeth Cox