Receiving No. 5752

MORTGAGE RECORD 80

Reg. No. 1882
Fee Paid, $ 1.00

FROM

TO

STATE OF KANSAS, DOUGLAS COUNTY, ss.

This instrument was filed for record on the 12 day of October A. D. 19 38 at 1:35 o'clock P. M.

Beede L. Beck
Register of Deeds.

By Ruth Shelton Deputy.

THIS INDENTURE, Made this eleventh day of October in the year of our Lord, one thousand nine hundred and thirty-eight between Morgan E. Robertson and Jennie E. Robertson, his wife,

of in the County of Douglas and State of Kansas

parties of the first part, and The First National Bank of Lawrence, Lawrence, Kansas,

WITNESSETH, That the said parties of the first part, in consideration of the sum of party of the second part,

Five thousand eight hundred and no/100 ($5,800.00) - - - - - DOLLARS, to them duly paid, the receipt of which is hereby acknowledged, have granted, and by this indenture do Grant, Bargain, Sell and Mortgage to the said party of the second part, the following described real estate situated and being in the County of Douglas and State of Kansas, to-wit:

The South Half (S½) of the Southeast Quarter (¼) of Section Twenty-four (24) Township Twelve (12), Range Nineteen (19), except a tract described as follows: Beginning at the Southwest corner of the North Half South 2 rods, and 20 links, thence East 49 rods, thence North 2 rods and 20 links to the place of beginning. Also beginning at the North East corner of the Northwest Quarter of Section Twenty-five, Township Twelve (12), Range Nineteen (19) on the section line to the center of Brewery Brook, thence Northwesterly along the center of said Brook to the North line of said Quarter Section, thence East on Section line to place of beginning, containing 5.64 acres, more or less, also Lot Two (2) of Section Thirteen (13), Township Twelve (12) Range Twenty, also that part of Lot One (1) Section Thirty (30), Township Twelve (12), Range Twenty (20) lying and being North of the center of Brewery Brook all East of the Sixth Principal Meridian all subject to and excepting the rights of way so used and occupied by the Atchison, Topeka and Santa Fe Railway Company, 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

and that they will warrant and defend the same against all parties making lawful claim thereto.

It is agreed between the parties hereto that the parties of the first part shall at all times during the life of this indenture, pay all taxes or assessments that may be levied or assessed against said real estate when the same become due and payable, and that they will keep the buildings upon said real estate insured against fire and tornado in such sum and by such insurance company as shall be specified and directed by the party of the second part, the loss, if any, made payable to the party of the second part as his interest may appear, and in the event that the said parties of the first part shall fail to pay such taxes when the same become due and payable or to keep said premises insured as herein provided, then the said party of the second part may pay such taxes and insurance, or either, and the amount so paid shall become a part of the indebtedness secured by this indenture, and shall bear interest at the rate of 10% from the date of payment until fully repaid.

SEE GRANT is intended as a mortgage to secure the payment of the sum of Five thousand eight hundred and no/100 - - - - -