

Receiving No. 5858

MORTGAGE RECORD 82

Reg. No. 1426
Fee Paid \$2.50

The World Co. Lawrence, Kansas

FROM

Harry Sommer and wife, (Gertrude)
TO

The Douglas County Building and Loan Association

STATE OF KANSAS, DOUGLAS COUNTY, ss.

This instrument was filed for record on the 19 day of

April A. D. 1938, At 8:25 A. M.

By Harold A. Erick
Register of Deeds.
Deputy.

THIS INDENTURE, Made this 18th day of April in the year of our Lord nineteen hundred thirty eight between Harry Sommer and wife, Gertrude Sommer

of Lawrence in the County of Douglas and State of Kansas
of the first part, and The Douglas County Building and Loan Association

of the second part.

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

Two Hundred Fifty and 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 its 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:

Lots Nos. Eight (8) and Nine (9) in Block One (1) Homewood Gardens, a subdivision near the City of Lawrence, in Douglas County, Kansas, as surveyed, platted and recorded.

with all the appurtenances, and all the estate, title and interest of the said part 195 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 owner 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 Hundred Fifty and no/100 Dollars, according to the terms of one certain note this day executed and delivered by the said parties of the first part to the said party of the second part

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 the insurance is not kept up thereon, 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 its 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 all the moneys arising from such sale to retain the amount then due for principal and interest, together with the cost 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 said parties of the first part, their 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 presence of

Harry Sommer (SEAL)

Gertrude Sommer (SEAL)

STATE OF KANSAS,

ss.

COUNTY OF Douglas County, ss. BE IT REMEMBERED, That on this 18th day of April A. D. 1938 before me Earl Erick a Notary Public in and for said County and State, came Harry Sommer and his wife Gertrude Sommer

to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of the same.

(SEAL) IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last above written.

My Commission expires Dec 31 1940 Earl Erick Notary Public

RELEASE

The note herein described having been paid in full, this mortgage is hereby released, and the lien thereby created, discharged.

As Witness my hand, this 21st day of October A. D. 1940

Attest: The Douglas County Building and Loan Association

(Orig. Seal)

By Earl Erick
SecretaryThis Release was written on the original Mortgage and entered this 21st day of October 1940 at Lawrence, Kansas
Harold A. Erick
Reg. of Deeds.