

Receiving No. 9477 &lt;

## MORTGAGE RECORD 82

The World Co., Lawrence, Kansas

FROM  
Wm. H. Brooker and wife (Philomena)  
 TO  
The Douglas County Building and Loan Association

STATE OF KANSAS, DOUGLAS COUNTY, ss.  
 This instrument was filed for record on the 20 day of  
February A. D. 1940. At 11:40 A. M.  
Nurdf A. Beck  
 Register of Deeds.  
 Deputy.

Reg. No. 21872  
 Fee Paid \$3.25

THIS INDENTURE, Made this 6th day of February in the year of our Lord nineteen hundred  
Forty between

Wm. H. Brooker and his wife, Philomena Brooker

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  
Thirteen Hundred 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:

Lot No. Sixty One (61) on New York Street in the City of Lawrence

with all 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 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  
Thirteen Hundred 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 con-  
 veyance 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 hereto set their hands and seals the day and year  
 first above written.

Signed, sealed and delivered in presence of Wm H Brooker (SEAL)  
Philomena Brooker (SEAL)

STATE OF KANSAS,  
Douglas County, ss. BE IT REMEMBERED, That on this 20th day of February  
 A. D. 1940 before me the undersigned a Notary Public in and for said County and State,  
 came Wm. H. Brooker and his wife, Philomena Brooker

to me personally known to be the same persons 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 January 13th 1944 John C. Elick 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 25th day of October A. D. 1940  
(Carplead) The Douglas County Building and Loan Association  
W. Pearl Smith Secretary

This release  
 was written  
 on the original  
 mortgage  
 entered  
 on the 25th day  
 of October  
 1940

W. Pearl Smith  
 Secretary