

MORTGAGE RECORD 85

TO HAVE AND TO HOLD THE SAME FOREVER, Subject nevertheless to the conditions therein named.
IN WITNESS WHEREOF, The said mortgagee has hereunto set his hand this 6th day of November 1940

P. J. Raich
By John C. Raich
His Attorney-in-fact.

STATE OF KANSAS,
Douglas County, ss.

Be it Remembered, That on this 6th day of November A.D. 1940 before me, the undersigned, a Notary Public in and for said County and State, came P. J. Raich, by John C. Raich, his attorney-in-fact, 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 hereunto subscribed my name and affixed my official seal on the day and year last above written.

(SEAL) My Commission Expires December 31 1940

Pearl Raich
Notary Public.

Recorded November 7, 1940 at 8:45 A.M.

Harold A. Beck Register of Deeds

Reg. No. 2407.
Fee Paid \$7.50

Receiving No. 110954

MORTGAGE

THIS INDENTURE, Made this 2nd day of November 1940 between Alice Melfert, single, of the first part and Emporia State Bank, Emporia, Kansas, of the second part,
WITNESSETH, That the party of the first part, in consideration of \$3000.00, hereby sells, conveys, mortgages, and warrants unto the second party,

The West half of the Northeast quarter (NW $\frac{1}{4}$) of Section Twelve (12), Township Thirteen (13), Range Twenty (20), and all of the Southeast Quarter (SE $\frac{1}{4}$) of said Section Twelve (12), Township Thirteen (13), Range Twenty (20) lying North and West of the Wakarusa River, and one acre (1) more or less in South West corner of said quarter section lying South of said Wakarusa River; Also, Beginning Ninety (90) rods South from the North East corner of the Southwest Quarter (SW $\frac{1}{4}$) of Section 12, Township 13, Range 20; thence South to the middle of the Wakarusa Creek on East line of said quarter section; thence up said creek to a point where a line drawn parallel with the East line of said quarter section to a line running West from the point first named will enclose Nine (9) acres of land East of said line; Also, Beginning at a point on the North line of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirteen (13), Township Thirteen (13), Range Twenty (20) in the middle of the Wakarusa Creek where said section line crosses said Creek, making the North East corner of said land hereby described; thence running West on said section line to the middle of said Creek, making the Northwest corner of said land hereby described; thence following in the middle of said Creek in its course through said quarter section to the place of beginning, being about four (4) acres more or less, and otherwise known as all that part of said Northeast quarter on the North side of Wakarusa Creek; making in all 200 acres more or less, in Douglas County, KANSAS.

This grant is intended as a Mortgage to secure the payment of a certain note this day executed and delivered by the first parties to the second party for Three thousand and 00/100 Dollars, due November 12, 1943, and bearing 6 per cent interest from November 12, 1940 failure of the first parties to pay any part of said note or interest when due, or failure to pay any prior encumbrance or the interest thereon when due, or failure to pay the taxes on the above property when due, shall, at the option of the legal holder of the note secured, cause all of said debt to become due and payable immediately, with ten per cent interest from date thereof, and render this mortgage foreclosable at once without notice; and upon such failure the second party shall be entitled to the immediate possession of the premises above conveyed, and all issues and profits thereof. Upon full payment of the note secured, this mortgage shall be released at the expense of the first parties. First parties agree to keep said premises insured against fire insurance in the sum of \$___, and to make insurance in the sum of \$___ in company satisfactory to second party, and to turn over the policies to the second party, as collateral security for said loan.

Waiving benefit of all exemption, appraisalment and stay laws, the parties of the first part have set her lands the day and year above written.

Alice Melfert

STATE OF KANSAS, LYON COUNTY, ss.

Personally appeared before me, a Notary Public in and for said County, Alice Melfert, single person, known to me to be the same person who executed the above instrument, and duly acknowledged its execution.

Witness my hand and notarial seal this November 5, 1940

(SEAL) My Commission expires July 28 1944

L W Wayman
Notary Public

Recorded November 7, 1940 at 3:10 P.M.

Harold A. Beck Register of Deeds

This Release
was written
original
Mortgage
entered
this 2nd day
of November
1940
at Emporia, Kansas
by
Harold A. Beck
Reg. of Deeds
-JAN-1941-

In consideration of full payment of the debt secured, this mortgage is hereby released.
Emporia State Bank Emporia Kansas
by L. W. Wayman President
(Exp. Sec.)