

MORTGAGE RECORD 90

The World Co., Lawrence, Kansas

FROM

TO

STATE OF KANSAS, DOUGLAS COUNTY, ss.

This instrument was filed for record on the 23 day of

March A.D. 1945 At 3:43 P.M.

Register of Deeds.

By Deputy.

THIS INDENTURE, Made this 23 day of March in the year of our Lord nineteen hundred 45 between Charles F. Hornberger and Erma Hornberger, husband and wife

of Baldwin in the County of Douglas and State of Kansas of the first part, and Floyd Heffner of the second part.

WITNESSETH, That the said parties of the first part, in consideration of the sum of Seven thousand 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 his 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 North Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Twenty nine (29), and the Southwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Twenty nine (29) all in Township Fourteen (14), South of Range Nineteen (19) East of the Sixth Principal Meridian.

with all the appurtenances, and all the estate, title and interest of the said parties of the first part therein. And the said Charles F. Hornberger and Erma Hornberger 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 Seven thousand 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 his 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 Charles F. Hornberger (SEAL)

Erma G. Hornberger (SEAL)

STATE OF KANSAS, } BE IT REMEMBERED, That on this 23 day of March A.D. 1945 before me C. B. Butell

a Notary Public in and for said County and State, came Charles F. Hornberger and Erma Hornberger

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.

My Commission expires 9-4-48 19 C. B. Butell 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 26th day of October A.D. 1942

Attest: Donald O. Nutt, Exec. V. Pres. Floyd Heffner

Baldwin State Bank
(Corp. Seal)

This release was written on the original mortgage entered this 2nd day of December 1942.

Erma G. Butell
Notary Public

By Louis Brown
County