

34957 Book 93

KANSAS

F-11-4-11-4-50

This Indenture, Made the 21st day of October A.D. 1947, between

Dale E. Babbitt and Norma L. Babbitt, individually and as husband and wife, of the County of Douglas and State of Kansas,

hereinafter (whether one or more in number) called the mortgagors, and The Northwestern Mutual Life Insurance Company, a corporation organized and existing under the laws of Wisconsin, and having its principal place of business at Milwaukee, Wisconsin, mortgagee: Witnesseth, That the said mortgagors, in consideration of the sum of Fifteen thousand ----- dollars, to them in hand paid, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey unto the said mortgagee, forever, the following described Real Estate situated in the ----- and State of Kansas, to-wit:

The south sixty acres of even width of the southeast quarter of section seventeen, in township thirteen south, of range eighteen east.

Also the south half of the southwest quarter of section sixteen, in township and range aforesaid, excepting that part thereof lying northwest of the middle of Wakarusa Creek, containing one and one-half acres.

Also the northwest quarter and the west half of the west half of the southwest quarter of section twenty-one, in township and range aforesaid.

Also that part of the northeast quarter of section twenty in township and range aforesaid, bounded and described as follows, viz.: Beginning at the northeast corner of said northeast quarter of said section twenty and running south with the east section line one hundred thirty-six rods seven feet; thence west to the middle of Wakarusa Creek; thence in a generally northerly direction with the middle of said creek to the north line of said northeast quarter and thence east with said north line to the place of beginning, containing twenty-eight acres, more or less.

Also a right of way fourteen feet in width along the east side of Wakarusa Creek through the north half of the southwest quarter of section sixteen aforesaid, to a point about fifteen rods south of the north line of said southwest quarter and thence in a northeasterly direction to a point on said north line about ten rods east of the middle of said creek.

The premises hereby mortgaged contain in the aggregate three hundred sixty-six and five-tenths acres, more or less, subject to highways and to easements of record, if any.

The proceeds of the loan hereby secured are being applied on the purchase price of the premises above described.

Together with the hereditaments and appurtenances to the same belonging or in any wise appertaining, and all of the rents, issues and profits which may arise or be had therefrom.

To Have and to Hold the same to the said mortgagee forever.

And the said mortgagors hereby covenant that they have good right to sell and convey said premises, and that they are free from incumbrance.

and hereby warrant the title thereto against all persons whomsoever.

Conditions, Nowhere, That if

said mortgagors shall pay or cause to be paid to the said mortgagee, at its office in the City of Milwaukee, Wisconsin, the principal sum of Fifteen thousand dollars as follows, viz.: Sixty-three hundred ----- dollars, thereof in fourteen instalments of Four hundred fifty dollars each, one year from date and annually thereafter, and the remaining Eighty-seven hundred dollars thereof fifteen years from the date hereof, -----

with interest, according to the terms of a promissory note bearing even date herewith executed by