

To

1668 - MORTGAGE OF REAL ESTATE

This Indenture, Made this 17th day of March A. D. 1908, between
J. H. Foster & M. B. Foster his wife
 of Tulsa County, in the State of Oklahoma, of the first part, and
W. T. Henderson
 of Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said parties of the first part, in consideration of the sum of One hundred sixty six Dollars, the receipt of which is hereby acknowledged, do by these presents Grant, Bargain, Sell and Convey unto said parties of the second part their heirs and assigns, the following described REAL ESTATE, situated in Tulsa County, and State of Oklahoma, to-wit:
Lot 5 in Block 31 in the incorporated town of Okmulgee

TO HAVE AND TO HOLD THE SAME, unto the said parties of the second part their heirs and assigns, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, forever.

PROVIDED, ALWAYS, And these presents are upon this express condition, that whereas said J. H. Foster and M. B. Foster his wife have this day executed and delivered a certain promissory note in writing to said parties of the second part, described as follows:

One note for (\$166.00) one hundred sixty six dollars dated
March 17th, 1908 due Nov. 17th, 1908

Now, if said parties of the first part shall pay or cause to be paid to said parties of the second part their heirs or assigns, said sum of money in the above described note mentioned, together with the interest thereon, according to the terms and tenor of the same, then this mortgage shall be wholly discharged and void; and otherwise shall remain in full force and effect. But if said sum or sums of money, or any part thereof, or any interest thereon, is not paid when the same is due, and if the taxes and assessments of every nature, which are or may be assessed and levied against said premises or any part thereof are not paid when the same are by law made due and payable, the whole of said sum or sums, and interest thereon, shall then become due and payable, and said parties of the second part shall be entitled to the possession of said premises. And the said parties of the first part for said consideration do hereby expressly waive an appraisalment of said real estate and all benefit of the homestead exemption and stay laws of the State of Oklahoma.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal the day and year first above written.

J. H. Foster
M. B. Foster

STATE OF OKLAHOMA.

Tulsa COUNTY. } ss. Before me, Hayward Hayden a Notary Public
 in and for said County and State on this 18th day of March 1908, personally appeared
J. H. Foster and M. B. Foster his wife to me known to be the identical persons
 who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

My Commission expires March 25, 1909 (Seal) Hayward Hayden

This instrument was filed for Record on the 18 day of Mar. A. D. 1908, at 11 o'clock a M.,
 and duly recorded the 19 day of Mar. 1908
 By (Seal) Deputy. H. B. Walley Register of Deeds.