

This Indenture, Made this 5th day of December A. D. 1908, between
J. H. Kirkpatrick and Gillie Kirkpatrick
 of Tulsa County, in the State of Oklahoma, of the first part, and
W. F. Stewart,
 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 Five Thousand and 00/100 (\$5000.00) Dollars, the receipt of which is hereby acknowledged,

do by these presents Grant, Bargain, Sell and Convey unto said party of the second part his heirs and assigns, the following described

REAL ESTATE, situated in Tulsa County, and State of Oklahoma, to-wit: An undivided one half (1/2) interest in part of Lot Four (4) in block one hundred five (105) described as follows:
Beginning at the southeast corner of Lot Four (4); thence westerly along the south line of said lot sixty seven (67) feet thence northerly and parallel with main Street fifty eight (58) feet thence easterly and parallel with south third Street sixty seven (67) feet to the east line of said lot four; thence southerly along the east line of said lot four, fifty eight (58) feet to place of beginning according to the survey and plat thereon.

TO HAVE AND TO HOLD THE SAME, unto the said party of the second part his 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. Kirkpatrick and Gillie Kirkpatrick have this day executed and delivered one certain promissory note in writing to said party of the second part, described as follows:

\$5000.00.

Tulsa, Okla. 12/5. 1908.

Three years after date, for value received we or either of us promising to pay to the order of W. F. Stewart, Five Thousand and 00/100 dollars at Tulsa, Okla. with interest at the rate of eight per cent per annum payable annually from date until paid. The interest is not paid when due to become as principal and bear the same rate of interest.

Now, if said parties of the first part shall pay or cause to be paid to said party of the second part his 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 party 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 appraisal of said real estate and all benefit of the homestead exemption and stay laws of the State of Oklahoma. Parties of the first part to carry insurance on said property to the amount of the mortgage loan; payable to the second party as his interest may appear.
 IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands the day and year first above written.

J. H. Kirkpatrick
Gillie Kirkpatrick

STATE OF OKLAHOMA, } ss.

Tulsa COUNTY. Before me, J. J. Miller, a Notary Public
 In and for said County and State on this 5th day of December 1908, personally appeared
J. H. Kirkpatrick and Gillie Kirkpatrick to me known to be the identical person
 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 Nov. 26th 1911.

(Real)

J. J. Miller

This instrument was filed for Record on the 5 day of Dec. A. D. 1908, at 3:35 o'clock P. M.,
 and duly recorded the 5 day of Dec. 1908
 By H. H. Walker Deputy. (Real) Register of Deeds.