

COMPARED

REAL ESTATE MORTGAGE RECORD No. 424

339

BLACK PRINTING CO. TULSA

240404 C.M.J.

11th

January

23

THIS INDENTURE, Made this day of A.D., 1923, between

Daisy G. Westhafer and F. V. Westhafer her husband

of Tulsa

County, in the State of Oklahoma, of the first part, and

E. G. Cunningham

of the second part.

WITNESSETH, That the said part 1st of the first part in consideration of the sum of

One Hundred & No/100

DOLLARS

the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey unto said part 2nd of the second part his heirs and assigns, all of the following described REAL ESTATE, situate in the County of Tulsa State of Oklahoma, to-wit:

West one-half (1/2) of Lot Fourteen (14) Block Two (2) Acre Gardens Addition to the city of Tulsa, Oklahoma, as shown by the recorded plat thereof.

This mortgage given subject to a first mortgage of \$250.00

TREASURER'S ENDORSEMENT

I hereby certify that I have received \$22 and issued Receipt No. 11584 thereon in payment of mortgage

tax on the within mortgage.

Dated this 20 day of Sept. 1923

W. W. Stocker, County Treasurer

R. J. Gamel
1923

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

PROVIDED, ALWAYS, And these presents are upon the express condition, that whereas the said

Daisy G. Westhafer and F. V. Westhafer, her husband

grantor S ha YG executed and delivered a certain promissory note dated Jan. 11th, 1923

to said part Y of the second part for \$ 100.00

due at the rate of \$25.00 per month beginning Dec. 11th, 1923.

with interest at the rate of eight per centum per annum, payable semi-annually.

And the first part 1st agree to keep the buildings insured for \$ a reasonable

In case that the papers for foreclosure are filed, the first part 1st agree to pay an attorney fee of \$ 10.00 and 10% of any unpaid balance.

Now, if said part 1st of the first part shall pay or cause to be paid to said part Y of the second part his heirs or assigns, said sum of money in the above described note together with the interest thereon, according to the terms and tenor of the same, then these presents 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, or if the taxes or assessments levied against said premises or any part thereof, or the taxes assessed against the said second party or any assignee of said note or the debt secured thereby, or, if the insurance is not paid, the second party may pay the same, and the amount so paid shall become a part of this indebtedness and the whole of said sum or sums and interest thereon, shall, and by these presents does become due and payable, and shall bear 10 per centum interest per annum, and said part Y of the second part shall be entitled to the possession of said premises. And the said part 1st of the first part for said consideration do hereby waive or not waive appraisal, at the option of said second part Y his heirs and assigns.

IN WITNESS WHEREOF, The said part 1st of the first part ha YG hereunto set their hand the day and year first above written.

WITNESSES:

Daisy G. Westhafer

F. V. Westhafer

ACKNOWLEDGEMENT

STATE OF Oklahoma COUNTY OF Tulsa ss.

Before me, the undersigned, a Notary Public, in and for said County and State on this 11th day of January 1923, personally appeared

Daisy G. Westhafer

E. V. Westhafer, her husband

to me known to be the identical person S 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.

Given under my hand and seal the day and year last above written.

My Commission expires April 13, 1924. (Seal)

Beatrice Hoff Notary Public

STATE OF OKLAHOMA, Tulsa County, ss.

Filed for record this the 19 day of Sept. 1923 at 3:30 o'clock P. M.

Book 424, Page 339

Brady Brown, Deputy.

(Seal)

O. G. Weaver,

County Clerk.