

## REAL ESTATE MORTGAGE RECORD No. 424

BLACK PRINTING CO., TULSA

243896 C.M.J.

29th

September

A. D. 1923

THIS INDENTURE, Made this \_\_\_\_\_ day of \_\_\_\_\_, between \_\_\_\_\_

A. B. Foster and Aurola E. Foster, his wife,

of \_\_\_\_\_

Tulsa

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

Josephine Penington

\_\_\_\_\_ of the second part.

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

Thirty-five Hundred and No/100 (\$3500.00)

DOLLARS

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

The West-half of the South-east Quarter of Section Twenty-five (25) Township Twenty (20) North, Range Thirteen (13) East, less S.T.L. & S.F. Right of way, containing 80 acres, more or less.

## TREASURER'S ENDORSEMENT

I hereby certify that I received \$2.80 and issued Receipt No. 12328 therefor in payment of mortgage tax on the within instrument.

Dated this 7 day of Nov, 1923

W. W. Weaver, County Treasurer

Deputy

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 \_\_\_\_\_

A. B. Foster and Aurola E. Foster, his wife

grants to said part Y \_\_\_\_\_ executed and delivered One (1) \_\_\_\_\_ certain promissory note dated Sept. 29, 1923

to said part Y \_\_\_\_\_ of the second part for \$ 3500.00

due Four years (4) from date

with interest at the rate of 8 \_\_\_\_\_ per centum per annum, payable annually.

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

In case that the papers for foreclosure are filed, the first part 1st agree \_\_\_\_\_ to pay an attorney fee of \$ 350.00

Now, if said part 1st of the first part shall pay or cause to be paid to said part Y \_\_\_\_\_ of the second part, her \_\_\_\_\_ 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 \_\_\_\_\_ appraisalment, at the option of said second part \_\_\_\_\_ heirs and assigns.

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

WITNESSES:

A. B. Foster

Aurola E. Foster

## ACKNOWLEDGEMENT

STATE OF Oklahoma COUNTY OF Tulsa ss.

Before me, the undersigned, a Notary Public, in and for said County and State on this 29th day of September, 1923 personally appeared \_\_\_\_\_

A. B. Foster

Aurola E. Foster, his wife

and

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.

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

My Commission expires May 27, 1927. (Seal)

B. E. Capps,

Notary Public

STATE OF OKLAHOMA, Tulsa County, ss.

Filed for record this the 6 day of Nov. 1923 at 1:00 P. M.

Book 424, Page 384

Brady Brown,

Deputy.

(Seal)

O. G. Weaver,

County Clerk.