

REAL ESTATE MORTGAGE RECORD No. 424

BLACK PRINTING CO. TULSA

245370 C.M.J.
THIS INDENTURE, Made this 26th day of November 1923, A.D., 1923, between

Charley Smiley and Mary Smiley his wife

of Tulsa

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

D. H. Huston

of the second part.

WITNESSETH, That the said part V of the first part in consideration of the sum of

One Hundred

DOLLARS

the receipt whereof is hereby acknowledged, do SS by these presents grant, bargain, sell and convey unto said part V 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:

Lot Four (4) in Block Four (4) in North Turley Addition
to the town of Turley, Oklahoma.

RECORDED AND INDEXED

Book 424, Page 410 and issued

Serial 12676

Date of recording 27 Nov 1923

W. V. Weaver

S.B.

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

Charley Smiley and Mary Smiley his wife

grantor S ha executed and delivered their certain promissory note dated Nov. 26th 1923.

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

due Sixty days from date.

with interest at the rate of 10 per centum per annum, payable annually

And the first part V agree S to keep the buildings insured for \$ 100.00

In case that the papers for foreclosure are filed, the first part V agree S to pay a reasonable attorney fee of \$ 25.00

Now, if said part V of the first part shall pay or cause to be paid to said part V 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 V of the second part shall be entitled to the possession of said premises. And the said part V of the first part for said consideration do hereby waive or not waive appraisalment, at the option of said second part V heirs and assigns.

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

WITNESSES:

Charley Smiley

Mary Smiley

ACKNOWLEDGEMENT

STATE OF Oklahoma COUNTY OF Tulsa ss.

Before me, the undersigned, a Notary Public, in and for said County and State on this 26th day of November 1923, personally appeared

Charley Smiley and Mary Smiley, his wife

and

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 June 4th, 1927. (Seal)

Chas. M. Provence, Notary Public

STATE OF OKLAHOMA, Tulsa County, ss.

Filed for record this 26 day of November

1923 at 1:30 o'clock P. M.

Book 424, Page 410

Brady Brown,

Deputy,

(Seal)

O. G. Weaver,

County Clerk.