

MORTGAGE OF REAL ESTATE

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THIS INDENTURE Made this 22 day of January, A.D. 1909, between Michael Philpott & Rebecca Philpott his wife of Tulsa County, in the State of Oklahoma, of the first part, and J. H. Laws of Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said part 1st of the first part, in consideration of three hundred seventy nine and 64/100 Dollars (\$379.64) the receipt of which is hereby acknowledged, do by these presents Grant, Bargain, Sell and Convey unto said part 2nd of the second part his heirs and assigns, the following described Real Estate, situated in Tulsa County, and State of Oklahoma, to-wit:

Lots three (3), four (4), and five (5) in block fifty eight in the town of Broken Arrow, Oklahoma

DOLLARS

TO HAVE AND TO HOLD The same unto the said part 2nd 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 Michael Philpott & Rebecca Philpott his wife had this day executed and delivered one certain promissory note in writing to said part 2nd of the second part, described as follows:

Note dated Jan'y 22, 1909 for three hundred seventy nine and 64/100 \$ 379.64 with interest at the rate of 10 per cent. from date until paid. Due Jan'y 22, 1910.

Now, if said part 1st of the first part shall pay or cause to be paid to said part 2nd 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 part 2nd of the second part shall be entitled to possession of said premises. And the said part 1st 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 part 1st of the first part have hereunto set their hands the day and year first above written.

Michael Philpott
Rebecca Philpott

State of Oklahoma,

Tulsa County ss. BEFORE ME A. L. Laws a Notary Public, in and for said County and State on this 23rd day of Jan'y, 1909, personally appeared Michael Philpott and Rebecca J. Philpott 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, 1912

(Seal)

A. L. Laws
Notary Public

ASSIGNMENT

Know All Men by These Presents:

THAT Michael Philpott & Rebecca Philpott his wife of Tulsa County, in the State of Oklahoma, the within named Mortgage 379.64 in consideration of the sum of 379.64 and 379.64 DOLLARS to his in hand paid, the receipt whereof is hereby acknowledged, do hereby Sell, Assign, Transfer, Set Over and Convey unto his heirs and assigns, the within Mortgage Deed, the real estate conveyed, and the promissory note, debts and claims thereby secured, and covenants therein contained.

TO HAVE AND TO HOLD The same, forever, subject, nevertheless, to the conditions therein contained.

IN WITNESS WHEREOF, The said Mortgagee has hereunto set his hand this 23rd day of Jan'y, 1909

EXECUTED IN PRESENCE OF

State of Oklahoma,

Tulsa County ss. This Assignment was filed for record on the 26th day of Jan'y, A.D. 1909 at 8:30 o'clock A.M. and duly recorded in Book 19 on page 19 Fee, \$1.00

Register of Deeds.

RECEIPT.

RECEIVED OF Michael Philpott & Rebecca Philpott his wife the within named Mortgagor 379.64 the sum of 379.64 and 379.64 DOLLARS, in full satisfaction of the within Mortgage.

FILED FOR RECORD On the 26th day of Jan'y, A.D. 1909 at 8:30 o'clock A.M.

(Seal)

H. B. Walkley

Register of Deeds.