

THIS INDENTURE Made this 11<sup>th</sup> day of February, A.D. 1909, between Thomas Miller, a single man of Tulsa County, in the State of Oklahoma, of the first part, and: Cyrus L. Avery of Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said part of of the first part, in consideration of Two hundred eighty and 00/100 Dollars (\$ 280.00) the receipt of which is hereby acknowledged, ~~do~~ by these presents Grant, Bargain, Sell and Convey unto said part of of the second part his heirs and assigns, the following described Real Estate, situated in Washington County, and State of Oklahoma, to-wit:

The northeast quarter of the northwest quarter, and the east half of the northwest quarter of the northwest quarter, agree in section nine (9), township twenty-seven (27) north, range thirteen (13) east, also the following described land situated in Indian Territory, <sup>DOLLARS</sup> Oklahoma, Town of East, in the <sup>34</sup>th, thirty-three one hundredths (33.3) acres of lot three (3) of section six (6), township nineteen (19), north, range fourteen (14) east, containing sixty nine <sup>34</sup>th, thirty-three one hundredths (69.3) acres, more or less.

TO HAVE AND TO HOLD The same unto the said part 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 Thomas Miller  
has this day executed and delivered one certain promissory note in writing to said part of of the second part, described as follows:

One note dated February 11th, 1909, due in one year, interest ten per cent from date, payable to the order of Cyrus L. Avery

Now, if said part 4 of the first part shall pay or cause to be paid to said part 4 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 4 of the second part shall be entitled to possession of said premises. And the said part 4 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.

IN WITNESS WHEREOF, The said part<sup>1</sup> of the first part ha<sup>1</sup> hereunto set his hand the day and year first above written.

State of Oklahoma, |

in and for said County and State on this 11<sup>th</sup> day of February, 1909, personally appeared Thomas Miller, a single man and he to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

My commission expires November 26, 1911.

## ASSIGNMENT

## Know All Men by These Presents:

THAT ..... of ..... County, in the State of Oklahoma, the within  
 named Mortgage.....in consideration of the sum of.....and ..... DOLLARS  
 to.....in hand paid, the receipt whereof is hereby acknowledged, do.....hereby Sell, Assign, Transfer, Set Over and Convey unto.....  
 .....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 ha hereunto set hand this day of 19

EXECUTED IN PRESENCE OF

State of Oklahoma, )

County } ss. This Assignment was filed for record on the ..... day of ..... A.D. 19..... at ..... o'clock ..... M.,  
and duly recorded in Book ..... on page ..... Fee, \$.....  
\$..... 19..... Register of Deeds.

# RECEIPT.

RECEIVED OF \_\_\_\_\_ the within named Mortgagor \_\_\_\_\_  
the sum of 100 \_\_\_\_\_ and \_\_\_\_\_ DOLLARS,  
in full satisfaction of the within Mortgage.

FILED FOR RECORD On the 11 day of Feb A.D. 1909 at 12 o'clock PM.

## Register of Deeds.