

MORTGAGE OF REAL ESTATE

DORSET-Printing Company, Dallas, Texas

THIS INDENTURE Made this 21 day of February, A.D. 1909, between George Failing and Clara Failing of Tulsa County, in the State of Oklahoma, of the first part, and D.B. Jones of Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said part 1 of the first part, in consideration of Five Hundred Dollars (\$ 500.00) the receipt of which is hereby acknowledged, do by these presents Grant, Bargain, Sell and Convey unto said part 2 of the second part his heirs and assigns, the following described Real Estate, situated in Tulsa County, and State of Oklahoma, to-wit:

Beginning at a stake at the northeasterly corner of Lot one in Block one in the City of Tulsa, Tulsa County, Oklahoma. Thence in a southeasterly direction along the westerly line of Baker Avenue forty and (46) feet. Thence in a southeasterly direction ninety (90) feet to a stake. Thence in a northeasterly direction to a stake on the north line of said Lot one, and the east margin of Archer Avenue. Thence in a southeasterly direction to the beginning said lot being 40 feet by 100 feet.

TO HAVE AND TO HOLD the same unto the said part 2 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 George Failing and Clara Failing have this day executed and delivered their certain promissory note in writing to said part 2 of the second part, described as follows: Principal five hundred dollars due two years after date eight per cent

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

George Failing  
Clara Failing

State of Oklahoma,

Tulsa County ss.

BEFORE ME B.F. Pettus a notary public

in and for said County and State on this 12 day of March 1909, personally appeared George Failing and Clara Failing his wife, 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.

My commission expires Sept. 12, 1912 seal B.F. Pettus

#### ASSIGNMENT

Know All Men by These Presents:

THAT George Failing and Clara Failing of Tulsa County, in the State of Oklahoma, the within named Mortgage in consideration of the sum of Five Hundred and no DOLLARS to him and 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 ha hereunto set his hand this 12 day of March 1909.

EXECUTED IN PRESENCE OF

State of Oklahoma,

Tulsa County ss.

This Assignment was filed for record on the 12 day of March A.D. 1909 at 11 o'clock A.M.

and duly recorded in Book 100 on page 100 Fee, \$ 1.00

\$ 1.00 Register of Deeds.

#### RECEIPT.

RECEIVED OF George Failing and Clara Failing the within named Mortgagor the sum of Five Hundred and no DOLLARS, in full satisfaction of the within Mortgage.

FILED FOR RECORD On the 12 day of March A.D. 1909 at 11:30 o'clock A.M.

H.C. Petty  
Register of Deeds.

seal