

The said Grantor hereby covenants and agrees with the said grantee to set aside ten per cent of the consideration of this deed forever, in trust, and said Grantor shall forever hereafter from the income of said sum, and from the income of other funds created from a definite part of the proceeds of lot sales, from time to time, apply the income from said amounts for the perpetual care and maintenance of said ROSE HILL BURIAL PARK.

VIZ: To keep the sod in order and repair, and all places where the interments have been made in proper order, to care for trees and shrubs, and keep all the monumental work in a vertical position as long as the same may last, and in the perpetual care and improvement of avenues, fences, buildings and grounds in general.

TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging unto the said S. Maxwell Smith his heirs and assigns forever; and I do hereby bind myself my heirs, successors and assigns, and legal representatives, to warrant and forever defend, all and singular, the said premises unto the said S. Maxwell Smith his heirs and assigns, against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

Witness my hand at Tulsa, Oklahoma, this 11th day of February A. D. 1924.

John J. Harden

THE STATE OF OKLAHOMA )  
COUNTY OF TULSA )

Before me, the undersigned authority, a Notary Public in and for Tulsa County Oklahoma, on this day personally appeared John J. Harden known to me to be the identical person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed, for the purposes and considerations therein expressed.

Given under my hand and seal of office this 11th day of February A. D., 1924

My commission Expires September 19th, 1925

(SEAL)

Nettie A. Cline, Notary Public  
Tulsa County, Oklahoma

Filed for record in Tulsa County, Tulsa Oklahoma, Feb 12, 1924 at 3:00 o'clock P. M.  
in Book 486, page 165

By Brady Brown, Deputy

(SEAL)

O. G. Weaver, County Clerk

250986 C.J.

MORTGAGE OF REAL ESTATE COMPARED

TREASURER'S ENDORSEMENT

I hereby certify that I received \$60 and tested Receipt No. 13711 therefor in payment of mortgage tax on the within mortgage.

Dated this 13 day of Feb. 1924

W. W. Stuckey, County Clerk

Deputy

This indenture, made and entered into this 18th day of December, 1923, between Julius Henke, of Tulsa County, in the State of Oklahoma, party of the first part, and Planters & Mechanics Bank Tulsa County, State of Oklahoma, party of the second part.

WITNESSETH: That said party of the first part, in consideration of the sum of Three Thousand (\$3,000.00) Dollars, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell and convey unto said party of the second part successors and assigns all the following described real estate, lying, situate and being in the county of Tulsa, State of Oklahoma, to-wit:

One Half Lot Four (4), Block Four (4), Highlands First Addition  
to the City of Tulsa, Oklahoma, 2426 and 2428 East Tenth Street, on  
which there is a Duplex House.

To have and to hold the same, together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in any wise appertaining, forever.

This conveyance, however, is intended as a mortgage to secure the payment of one promissory note in writing this day executed and delivered to said second party by said first party, one for (\$3,000.00) due Thirty Days after date, all payable at PLANTERS &