

ance is not effected and maintained and the certificates or policies delivered to said second party, its successors or assigns, or if any taxes or assessments are not paid before the same shall be delinquent, the holder of said notes and this mortgage may, without notice to first parties elect to declare the whole sum or sums and interest thereon and attorney's fees therein provided for due and payable at once and proceed to collect said debt, interest and attorneys fees set out and mentioned in said note, according to the terms and tenor thereof and also all sums paid for insurance and taxes and legal assessments and interest thereon, and also to foreclose this mortgage, whereupon the said second party, its successors and assigns, shall become and be entitled to the possession of said premises and shall be entitled to the rents and profits thereof, and shall be entitled to the appointment of a receiver for the collection of said rents and profits.

And it is further expressly agreed, that as often as any proceeding is taken to foreclose this mortgage, said first parties shall pay to said second party, its successors and assigns, a sum equal to Ten Dollars and Ten Per Cent additional of the total amount due on said mortgage and on said note, as attorney's fees for such foreclosure, in addition to other legal costs, and that such attorney's fee shall be a lien upon the premises hereinabove described, and a part of the debt secured by this mortgage.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands the day and year first above written.

W. T. Everard

Mary S. Everard

State of Oklahoma, Tulsa County, ss.

Before me a Notary in and for said County and State on this 16th day of May, 1923 personally appeared W. T. Everard and Mary F. Everard, 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 use and purposes therein set forth.

My Commission expires May 24, 1927

(SEAL)

In Seal  
A. R. Marr, Notary Public

Filed for record in Tulsa County, Tulsa Oklahoma, April 11, 1924 at 11:30 o'clock A. m.  
in Book 487, page 271

By Brady Brown, Deputy

(SEAL)

O. G. Weaver, County Clerk

255489 C.J.

UNITED STATES OF AMERICA, )  
Eastern District of Oklahoma ) SS:

*Tulsa*  
*11-20-88* COMPARED

I, W. V. McClure, Clerk of the District Court of the United States of America for the Eastern District of Oklahoma, do hereby certify the within and foregoing to be a true, full, and correct copy of Journal Entry of Order Nunc Pro Tunc as of January 23, 1922, as filed in this office on March 17th, 1924.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court at my office in Muskogee, in said District, this 2nd day of April, 1924.

(SEAL)

W. V. McClure  
Clerk

By R. H. Mans, Deputy Clerk

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE EASTERN DISTRICT  
OF THE STATE OF OKLAHOMA

In the matter of the application of the  
Missouri, Kansas & Texas Railway Company  
for appointment of referees to determine  
and appraise all compensation and damages  
to be paid for land, property, and improvements to  
be appropriated and condemned for additional  
right of way in the SE of Section 5, Township 19 North, Range 12 East, Tulsa County, Oklahoma  
for yard and wye purposes.

No. 3688 Law.