

STATE OF OKLAHOMA, }
COUNTY OF TULSA. } SS.

Before me, the undersigned, a Notary Public, in and for said County and State on this 15th day of March, 1923, personally appeared William A. Rhea 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. Given under my hand and seal the day and year last above written. My commission expires Oct. 27th, 1926.

Earl Reesor, Notary Public.

Filed for record in Tulsa County, Tulsa, Oklahoma on Nov. 28th, 1924 at 4:40 P. M. o'clock recorded in Book 499, page 296.

By Brady Brown.

(Seal)

O. G. Weaver, County Clerk.

#272980-CW.

WAIVER OF PRIORITY OF LIEN RIGHT.

WHEREAS, The undersigned Exchange National Bank, is the owner and holder of a certain mortgage dated July 7, 1924, executed and delivered by Valjean Biddison and Lyda F. Biddison, his wife, to the undersigned, recorded in Book 523, at page 131 of the records of the County Clerk, Tulsa County, Oklahoma, covering an undivided one-sixth interest in and to the Northerly 35 feet of Lot 6, Block 117, of the City of Tulsa, Tulsa, County, Oklahoma, to secure the note of said mortgagors, dated July 7, 1924, due October 5th, 1924, for \$6,250.00, with interest at eight per cent from maturity, and any and all renewals of said note or of portions thereof upon which there remains unpaid \$5650.00, and

WHEREAS, There is another and prior lien upon the interests of said Valjean Biddison in and to said property for the sum of \$18,906.21, with interest at 10 per cent from July 10, 1922, together with \$1200.00 attorneys fees, and costs, being the amount due upon a judgment constituting said lien heretofore rendered in the district court of Tulsa County, Oklahoma, in cause No. 14085, entitled Rachel M. Lloyd, et al., vs. Ross Grosshart, et al., which judgment was rendered in favor of Ruby McNeal, as the administratrix of the estate of J. W. McNeal, deceased, which judgment has been assigned to the Exchange National Bank of Tulsa, Oklahoma, as security for an indebtedness of approximately \$18,000.00, which is now past due; and

WHEREAS, The undersigned desires to avoid an enforcement of said prior judgment and the sale of the interest of said Valjean Biddison to satisfy the same; and

WHEREAS, The various owners of said property, including said Valjean Biddison, have arranged with the National Building & Loan Association of Pawhuska, Oklahoma, for a loan of \$22,000.00 from the proceeds of which they intend to discharge said judgment, so rendered in favor of Ruby McNeal, administratrix, but can not consummate said loan because the judgment of the undersigned would be prior thereto; and

WHEREAS, The undersigned considers the consummation of said loan to its advantage to the extent of waiving its prior lien to the lien so to be created.

NOW THEREFORE, For the foregoing consideration and benefits, accruing to the undersigned, the undersigned, Exchange National Bank of Tulsa County, Oklahoma, does hereby waive in favor of National Building & Loan Association, its successors and assigns, its prior lien upon said property waiving however, no other rights or advantages which it may have, it being its only intention by this instrument to retain its lien upon said property, but to permit the lien so to be created in favor of National Building & Loan Association to become prior to the lien of the undersigned.

Witness my hand this 28th day of November, 1924.

Exchange Nat'l Bank,
By A. T. Allison, Vice-President.

A. T. Allison, Vice-President