

MORTGAGE RECORD, No. 57.

FROM

State of Oklahoma, Tulsa County, ss.

COMPARED

TO

This instrument was filed for record on the 19 day of May A. D. 1910, at 3:45 o'clock P. M.

Fees, \$

By *Heal**H. W. Wackley*
Register of Deeds.

Deputy.

MORTGAGE OF REAL ESTATE.—SAML DODSWORTH BOOK CO., LEAVENWORTH, KAN. No. 10788.

THIS INDENTURE, Made this *Nineteenth* day of *May*, A. D. 19*10*, between *Frank S. Foster, widower, surviving husband of Sadie E. Foster, deceased of Tulsa* County, in the State of Oklahoma, of the first part, and *John D. Hyman* of *Tulsa* County, in the State of Oklahoma, of the second part:

WITNESSETH, That said party of the first part, in consideration of *Two hundred fifty and 00/100* Dollars (\$*250.00*), the receipt of which is hereby acknowledged, do by these presents, grant, bargain, sell and convey unto said party of the second part *his* heirs and assigns, the following-described Real Estate, situated in *Tulsa* County, and State of Oklahoma, to-wit:

Lot numbered Ten (10). Block numbered two (2) in Grandview addition to Tulsa, as shown by plat of said addition. DOLLARS,

TO HAVE AND TO HOLD THE SAME unto the said party 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 *Frank S. Foster* has on this day executed and delivered *his* certain promissory note in writing to said party of the second part, described as follows:

Note for \$250.00 of even date herewith due 3 months after date payable in order of John D. Hyman bearing interest from date at the rate of 10% per annum.

Now, if said party of the first part shall pay or cause to be paid to said party 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 party of the second part shall be entitled to the possession of said premises. And the said party 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 party of the first part has hereunto set *his* hand the day and year first above written.

Frank S. Foster

STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me

F. D. Prentiss

Notary Public

in and for said County and State on this *19th* day of *May*, 19*10*, personally appeared *Frank S. Foster a single man, surviving husband of Sadie E. Foster, deceased* 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

*Jan 3*19*14*

ASSIGNMENT.

KNOW ALL MEN BY THESE PRESENTS:

That *Frank S. Foster* of *Tulsa* County, in the State of Oklahoma, the within-named mortgage in consideration of the sum of *Two hundred fifty and 00/100* DOLLARS, to *John D. Hyman* in hand paid, the receipt whereof is hereby acknowledged, do hereby SELL, ASSIGN, TRANSFER, SET OVER and CONVEY unto *John D. Hyman* 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 has hereunto set *his* hand this *19th* day of *May*, 19*10*.

EXECUTED IN PRESENCE OF

This assignment was filed for record on the *19th* day of *May*, A. D. 19*10*, at *3:45* o'clock *P. M.* Fee, \$

Register of Deeds.

\$

RECEIPT.

Received of *John D. Hyman* the within-named mortgagor the sum of *Two hundred fifty and 00/100* DOLLARS, in full satisfaction of the within mortgage.