

Jas. F. Secrest, Notary Public.

(Seal)

My commission expires 3-30-1913.

Filed for record at Tulsa, Okla. Mar. 1 1910 at 8 o'clock A. M.

H. C. Walkley, Register of Deeds (Seal)

#####

MORTGAGE OF REAL ESTATE.

THIS INDENTURE , Made this 14th day of December in the year one thousand nine hundred and nine (A. D. , 1909) between B. F. Werts of Broken Arrow; a widower in the state of Oklahoma, party of the first part, and Lewis B. Malone, of Macon, Missouri, party of the second part.

WITNESSETH, That the said party of the first part for and in consideration of the sum of Two-Thousand Five-Hundred & Sixty-Two Dollars to him in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, his . granted, bargained, sold, remised, released and confirmed, and by these presents does grant, bargain, sell , release and confirm unto the said party of the second part, his successors and assigns forever, all of the following described real estate, situate, lying and being in Tulsa County, and State of Oklahoma, to-wit: All of the South-west quarter (1/4) of the north-east quarter (1/4) and the south-east quarter (1/4) of the north-west quarter (1/4), and Lot one (1), and the north-west quarter (1/4) of the south-east quarter (1/4) all in Section twenty (20), Township Seventeen (17) north and Range fourteen (14) east of the Indian Base and Meridian.

Together with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the above bargained ^{premises} ~~premises~~ unto the said party of the second part, his successors and assigns, to the sole and only proper use, benefits and behoof of the said party of the second part, his successors and assigns, forever; and the said party of the first part does covenant with the said party of the second part, his successors and assigns, that at the time of the delivery of these presents he is well seized of said premises in fee simple; that they are free from all incumbrances and charges whatever, and that he will , and his heirs, executors and assigns shall forever warrant and defend the title to the same against all lawful claims whatsoever; except a mortgage for \$2800.00/ to the Walton Trust Company

Provided always, that these presents are upon the express condition , that the said party of the first part shall and does well and truly pay or cause to be paid to the said party of the second part, his successors, heirs, administrators or assigns, the sum of Twenty-five Hundred and Sixty-Two Dollars, with interest according to one certain promissory note bearing even date herewith due five years after date, with interest at 7% payable annually according to five interest coupons thereto attached for \$179.00 each of even date payable at Macon, Missouri, to draw 7% after maturity, executed by B. F. Wertz of Broken Arrow, Oklahoma, a widower to said party of the second part, his successors and assigns, to which these presents are collateral , and shall also pay and discharge or cause to be paid within the time prescribed by law, all such taxes and