

Filed for record at Tulsa, Okla. Apr. 8 1910 at 4:25 o'clock P.M.

H.G. Walkley, Register of Deeds (seal)

COMPARED

MORTGAGE OF REAL ESTATE

This indenture made this 8th day of April A.D. 1910 between F.A. Leovy and Augusta Leovy his wife,, C.H. Markham and Anna Markham, his wife, J.F. Fisher and Caroline Fisher his wife, of the first part and W.H. Nicely of Tulsa, Oklahoma of the second part.

WITNESSETH, that said parties of the first part in consideration of Twelve Thousand (\$12,000.00) dollars (\$-----) 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:

The East forty feet of Lot Numbered Eight in Block Numbered One Hundred and Six in the City of Tulsa Oklahoma according to the Government Plat thereof, allowing for the deviation of the townsite from the true meridian.

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 any wise appertaining forever.

Provided always, and these presents are upon this express condition that whereas said F.A. Leovy, Augusta Leovy, C.H. Markham, Anna Markham, J.F. Fisher and Caroline Fisher have this day executed and delivered 1 certain promissory note in writing to said party of the second part described as follows:

\$12,000.00 payable in six months from date to order of W.H. Nicely with eight per cent interest from date.

Now, if said parties 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 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 possession of said premises. And said party of the first part for said consideration do hereby expressly waive an appraisalment of said real estate and all benefit of the homestead exemption and stay laws of the State of Oklahoma.

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

F. A. Leovy

Augusta Leovy

C.H. Markham

Anna Markham

J.F. Fisher.

Caroline Fisher.