

MORTGAGE RECORD.

COMPARED

FROM

TO

State of Oklahoma, Tulsa County, ss.

This instrument was filed for record on the 6 day of March A. D. 1911, at 8:10 o'clock P.M.

Fees, \$.....

Register of Deeds.

By (Hall) Deputy.

MORTGAGE OF REAL ESTATE.—SAML. DOWD WORTH BOOK CO., LEAVENWORTH, KAN. No. 19788

THIS INDENTURE, Made this 4th day of March A. D. 1911, between Alex Sunday of the first part, and Charles W. Hitenach of Tulsa County, in the State of Oklahoma, of the second part;

WITNESSETH, That said part y of the first part, in consideration of Four Hundred Dollars (\$400), the receipt of which is hereby acknowledged, do hereby present, bargain, sell and convey unto said part y of the second part, his heirs and assigns, the following-described Real Estate, situated in Tulsa County, and State of Oklahoma, to-wit: lots numbered thirteen (13), fourteen (14), fifteen (15), sixteen (16), seventeen (17), eighteen (18), and nineteen (19) in Block Thirty-nine (39) in the town of Broken Arrow, Oklahoma

TO HAVE AND TO HOLD THE SAME unto the said part y 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 Alex Sunday ha. S. this day executed and delivered cert certain promissory note, in writing to said part y of the second part, described as follows: in six months after date without demand or protest I agree to pay to the order of Charles W. Hitenach, Four Hundred Dollars, together with interest payable with interest from date at the rate of 10 per cent per annum until paid

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

STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, A. E. Lewis Notary Public, in and for said County and State on this 4 day of March 1911, personally appeared Alex Sunday and his 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 March 28 1912 (Hall) Notary Public.

ASSIGNMENT.

KNOW ALL MEN BY THESE PRESENTS: That Alex Sunday of Tulsa County, in the State of Oklahoma, the within-named mortgage in in consideration of the sum of 400 DOLLARS, to Charles W. Hitenach in hand paid, the receipt whereof is hereby acknowledged, do hereby SELL, ASSIGN, TRANSFER, SET OVER and CONVEY unto his 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 ha. S. hereunto set his hand this 4 day of March 1911.

EXECUTED IN PRESENCE OF

This assignment was filed for record on the 6 day of March A. D. 1911, at 8:10 o'clock P.M. Fee, \$.....

Register of Deeds.

RECEIPT.

Received of Charles W. Hitenach the within-named mortgagor the sum of 400 DOLLARS, in full satisfaction of the within mortgage.