

MORTGAGE RECORD

MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this 19th day of May, A. D. 1911, between H. B. Hamilton and Julia M. Hamilton, his wife of Jenks, Tulsa County, in the State of Oklahoma, of the first part, and Emerson C. Phinney of Jenks County, in the State of Oklahoma, of the second part:

WITNESSETH, That said part 1st of the first part, in consideration of One Hundred and sixty Dollars (\$ 160.00), the receipt of which is hereby acknowledged, do... by these presents grant, bargain, sell and convey unto said part 4 of the second part, his heirs and assigns, the following-described Real Estate, situated in Tulsa County, and State of Oklahoma, to-wit:

All that part of the Northeast quarter of the Northwest quarter of section thirty (30) Township Eighteen (18) North Range Fourteen (14) East lying east of the Midland Valley Rail Road Right of Way.

TO HAVE AND TO HOLD THE SAME unto the said part 4 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 H. B. Hamilton and Julia M. Hamilton have this day executed and delivered... a certain promissory note... in writing to said part 2 of the second part, described as follows:

One year after date, we promise to pay to the order of Emerson C. Phinney One Hundred and sixty and no/100 for value received, with interest at the rate of eight percent from date and if the interest is not paid annually, to become principal and bear the same rate of interest. This note is negotiable and payable without deduction or discount and without any other or further notice, from day valuation appraisement or homestead exemption laws.
Due May 19-1912. (Signed) H. B. Hamilton

Now, if said part 1st of the first part shall pay or cause to be paid to said part 4 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 1st of the second part shall be entitled to the possession of said premises. And the said part 1st of the first part for said consideration do... hereby expressly waive an appraisement 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 1st of the first part have hereunto set their hand the day and year first above written.

H. B. Hamilton
Julia M. Hamilton

STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, Freda S. Andersen Notary Public in and for said County and State, on this 19th day of May, 1911, personally appeared H. B. Hamilton and Julia M. Hamilton to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

My commission expires June 28 1914 (Seal) Freda S. Andersen

KNOW ALL MEN BY THESE PRESENTS:

ASSIGNMENT

That... of... County, in the State of Oklahoma, the within-named mortgage... in consideration of the sum of... and... DOLLARS, to... in hand paid, the receipt whereof is hereby acknowledged, do... hereby SELL, ASSIGN, TRANSFER, SET OVER and CONVEY unto 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 mortgage... have hereunto set... hand... this... day of... 19...

EXECUTED IN PRESENCE OF

This assignment was filed for record on the... day of... A. D. 19... at... o'clock... M. Fee, \$... Register of Deeds.

RECEIPT

Received of... the within-named mortgagor... the sum of... and... DOLLARS, in full satisfaction of the within mortgage.

STATE OF OKLAHOMA, TULSA COUNTY, ss.

This instrument was filed for record on the 7 day of June, A. D. 1911, at 1:25 o'clock P. M. Fees, \$... (Seal) H. C. Walkley Register of Deeds. By... Deputy.

For value received, I acknowledge satisfaction and payment in full of the within mortgage, and same is hereby released.

Emerson C. Phinney

Signed and acknowledged before me May 9-1912

H. C. Walkley