

RECORDED

423

# 32338

# MORTGAGE RECORD

## MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this 1st day of June, A. D. 1911, between W.G. McAnally and L.A. McAnally his wife of Broken Arrow, Tulsa County, in the State of Oklahoma, of the first part, and J.W. Kennedy of Broken Arrow, Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said parties of the first part, in consideration of Five Hundred-Fifty and 00/100 Dollars (\$550.00), the receipt of which is hereby acknowledged, do... by these presents grant, bargain, sell and convey unto said part... of the second part, his heirs and assigns, the following-described Real Estate, situated in Tulsa County, and State of Oklahoma, to-wit: Lots Number Sixteen (16), Seventeen (17) and Eighteen (18) in Block Number Eleven (11) in the Town of Broken Arrow in said County and State,

TO HAVE AND TO HOLD THE SAME unto the said part... 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 W.G. McAnally and L.A. McAnally have this day executed and delivered their certain promissory note... in writing to said part... of the second part, described as follows:

Dated Broken Arrow, Oklahoma June 15th 1911  
payable on or before October 1st 1911, for the sum of \$ 550.00  
bearing interest at 10% from date payable to J.W. Kennedy and signed by first parties herein.  
This mortgage is given subject to a mortgage given to John H. Jackson on the above described real estate to secure the sum of \$ 450.00 recorded in Tulsa County Oklahoma.

Now, if said part... of the first part shall pay or cause to be paid to said part... 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... of the second part shall be entitled to the possession of said premises. And the said part... 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... of the first part have hereunto set their hands the day and year first above written.

W.G. McAnally  
L.A. McAnally

### STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, Thomas W. Walker a Justice of the Peace in and for 16th District in and for said County and State, on this 19th day of June, 1911, personally appeared W.G. McAnally and L.A. McAnally his wife to me known to be the identical person 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 19.

### ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS:

That the within-named mortgage of the within-named mortgage 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... ha... hereunto set... hand... this... day of...

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 mortgage... 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 20 day of June, A. D. 1911, at 8 o'clock a M. Fees, \$...

By (Seal) Deputy.

H. E. Walkley Register of Deeds.