

COMPARED

## MORTGAGE RECORD

# 32469

SAMUEL DODSWORTH BOOK CO., LEAVENWORTH, KAN. No. 21054

## MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this 23<sup>rd</sup> day of June

A. D. 1911, between

Julia Fountain and R. E. Fountain of Tulsa County, in the State of Oklahoma, of the first part, and Colonial Trust Co. of Tulsa Okla. County, in the State of Oklahoma, of the second part:

WITNESSETH, That said part 1<sup>st</sup> of the first part, in consideration of

Two hundred Dollars (\$ 200.00 ), the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto said part 2<sup>nd</sup> of the second part, its successors and assigns, the following-described Real Estate, situated in Tulsa County, and State of Oklahoma, to-wit:

Lot one (1) in Block (5) Five Highland Addition to City of Tulsa according to official survey. DOLLARS,

TO HAVE AND TO HOLD THE SAME unto the said part 2<sup>nd</sup> of the second part, 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 Julia Fountain & R. E. Fountain have this day executed and delivered their certain promissory note, in writing to said part 2<sup>nd</sup> of the second part, described as follows:

Note dated 6/23/1911 Amt \$ 200.00 Due 9/27/1911 @ 10% from maturity, with usual clause for city fees in case of suit for collection

Now, if said part 2<sup>nd</sup> of the first part shall pay or cause to be paid to said part 1<sup>st</sup> of the second part, its 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 1<sup>st</sup> of the second part shall be entitled to the possession of said premises. And the said part 1<sup>st</sup> of the first part for said consideration do hereby expressly waive an apportionment 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 1<sup>st</sup> of the first part hereunto set their hand the day and year first above written.

Julia Fountain  
R. E. Fountain

## STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, John H. Berry, Notary Public in and for said County and State, on this 24<sup>th</sup> day of June, 1911, personally appeared Julia Fountain and R. E. Fountain 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 free and voluntary act and deed for the uses and purposes therein set forth.

My commission expires July 29<sup>th</sup> 1911. John H. Berry, Notary Public.

## KNOW ALL MEN BY THESE PRESENTS:

## ASSIGNMENT

That in consideration of the sum of DOLLARS, in the State of Oklahoma, the within-named mortgagor in consideration of the sum of 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 mortgagee 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 DOLLARS, in full satisfaction of the within mortgage.

## STATE OF OKLAHOMA, TULSA COUNTY, ss.

This instrument was filed for record on the 26<sup>th</sup> day of June, A. D. 1911, at 8 o'clock A. M. Fees, \$.

By, H. E. W. Deputy. Register of Deeds.