

## MORTGAGE RECORD

# 33411

SAML DODD WORTH BOOK CO. LEAVENWORTH, KAN. No. 21054

## MORTGAGE OF REAL ESTATE COMPARED

THIS INDENTURE, Made this 5th day of August A. D. 1911, between Livonia A. Dayton of Tulsa County, in the State of Oklahoma, of the first part, and A. A. Small of Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said party of the first part, in consideration of One hundred twelve & 50/100 Dollars (\$ 112.50), 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: lots one (1) and Two (2) in Block One (1), in East Lynn Addition to the City of Tulsa, Oklahoma, as shown by the recorded plat thereof DOLLARS,

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 therunto belonging, or in anywise appertaining, forever.

PROVIDED, ALWAYS, And these presents are upon this express condition, that whereas, said first party has this day executed and delivered one certain promissory note in writing to said party of the second part, described as follows:

Dated August 5th 1911 for \$ 112.50 Payable one year after date to Colonial Trust Company, Tulsa Okla, with interest at 10%. Also agrees to pay a reasonable attorney's fee if this note is collected by an attorney or by legal proceedings.  
Signed Livonia A. Dayton, of Tulsa Okla,

Now, if said party 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 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 party of the second part shall be entitled to the possession of said premises. And the said party of the first part for said consideration do hereby expressly waive an appraisal of said real estate and all benefit of the homestead exemption and any laws of the State of Oklahoma. County of Tulsa,

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand the day and year first above written.

Livonia A. Dayton

## STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, Anne H. Marr Notary Public in and for said County and State, on this 5th day of August 1911, personally appeared Livonia A. Dayton and to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that she executed the same as her free and voluntary act and deed for the uses and purposes therein set forth.

My commission expires Apr. 27, 1915 Anne H. Marr

(Seal) KNOW ALL MEN BY THESE PRESENTS:

## ASSIGNMENT

That one of one County, in the State of Oklahoma, the within-named mortgagor in consideration of the sum of one and one DOLLARS, to 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 mortgagor has hereunto set her hand this 5th day of August 1911

EXECUTED IN PRESENCE OF

This assignment was filed for record on the 5th day of August A. D. 1911, at 4:50 o'clock M. Fee, \$    Register of Deeds.

## RECEIPT

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

## STATE OF OKLAHOMA, TULSA COUNTY, ss.

This instrument was filed for record on the 5th day of Aug A. D. 1911, at 4:50 o'clock P. M. Fees, \$    H. C. Walkley Register of Deeds.

By (Seal) Deputy.