

## MORTGAGE RECORD

SAML BODWORTH BOOK CO., LEAVENWORTH, KAN. No. 21054

## MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this first day of July, A. D. 1911, between Thomas Miller a single man of Tulsa County, in the State of Oklahoma, of the first part, and Opus S. Avery of Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said part... of the first part, in consideration of Sixty Dollars (\$ 60.00.00 ), the receipt of which is hereby acknowledged, do hereby 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:

South half of the Northwest quarter of the Northwest quarter and the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 31, and the East half of the Southwest quarter of the South west quarter Section 32, all in Township 20 North, Range 14 East containing 50 acres, more or less, according to the U.S. Government survey thereof. Written subject to a first mortgage.

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 Thomas Miller, a single man has this day executed and delivered two certain promissory notes in writing to said part... of the second part, described as follows:

Dated July 1, 1911, \$30.00 each, due in one year at 10% from date until paid,

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 notes 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 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... of the first part has hereunto set his hand... the day and year first above written.

Thomas Miller,

## STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, Lucile Chastain, Notary Public in and for said County and State, on this 10th day of August, 1911, personally appeared Thomas Miller a single man, 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 Jan 13 1914. Lucile Chastain

## ASSIGNMENT

That in the State of Oklahoma, the within-named mortgagor... 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... 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... in full satisfaction of the within mortgage.

## STATE OF OKLAHOMA, TULSA COUNTY, ss.

This instrument was filed for record on the 16 day of Aug, A. D. 1911, at 3 o'clock P. M. Fees, \$... By W. C. Walkley, Deputy.

(Seal)