

COMPARED

MORTGAGE RECORD

33797

SAMUEL BODENWORTH BOOK CO., LEAVENWORTH, KAN., No. 21081

MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this 21st day of August, A. D. 1911, between P. M. Smith, a single man of Tulsa, Tulsa County, in the State of Oklahoma, of the first part, and E. M. Babin of Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said part 1 of the first part, in consideration of One Hundred and no/100 Dollars (\$ 100.00), the receipt of which is hereby acknowledged, do hereby these presents grant, bargain, sell and convey unto said part 2 of the second part, his heirs and assigns, the following-described Real Estate, situated in Tulsa County, and State of Oklahoma, to-wit: The North 12 1/2 feet of the North 50 feet of the West 50 feet of Lot No. 5 in Block No. 470 in the City of Tulsa, Oklahoma, according to the Government Survey and official plat thereof. DOLLARS,

TO HAVE AND TO HOLD THE SAME unto the said part 2 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 P. M. Smith has this day executed and delivered, me certain promissory note in writing to said part 2 of the second part, described as follows:

One Note of even date for the sum of One Hundred and no/100 Dollars, payable two months from date with interest at the rate of 10 per cent per annum from maturity

Now, if said part 1 of the first part shall pay or cause to be paid to said part 2 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 2 of the second part shall be entitled to the possession of said premises. And the said part 1 of the first part for said consideration does 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 1 of the first part has hereunto set his hand the day and year first above written.

P. M. Smith

STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, Charles H. Bryan a Notary Public in and for said County and State, on this 21st day of August, 1911, personally appeared P. M. Smith 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. 8, 1912 10.00 Charles H. Bryan

ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS:

That the within named mortgage of the within named mortgagor County, in the State of Oklahoma, the within named mortgagor in consideration of the sum of 100.00 Dollars, to the within named mortgagee in hand paid, the receipt whereof is hereby acknowledged, do hereby SELL, ASSIGN, TRANSFER, SET OVER and CONVEY unto the within named mortgagee 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 has hereunto set his hand this 21st day of August, 1911.

EXECUTED IN PRESENCE OF

This assignment was filed for record on the 22nd day of August, A. D. 1911, at 4:05 o'clock P. M. Fee, \$ 1.00 Register of Deeds.

RECEIPT

Received of the within named mortgagor the sum of 100.00 Dollars, in full satisfaction of the within mortgage.

STATE OF OKLAHOMA, TULSA COUNTY, ss.

This instrument was filed for record on the 22nd day of August, A. D. 1911, at 4:05 o'clock P. M. Fees, \$ 1.00 H. E. Walkley Register of Deeds.

Deputy.

(Seal)