

COMPARED

MORTGAGE RECORD

34037

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

MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this 30th day of August, A. D. 1911, between S. D. McKenzie of Tulsa County, in the State of Oklahoma, of the first part, and E. D. Marr, Sr. of Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said part 1st of the first part, in consideration of One Hundred Ninety-five (\$195.00) Dollars (\$195.00), the receipt of which is hereby acknowledged, do hereby presents grant, bargain, sell and convey unto said part 2nd 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 Forty-six and 2/3 feet (46-2/3) of lot Four (4) and the South Seventy (70) feet of lot three (3), all in Block Three (3), North Tulsa, Cherokee Nation, Indian Territory, having a frontage of One Hundred Sixteen and two-thirds feet (116-2/3) on Baton Street, North Tulsa.
This mortgage subject to a former mortgage, dated July 24th, 1907, amount Five Hundred Dollars, (\$500.00)

TO HAVE AND TO HOLD THE SAME unto the said part 2nd 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 first party has this day executed and delivered a certain promissory note in writing to said part 2nd of the second part, described as follows:

One promissory note amounting to \$195.00, due December 24th, 1911.

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

S. D. McKenzie,

STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, Dorene Hale Notary Public in and for said County and State, on this 5th day of September, 1911, personally appeared S. D. McKenzie 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 May 8th 1915 Dorene Hale

KNOW ALL MEN BY THESE PRESENTS:

ASSIGNMENT

That S. D. McKenzie of Tulsa County, in the State of Oklahoma, the within-named mortgagor, in consideration of the sum of 195.00 Dollars, to E. D. Marr, Sr. 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 his hand this 5th day of September, 1911.

EXECUTED IN PRESENCE OF

This assignment was filed for record on the 5th day of September, A. D. 1911, at 10 o'clock A. M. Fee, \$1.00 Register of Deeds.

RECEIPT

Received of S. D. McKenzie the within-named mortgagor the sum of 195.00 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 September, A. D. 1911, at 10 45 o'clock A. M. Fees, \$1.00 By H. C. Walkley Deputy. (Seal)