

MORTGAGE RECORD

34252

COMPLETED

SAML DODSWORTH BOOK CO., LEAVENWORTH, KAN., No. 21051

MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this 24th day of June A. D. 1911, between John D. Porter and H. W. Cody of Tulsa County, in the State of Oklahoma, of the first part, and H. W. Cody of Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said parties of the first part, in consideration of Five Hundred Dollars (\$ 500.00), 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:

Lot No Two (2) in Block Three (3) in Cody's Addition to the City of Tulsa according to the recorded plat thereof.

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 thereto belonging, or in anywise appertaining, forever, subject to a first and prior mortgage in favor of James E. Hester of Winfield Kansas for \$750.00 PROVIDED, ALWAYS, And these presents are upon this express condition, that whereas, said John D. Porter and

have this day executed and delivered three certain promissory notes in writing to said party of the second part, described as follows:

\$100.00 dated Tulsa Okla April 28th 1911 due on or before 6 months after date with interest at 8 per cent per annum from March 1st 1911 \$150.00 dated Tulsa Okla April 28th 1911 due on or before 12 months after date with interest at 8 per cent per annum from March 1st 1911, \$250.00 dated Tulsa Okla April 25th 1911 due on or before two years after date with interest at 8 per cent per annum from March 1st 1911,

Now, if said parties 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 parties of the first part for said consideration do 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 parties of the first part have hereunto set their hand the day and year first above written.

John D. Porter
Floyd W. Porter

STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, T. A. Hagler Notary Public in and for said County and State, on this 1st day of July 1911, personally appeared John D. Porter and Floyd W. Porter, his wife 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 their free and voluntary act and deed for the uses and purposes therein set forth.

(My commission expires January 6th 1914) T. A. Hagler

ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS:

That John D. Porter and Floyd W. Porter of Tulsa County, in the State of Oklahoma, the within-named mortgagor, in consideration of the sum of Five Hundred DOLLARS, to H. W. Cody 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 mortgagee, H. W. Cody hereunto set his hand this 1st day of July 1911.

EXECUTED IN PRESENCE OF

This assignment was filed for record on the 13 day of Sept A. D. 1911, at 3 o'clock P. M. Fee, \$1.00 Register of Deeds.

RECEIPT

Received of H. W. Cody the within-named mortgagor, the sum of Five Hundred DOLLARS, in full satisfaction of the within mortgage.

STATE OF OKLAHOMA, TULSA COUNTY, ss.

This instrument was filed for record on the 13 day of Sept A. D. 1911, at 3 o'clock P. M. Fees, \$1.00 By H. C. Wallberg Deputy. (Seal)