

COMPARED MORTGAGE RECORD

#34454

SAME BODSWORTH DOCK CO., LEAVENWORTH, KAN. No. 21051

MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this 12th day of December A. D. 1910, between E. S. Moore and Lula E. Moore of Jenks County, in the State of Oklahoma, of the first part, and P. A. Phipps of Jenks Okla County, in the State of Oklahoma, of the second part:

WITNESSETH, That said part 1st of the first part, in consideration of Four Hundred and Fifty and 00/100 Dollars (\$ 450.00), the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto said part 2d of the second part, her heirs and assigns, the following-described Real Estate, situated in Tulsa County, and State of Oklahoma, to-wit: Lot Number Nine (9) in Block Number Twenty One (21) in the town of Jenks Tulsa County Oklahoma according to the plat and survey filed thereof.

TO HAVE AND TO HOLD THE SAME unto the said part 2d 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 E. S. Moore and Lula E. Moore had this day executed and delivered six certain promissory notes in writing to said part 2d of the second part, described as follows:

Dated Jenks Okla, Dec 12, 1910, One note for \$75.00 Due March 12-1911, One note for \$75.00 Due June 12, 1911, One note for \$75.00 Due Sept. 12-1911, One note for \$75.00 Due December 12-1911, One note for \$75.00 due March 12, 1912 and one note for \$75.00 Due June 12-1912, payable to P. A. Phipps for value received with interest at the rate of eight percent per annum from date until fully paid.

Signed E. S. Moore and Lula E. Moore 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 2d 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 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 1st of the first part hereunto set their hands the day and year first above written. E. S. Moore Lula E. Moore

STATE OF OKLAHOMA, TULSA COUNTY, ss. Before me, Herschel B. Hamilton Notary Public in and for said County and State, on this 12 day of December, 1910, personally appeared E. S. Moore and Lula E. Moore, 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 Mar. 31, 1914. Herschel B. Hamilton Notary Public

KNOW ALL MEN BY THESE PRESENTS: That of County, 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 mortgagee hereunto set hand this day of 19

EXECUTED IN PRESENCE OF This assignment was filed for record on the day of A. D. 1910, at o'clock M. Fee, \$ Register of Deeds.

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

STATE OF OKLAHOMA, TULSA COUNTY, ss. This instrument was filed for record on the 23 day of Sep A. D. 1911, at 225 o'clock p M. Fees, \$ H. O. Walkley Register of Deeds. By Deputy