

MORTGAGE RECORD

#34548

COMPARED

HAML BODSWORTH BOOK CO., LEAVENWORTH, KAN., No. 21054

MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this 31st day of December, A. D. 1909, between Myrtle D. Lantz, U. W. Lantz, her husband, of Tulsa County, in the State of Oklahoma, of the first part, and P. M. Kerr, of Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said part of the first part, in consideration of Nineteen Hundred Dollars (\$1900.00), 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:

Six (6) in Block numbered Three (3) in the T.P.T. Addition of the City of Tulsa, Oklahoma according to the recorded plat filed therein. This mortgage is given as a second mortgage and subject to a certain mortgage thereon executed March 27th 1909 to Rachel A. Tergemung for the sum of \$1200.00 due March 27th 1911 with interest at 8% which first parties have assumed and agree to pay.

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 first parties have this day executed and delivered their certain promissory note in writing to said part of the second part, described as follows:

12 notes for \$150.00 each dated December 31st 1909 the 1st note becoming due three months from date and each succeeding note due three months thereafter and bearing interest at 8% from date and one note for \$100.00 dated December 31st 1909 and due thirty nine months after date with interest at 8% from date. All of said notes being signed by the mortgagor herein and payable to the order of P. M. Kerr, the mortgagee herein.

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 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 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 appraisal 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 have hereunto set their hand the day and year first above written.

Myrtle D. Lantz
U. W. Lantz

Kan. Montgomery
STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, Notary Public in and for said County and State, on this 31st day of December, 1909, personally appeared Myrtle D. Lantz, U. W. Lantz, her husband, 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 Jan 20, 1912 H. E. Whitman,

KNOW ALL MEN BY THESE PRESENTS:

ASSIGNMENT

That in consideration of the sum of 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 have hereunto set their 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. Fee, \$.

Register of Deeds.

RECEIPT

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

STATE OF OKLAHOMA, TULSA COUNTY, ss.

This instrument was filed for record on the 27 day of Dec A. D. 1911, at o'clock. Fees, \$.

By Deputy, H. O. Walkley, Register of Deeds.