

MORTGAGE RECORD

#34650

SAML BODWORTH BOOK CO., LEAVENWORTH, KAN. No. 21064

COMPARED

MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this 30th day of September, A. D. 1911, between R. L. Cummings of Tulsa County, in the State of Oklahoma, of the first part, and M. L. Weaver 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 Dollars (\$ 100.00), the receipt of which is hereby acknowledged, ~~data~~ by 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 South East quarter of the South East quarter of Section Twenty (20) of Township (17) Seventeen North and Range Thirteen (13) East of the S.M.

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 R. L. Cummings has this day executed and delivered one certain promissory note in writing to said part 1 of the second part, described as follows:

Note dated at Tulsa Okla. of even date herewith due 60 days after date and payable to M. L. Weaver with interest at 10% from date

The above described land is no part of my homestead,

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 ~~has~~ hereby expressly waive an appurtenance 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.

R. L. Cummings

STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, Henry H. Hornesker Notary Public in and for said County and State, on this 30th day of September, 1911, personally appeared R. L. Cummings and his 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 July 28th 1911 Henry H. Hornesker Notary Public

ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS:

That the of Tulsa County, in the State of Oklahoma, the within-named mortgagor, in consideration of the sum of 100.00 and 100.00 DOLLARS, to the in hand paid, the receipt whereof is hereby acknowledged, do hereby SELL, ASSIGN, TRANSFER, SET OVER and CONVEY unto the 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 mortgage has hereunto set his hand this 30th day of September, 1911.

EXECUTED IN PRESENCE OF

This assignment was filed for record on the 2 day of October, A. D. 1911, at 8 o'clock M. Fee, \$ 1.00 Register of Deeds.

RECEIPT

Received of the the within-named mortgagor, the sum of 100.00 and 100.00 DOLLARS, in full satisfaction of the within mortgage.

STATE OF OKLAHOMA, TULSA COUNTY, ss.

This instrument was filed for record on the 2 day of October, A. D. 1911, at 8 o'clock A. M. Fees, \$ 1.00 By H. C. Walkley Deputy. (Seal)