

## MORTGAGE RECORD

# 34712

COMPILED BY SAMUEL DODSWORTH BOOK CO., LEAVENWORTH, KAN. No. 21051

## MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this 2nd day of October, A. D. 1911, between E. C. Johnston and Evelyn Etta Johnston his wife of Tulsa County, in the State of Oklahoma, of the first part, and Agnes E. Sheridan of Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said parties of the first part, in consideration of Seven Hundred Dollars (\$ 700.00 ), the receipt of which is hereby acknowledged, do... by these presents grant, bargain, sell and convey unto said party of the second part, her heirs and assigns, the following-described Real Estate, situated in Tulsa County, and State of Oklahoma, to-wit: lots Five (5) and Six (6) in Block Seven (7) Burgess Hill Addition to the City of Tulsa, Oklahoma

TO HAVE AND TO HOLD THE SAME unto the said party of the second part, her 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. C. Johnston and Evelyn have this day executed and delivered one certain promissory note... in writing to said party of the second part, described as follows:

For \$ 700.00, dated October 2, 1911, with interest at the rate of ten per cent per annum.

Now, if said party of the first part shall pay or cause to be paid to said party of the second part, her 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 party of the first part for said consideration do... hereby expressly waive an abatement 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 hands the day and year first above written.

E. C. Johnston  
Evelyn Etta Johnston

STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, D. C. Rose Notary Public, in and for said County and State, on this 2nd day of October, 1911, personally appeared E. C. Johnston and Evelyn Etta Johnston, 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 July 7th 1915 D. C. Rose

KNOW ALL MEN BY THESE PRESENTS: ASSIGNMENT

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 mortgage... hereunto set... 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... 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 4 day of Oct, A. D. 1911, at 8:00 o'clock a M. Fees, \$...

By... Deputy H. C. Walkley Register of Deeds.

(Seal)

\* Said first parties also agree to pay an attorneys fee of \$ 70.00, in case of foreclosure, which this mortgage also reserves.