

# MORTGAGE RECORD

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34975

SAME DODSWORTH BOOK CO., LEAVENWORTH, KAN. No. 21054

COMPARED

## MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this 13th day of October A. D. 1911, between Elisha Sexton and Mary E. Sexton, his wife, Tulsa County, in the State of Oklahoma, of the first part, and U. S. Eby, of Tulsa, Tulsa County, in the State of Oklahoma, of the second part:

WITNESSETH, That said part 1st of the first part, in consideration of Three hundred and no/100 Dollars (\$ 300.00 ), the receipt of which is hereby acknowledged, do by these presents grant, bargain, sell and convey unto said part 2d of the second part, his heirs and assigns, the following-described Real Estate, situated in Tulsa County, and State of Oklahoma, to-wit: Lot Number Seventeen (17) in Block Number Twenty-eight (28) in Park Place Addition to Tulsa, Tulsa County, Oklahoma, according to the recorded plat 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 Elisha Sexton and Mary E. Sexton, his wife, have this day executed and delivered one certain promissory note in writing to said part 2d of the second part, described as follows:

One note of every date for the sum of Three hundred and no/100 Dollars (\$ 300.00 ), payable One Year from date, with interest thereon at the rate of ten (10) per cent per annum from date,

Now, if said part 1st of the first part shall pay or cause to be paid to said part 2d 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 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 apportionment 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 has hereunto set their hands the day and year first above written. Elisha Sexton, Mrs. Elisha Sexton, Mary E. Sexton.

STATE OF OKLAHOMA, TULSA COUNTY, ss. Before me, Charles H. Bryan, Notary Public in and for said County and State, on this 13th day of October 1911, personally appeared Elisha Sexton and Mary E. Sexton, 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 Jan. 8, 1912, 10 Charles H. Bryan

KNOW ALL MEN BY THESE PRESENTS: ASSIGNMENT

That in consideration of the sum of Dollars, in hand paid, the receipt whereof is hereby acknowledged, I hereby SELL, ASSIGN, TRANSFER, SET OVER and CONVEY unto heirs and assigns, the within mortgage deed, the real estate conveyed, and the promissory note therein secured, and covenants therein contained.

To have and to hold the same, forever; subject, nevertheless, to the conditions herein contained.

IN WITNESS WHEREOF, The said mortgagee, has hereunto set this 10

EXECUTED IN PRESENCE OF

This assignment was filed for record on the day of A. D. 1911, at o'clock, M. Fee, \$.

RECEIPT

Received of the within mortgagee, 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 13 day of Oct A. D. 1911, at 240 o'clock, P. M. Fees, \$.

By H. C. Wallaley, Deputy.

(Seal)