

#35038

RANDOLPH WORTH BOOK CO., LEAVENWORTH, KAN. No. 21051

MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this 16th day of October, A. D. 1911, between Kile R. Ochiltree (unmarried) of Tulsa, 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 party of the first part, in consideration of One Hundred Twenty five and no/100 Dollars (\$125.00), the receipt of which is hereby acknowledged, does hereby these presents grant, bargain, sell and convey unto said party of the second part, his heirs and assigns, the following-described Real Estate, situated in Tulsa County, and State of Oklahoma, to-wit: Lot No. 15 in Block No. 1, in the Bellevue Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, DOLLARS,

TO HAVE AND TO HOLD THE SAME unto the said party of the second part, his heirs and assigns, together with all and singular the tenements, hereditaments and appurtenances therunto belonging, or in anywise appertaining, forever.

PROVIDED, ALWAYS, And these presents are upon this express condition, that whereas, said Kile R. Ochiltree has this day executed and delivered two certain promissory notes in writing to said party of the second part, described as follows:

One note dated October 16, 1911, for the sum of Fifty and no/100 Dollars (\$50.00) payable six (6) months from date, with interest thereon at the rate of ten (10) per cent per annum from date. One note dated October 16, 1911, for the sum of Seventy-five and no/100 Dollars (\$75.00) payable one (1) year from date with interest thereon at the rate of ten (10) per cent per annum from date.

Now, if said party of the first part shall pay or cause to be paid to said party of the second part, his heirs or assigns, said sum of money in the above-described notes 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 does 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 party of the first part hereunto set his hand the day and year first above written.

Kile R. Ochiltree

STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, Charles H. Bryan, Notary Public in and for said County and State, on this 16th day of October 1911, personally appeared Kile R. Ochiltree 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 Jan, 8, 1912, 10 Charles H. Bryan

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 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, in 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 DOLLARS, in full satisfaction of the within mortgage.

STATE OF OKLAHOMA, TULSA COUNTY, ss.

This instrument was filed for record on the 16 day of Oct A. D. 1911, at 1055 o'clock a M. Fees, \$, H. C. Walkley, Register of Deeds. By Deputy (Seal)