

Mortgage Record, No. 82, Madison County, Iowa

C. H. Wheeler and wife,
To
The Lorimor State Bank

\$1576 ✓
\$.90

Filed for record on the 23rd day of May
A. D. 1928 at 11:10 o'clock A. M.
Gladys B. De Vault, Recorder.

KNOW ALL MEN BY THESE PRESENTS: That C. H. Wheeler and Martha S. Wheeler of the County of Madison and state of Iowa in consideration of the sum of Twenty five hundred and 00/100 DOLLARS in hand paid, do hereby SELL AND CONVEY unto The Lorimor State Bank of Lorimor of the County of Union and State of Iowa the following described premises, situated in the Counties of Madison and Union and State of Iowa, to-wit:-

The South-east quarter of the South-west quarter of Section 35,
Township 74 North, Range 29 West of the 5th P. M. Madison County,
North-east quarter of the
Iowa and all that part of the North-West quarter of Section 2 lying North
of Grand River except 1 Acre in the South-west corner of the above described
tract now belonging to Ira Walker and the West 5 Acres of the North-West
quarter of the North-east quarter of Section 2 Township 73 North, Range
29 West of the 5th P. M. Union County, Iowa. Containing in all 80 acres
more or less.

The intention being to convey hereby an absolute title, in fee simple, including all rights of homestead, to have and to hold the premises above described, with all of the appurtenances thereto belonging, unto the said The Lorimor State Bank and to its heirs and assigns, forever.

PROVIDED ALWAYS, and these presents are upon the express condition, that if the said C. H. Wheeler, his heirs, executors or administrators shall pay or cause to be paid to the said The Lorimor State Bank, its heirs, executors, administrators or assigns the sum of Twenty five hundred and no/100 Dollars, on the 21st day of May 1930.

This mortgage is taken subject to a mortgage of \$3,000.00 now on the above described land on which \$200.00 has been paid and as collateral to a note of C. C. Wheeler and Bernice Fay Wheeler, his wife given to The Lorimor State Bank with interest thereon at the rate of 8 per cent. per annum, payable annually and until the same is fully paid, according to the tenor and effect of the one promissory note of said C. H. Wheeler and Martha S. Wheeler bearing even date with these presents, then these presents to be void, otherwise to be and remain in full force and effect.

And in case of the non-payment of the said parties of the first part, or their heirs executors or administrators, of the said interest or principal or any part thereof, at the time the same becomes due or a failure on their part to pay the taxes of any year before the same becomes delinquent, or in case the said party of the first part shall commit or suffer to be committed, any waste upon said premises, or shall allow the same to diminish in value through any act or omission upon their part, then in case of the occurrence of either of said events, the whole principal sum and interest shall become due and payable,

And it is also further agreed by the mortgagor that if it becomes necessary to foreclose this mortgage, a reasonable amount shall be allowed as attorney's fee and be taxed as a part of the cost of foreclosing.

And it is further agreed that in case said property shall become insufficient to se-

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cure the said indebtedness and proceedings to foreclose this mortgage are commenced, that a receiver be appointed to take charge of said premises and collect the rents, issues and profits from the time of commencement of said proceedings, to be applied in payment of the sum above mentioned.

The said party of the first part also agrees to pay all taxes or assessments that shall be taxes or assessed on said premises from the date hereof, until the sum shall be fully paid as aforesaid.

And the said Martha S. Wheeler, his wife hereby relinquishes all her right of dower in and to the above described premises.

Signed this 21 day of May A. D. 1928.

C. H. Wheeler

Martha S. Wheeler.

State of Iowa,

Union County, ss:

On this 21 day of May A. D. 1928, before me Ralph B. Saxton A Notary Public in and for said County, personally came C. H. Wheeler and Martha S. Wheeler, his wife to me personally known to be the identical persons whose names are affixed to the above instrument as grantors, and severally acknowledged the execution of the same to be their voluntary act and deed, for the purpose therein expressed.

IN TESTIMONY WHEREOF, I have heretanto set my hand and affixed my hand and seal, at Lorimor, Iowa on the day and date last above written.

Ralph B. Saxton.

Notary Public in and for Union County, Iowa.

NOTARIAL
SEAL