## Mortgage Record, No. 82, Madison County, Iowa

Bennetta Misner and husb.,) Mortgage. The Cummings Savings Bank ) Fee \$.80

Filed for record on the 25th day of June, A. D. 1828 at 10:30 o'clock P.M. Gladys B. De Vault, Recorder

KNOW ALL MEN BY THESE PRESENTS:

That, Bennetta Misner, and Harold Misner, husband and wife, of Warren County, and State of Iowa, in consideration of the sum of Twenty seven hundred and fifty DOLLARS; in hand paid by The Cumming Savings Bank, of Warren County, and State of Iowa, do hereby SELL AND CONVEY unto the said Cumming Savings Bank, the following described premises situated in the County of Madison, and State of Iowa, to-wit:-

The North Half, (N2) of the South east Quarter (SE1), and the South East Quarter (SE1) of the South east Quarter, (SE1) Section, Thirteen, (13) Township Seventy seven (77), North of Range Twenty six (26) West of the 5th P. M. Iowa.

Subject to Mortgage given to the Bankers Life Co., for \$9,000.00.

And we hereby covenant with the said Cumming Savings Bank, that we hold said premises by title in fee simple; that we have good right and lawful authority to sell and convey the same; that they are free and clear of all liens and encumbrances whatsoever; and we covenant to WARRANT AND DEFEND the said premises against the lawful claims of all persons whomsoever; and the said Harold Misner hereby relinquish his right of dower in and to the above described premises.

PROVIDED, always and these presents are upon this express condition, that if the said Benetta Misner, and Harold Misner, heirs, executors or administrators shall pay or cause to be paid to the said Cumming Savings Bank executors and administrators or assigns; the sum of Twenty seven hundred fifty Dollars, on the 13 day of Dec. 1928, with interest thereon according to the tenor and effect of the one promissory note of the said Bennetta Misner and Harold Misner, payable to The Cumming Savings Bank tearing 8% interest from date then these present to be void, otherwise to remain in full force.

And it is hereby agreed, that if the said Bennetta Misner and Harold Misner allows the taxes to become delinquent upon said property, or permits the same, or any part there, of, to be sold for taxes, or if they fail to pay the interest on said note promptly as the same becomes due, thenote secured hereby shall become due and payable in 30 days thereafter; and the mortgagee heirs, or assigns, may proceed to at once foreclose this mortgage; and in case it becomes necessary to commence proceedings to foreclose the same, then the said Bennetta Misner and Harold Misner in addition to the amount of said debt, interest and costs, agrees to pay to the mortgagee herein named, or to any assignee of the mortgagee here in, a reasonable attorney's fee for collecting the same, which fee small be included in judgement in such foreclosure case.

Signed this 20 day of June, 1928.

Bennetta Misner

Harold Misner

STATE OF IOWA, Warren County; ss:

On this 20 day of June, A. D.: 1928, before me personally appeared Bennetta Misner and Harold Misner, to me known to be the persons named in and wno executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

F. A. Felton.

Notary Public in and for said County.

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