

Mortgage Record, No. 83, Madison County, Iowa

Faye Smythe and husband

#1233

Filed for Record the 19 day of
May A. D. 1931 at 6:02 o'clock
P. M.

To

Fee \$.80

Grand Island Horse &
Mule Co.

Mildred E. Knott Recorder

MORTGAGE

KNOW ALL MEN BY THESE PRESENTS: That Faye Smythe and Riley Smythe, wife and husband of Mead County, and State of South Dakota in consideration of the sum of Two Thousand Five Hundred and No/100 DOLLARS, in hand paid by Grand Island Horse & Mule Company, Grand Island of Hall County, and State of Nebraska do hereby SELL AND CONVEY unto the said Grand Island Horse & Mule Company the following described premises situated in the County of Madison and State of Iowa to-wit:

The undivided two-twenty-one interest of grantor, Faye Smythe, as heir of Anna M. Overhulser, deceased, in

Southeast Quarter (SE $\frac{1}{4}$) of Section Seven (7), in Township Seventy-seven (77) North, of Range Twenty-nine (29) West of the 5th P. M.,

And we hereby covenant with the said Grand Island Horse & Mule Company 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 Riley Smythe hereby relinquish his right of dower in and to the above described premises.

PROVIDED, always and these presents are upon this/condition, that if the said Faye Smythe and Riley Smythe, wife and husband heirs, executors or administrators shall pay or cause to be paid to the said Grand Island Horse & Mule Company, successors or assigns, the sum of Twelve Hundred Fifty Dollars, on the 19th day of November 1931 Twelve Hundred Fifty Dollars, on the 19th May 1932 with interest thereon at six per cent according to the tenor and effect of the two promissory notes of the said Faye Smythe and Riley Smythe payable to Grand Island Horse & Mule Company bearing even date herewith then these presents to be void, otherwise to remain in full force.

It is hereby agreed that said Faye Smythe and Riley Smythe shall pay all taxes and assessments levied upon said real estate before the same shall become delinquent, and in case not so paid, the holder of this mortgage may pay such taxes or assessments and be

This Mortgage having been paid in full, I hereby release and discharge the same of record, this 25 day of December 1931
Mildred E. Knott Recorder
Faye & Riley Smythe
Anna M. Overhulser

To: Melie Overhulser
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BOONE BLANK BOOK CO., BOONE, IOWA. 23018-30

entitled to interest on the same at the rate of eight per cent per annum, and this mortgage shall stand as security for such taxes, assessments and interest so paid.

That if the said Mortgagors allow or if they fail to pay the interest on said notes promptly as the same becomes due, the notes secured hereby shall become due and payable in thirty days thereafter; and the mortgagee its successors or assigns, may proceed to at once to foreclose this mortgage; and in case it becomes necessary to commence proceedings to foreclose the same, then the said Faye Smythe and Riley Smythe in addition to the amount of said debt, interest and costs, agree to pay to the mortgagee herein named, or to any assignee of the mortgagee herein, a reasonable attorney's fee for collecting the same, which fee shall be included in judgment in such foreclosure case.

Signed this 19th day of May 1931

Faye Smythe
Riley Smythe

STATE OF IOWA, Dallas County, SS.

On this 19th day of May A. D., 1931, before me Burton Russell, a Notary Public in and for Dallas County, Iowa, personally appeared Faye Smythe and Riley Smythe, wife and husband to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL
SEAL

Burton Russell
Notary Public in and for Dallas County, Iowa

NOTARIAL
SEAL

H. G. Savery
Notary Public in and for said County.