

Mortgage Record, No. 86, Madison County, Iowa

J. H. WELCH PRtg. CO., DES MOINES, IOWA

John Kirk, et al

To

First Trust Joint Stock Land Bank

1656

Fee \$.85

Filed for record the 8th day of May A.D. 1935 at 10:33 o'clock A.M.

Valda C. Bishop, Recorder

Pearl E. Shetterly, Deputy

AUDITED
J. E. W.

AGREEMENT FOR ENTRY BY MORTGAGE

KNOW ALL MEN BY THESE PRESENTS: That, WHEREAS, default has been made in the terms of a certain mortgage deed dated March 3rd 1925, and recorded in the office of the Recorder of Madison County, State of Iowa, in Book/80 of Mortgages at Page 122 conveying the following lands, to-wit:

North Half of the North East Quarter of Section 33; North half of the South East Quarter of Section Twenty Eight(28); South West Quarter of the South East Quarter of Section 28; Except 8.8 acres constituting the Chicago, St Paul, and Kansas City R.R;Also the following described tract of land viz: Commencing at the NorthWest Corner of the South East Quarter of the South East Quarter of Section Twenty Eight; Running thence East 7.75 chains, thence south 8.5 chains, thence West 7.75 chains, thence North 8.5 chains to point of beginning, containing 6½ acres, containing in all 197.7 acres all in township 74, range 27, west of the 5th P.M.

to The First Joint Stock Land Bank of Chicago, a Corporation, to secure the payment to it of a certain note of even date, therein described, which said note and mortgage debt is not paid nor discharged.

NOW, THEREFORE, in consideration of the premises John Kirk - Geo Kirk and Estella Kirk Elise Kirk, his wife (or her husband) being the present owners of said lands, and in compliance with the demand of the said The First/Trust Joint Stock Land Bank of Chicago, which is the holder and owner of said note, have this day vacated the premises herein and in said mortgage described and have surrendered peaceable possession thereof to the said The First-Trust Joint Stock Land Bank of Chicago in accordance with the covenants in said mortgage deed contained.

It is distinctly understood that the said The First -Trust Joint Stock Land Bank of Chicago shall have the full right and authority to enter into possession of said premises, to lease the same and collect the rents, issues and profits thereof, to make payment of all taxes, general and special, together with the expenses incurred in the pperation of said farm, and to make necessary repairs and shall apply the balance of the proceeds from the crops and rentals received therefor for the payment of the interest and principal of said mortgage debt, without prejudice, however, to the mortgagee's right at any time to institute proceedings to foreclose said mortgage, nor abate, nor limit in any way any of the legal or equitable rights or remedies of the mortgagee or holder of the note secured thereby.

Dated this 25th day of March A.D.1935.

John Kirk
Estella Kirk

George Kirk (SEAL)
Elsie Kirk (SEAL)

A C K N O W L E D G E M E N T

STATE OF IOWA)
) SS.
COUNTY OF UNION)

I, M.G.Bacon, a Notary Public in andfor said County, in the State offoresaid, DO HEREBY CERTIFY, that John Kirk, Geo Kirk, Estella Kirk and Elsie Kirk, personally known to me to be the persons whose name they subscribed to the foregoing instrument, appeared before this day in person, and acknowledged that he signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and Notarial Seal, this 25th day of March A. D. 1935.

M. G. Bacon
Notary Public.

My Commission expires July 4th, 1936

