

## Mortgage Record, No. 86, Madison County, Iowa

Oscar E. Marquardt & Grace Marquardt  
To

#4647

Fee \$1.00 ✓

Filed for record the 2 day of  
December A.D. 1936 at 2:00 o'clock  
P.M.

J.E. Cook

Valda G. Bishop, Recorder

M O R T G A G E

KNOW ALL MEN BY THESE PRESENTS:

That Oscar E. Marquardt and Grace Marquardt of Madison County, and State of Iowa in consideration of the sum of Six Thousand Dollars, in hand paid by J.E. Cook of ~~Lee~~ County and State of Iowa do hereby sell and convey unto the said J.E. Cook the following described premises situated in the County of Madison and State of Iowa, to-wit:

The east Half ( $\frac{1}{2}$ ) of the North west Quarter ( $\frac{1}{4}$ ) of Section  
Fourteen (14), Township Seventy seven North, of Range Twenty-  
seven (27) West of the 5th P.M. Iowa.

And we hereby covenant with the said J.E. Cook 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 Grace Marquardt hereby relinquish her right of dower in and to the above described premises.

PROVIDED, always and these presents are upon this express condition, that if the said Oscar E. Marquardt his heirs, executors or administrators shall pay or cause to be paid to the said J.E. Cook his executors and administrators or assigns, the sum of six thousand Dollars, on the 1st day of March 1929 with interest thereon according to the tenor and effect of the one promissory note of the said Oscar <sup>E.</sup> Marquardt payable to ... Bearing even date herewith then these presents to be void, otherwise to remain in full force.

It is hereby agreed that said Oscar E. Marquardt 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 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.

And it is further expressly agreed, that in the event of failure to pay said sums of money, or any part thereof, or the interest thereon, when due and payable, said second party, its successors or assigns, shall have from the date of such default made, as additional security for the sums of money secured by this mortgage, a lien on all crops thereafter raised on said Real Estate and all rents and profits thereafter accruing thereon, and shall be, and hereby is authorized to take immediate possession of said property, and to rent the same, and shall be held liable to account to said first party only for the net profits thereof. It is also agreed that the taking possession thereof as above provided shall in no manner prevent or retard the collection of said sums by foreclosure or otherwise.

It is further agreed that in the event action is brought to foreclose this mortgage, the court shall have the right and power to appoint a receiver to take possession of said premises, and apply the rents and profits therefrom upon said indebtedness.

That if the said Oscar E. Marquardt or his successors allows the taxes to become delinquent upon said property, or permits the same, or any part thereof, to be sold for taxes or if he fail to pay the interest on said note promptly as the same becomes due, the note, secured hereby shall become due and payable in ten days thereafter; and the mortgagee her

For Record of amended Mortgage  
Mortgage Record 88 Page 218

For Assignment of Personal Property of J.E. Cook to Valda G. Bishop See My Rec 86 - 522  
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J. H. WELCH, PRYGE CO., DES MOINES 7118

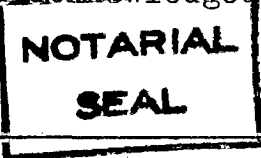
heirs, or assigns, may proceed to at once foreclose this mortgage; and in case it becomes necessary to commence proceedings to foreclose the same, then the said Oscar E. Marquardt or his successors in addition to the amount of said debt, interest and costs, agrees to pay to the mortgagee herein named, or to any assignee of the mortgagee herein, a reasonable attorney's fee for collecting the same, which fee shall be included in judgment in such foreclosure case.

Signed this 14th day of March 1924.

Oscar E. Marquardt  
Grace Marquardt

STATE OF IOWA, Dallas County, ss.

On this 5th day of April A.D., 1924, before me personally appeared Oscar E. Marquardt and Grace Marquardt his wife 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.



Chas C. Cook  
Notary Public in and for said County