

57207

THIS INDENTURE, Made the 16th day of October, 1972

In the year of our Lord one thousand nine hundred and seventy-two between JAMES A. MANN II and JUDY A. MANN, husband and wife of Eureka County of Eureka State of Nevada

the part 1st of the first part, and JAY R. FOWLES and LORAIN M. FOWLES, husband and wife,

of Wendell County of Gooding State of Idaho

the part 1st of the second part,

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Seven thousand and no/100 --- (\$7,000.00)--- DOLLARS, lawful money of the United States of America, do here by these present GRANT, BARGAIN, SELL, and CONVEY; unto the said parties of the second part, and to their heirs and assigns FOREVER, all that certain real property situate in the County of Eureka and State of Nevada, and bounded and particularly described as follows, to-wit: Nevada

Section 32, Township 23 N., Range 54 E. Mount Diablo Base and Meridian,

together with the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

THIS GRANT is intended as a mortgage to secure the payment of a certain promissory note of even date herewith, executed and delivered by the said first parties to the said parties of the second part

AND THESE PRESENTS SHALL BE VOID if such payment be made. But in case default shall be made in the payment of said principal sum of money, or any part thereof, or the interest thereon, as provided in said note, or if default be made in the performance of any of the covenants, conditions or agreements, herein contained,

then it shall be optional with the said



part of the second part, executor, administrators or assigns, to consider the whole of said principal sum expressed in said note as immediately due and payable; and immediately to enter into and upon all and singular the above described premises, and to sell and dispose of the same according to law, and out of the money arising from such sale to retain the principal and interest which shall then be due on said promissory note together with the costs and charges of foreclosure suit, including attorney's fees and also the amounts of all such payments of taxes, assessments, incumbrances, or insurance as may have been made by said part of the second part, heirs, executors, or assigns, with the interest on the same, rendering the overplus of the purchase money (if any there shall be) unto the said part of the first part, heirs, executors, administrators or assigns.

IN WITNESS WHEREOF, The said party of the first part have hereunto set their hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Leslie E. Thompson } James A. Mann II (Seal)  
 Judy A. Mann (Seal)

STATE OF IDAHO, }  
 County of Twin Falls } ss.

On this sixteenth day of October in the year 1972, before me, Leslie E. Thompson, a Notary Public in and for said State, personally appeared James A. Mann II and Judy A. Mann, husband and wife

known to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Leslie E. Thompson  
 Notary Public for the State of Idaho,  
 Residing at Twin Falls, Idaho

RECORDED AT THE REQUEST OF Jay R. Powles  
 on March 26, 1973 at 02 mins. past 8 A. M. to  
 Book 45 of OFFICIAL RECORDS, page 171-172 RECORDS OF  
 WALKER COUNTY, NEVADA. *Theresa A. ...* Recorder  
 File No. 37207 Fee \$ 4.00



No. \_\_\_\_\_

**MORTGAGE**

TO \_\_\_\_\_

Dated \_\_\_\_\_, 19\_\_\_\_

STATE OF IDAHO, }  
 County of \_\_\_\_\_ } ss.

I hereby certify that this instrument was filed for record at request of \_\_\_\_\_

at \_\_\_\_\_ minutes past \_\_\_\_\_ o'clock \_\_\_\_\_ M., this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_

in my office, and duly recorded in Book \_\_\_\_\_ of \_\_\_\_\_ at page \_\_\_\_\_

By \_\_\_\_\_ Ex-Officio Recorder.  
 Fees \$ \_\_\_\_\_ Deputy  
 Mail to \_\_\_\_\_

North State News, Pocatello, Idaho