

note bearing date the Sept. 4th 1909 made by-----payable to the order of Frank M. Seeley and these presents shall be void if such payment be made according to the terms and agreements thereof. But in case default be made in the payment of the principal or interest of said promissory note or any part thereof when the same shall become due and payable according to the terms and conditions thereof, then the said party of the second part his executors administrators and assigns are hereby empowered to sell the said premises with all and every of the appurtenances or any part thereof in the manner prescribed by law and out of the money arising from such sale to retain the said principal and interest whether the same shall then be due or not, together with the costs and charges of making such sale and the overplus if any there be shall be paid by the party making such sale upon demand to the said parties of the first part their heirs or assigns. And in any suit or other proceedings that may be had for the recovery of said principal and interest on either said note or this mortgage, it shall and may be lawful for the said party of the second part his heirs executors and assigns to include in the judgment that may be recovered, counsel fees and charges of attorneys and counsel employed in such foreclosure suit in the sum of blank dollars in gold coin, as well as all payments that the said party of the second part his heirs executors administrators or assigns may be obliged to make for his own or their security by insurance or on account of any taxes, charges incumbrances or assessments whatsoever on the said premises or any part thereof.

In Witness Whereof the said parties of the first part have herunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in presence of

E.M. Cummins

J.B. Modesitt (Seal)

E.J. Cummins

Josephine Modesitt (Seal)

State of Iowa

County of Woodbury, ss. This is to certify that on this 15th day of Sept. 1909 before me, Earl J. Cummins a Notary Public in and for the State of Iowa, duly commissioned and sworn, personally came J.B. Modesitt and Josephine Modesitt to me known to be the individuals described in and who executed the within instrument and acknowledged that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year in this certificate first above written.

Earl J. Cummins, Notary Public for State of Iowa

(Notarial Seal)

residing at Sioux City, Iowa

Filed for record by Hood River Banking Co. on Sept. 22nd 1909 at 8.15 A.M.

A. Fleischhauer

Co. Auditor

*Satisfied*  
*Pg 517 BK N*

Modesitt to Seeley

This Indenture Made this fourth day of September in the year of our Lord 1909 between J.B. Modesitt, and Josephine Modesitt the parties of the first part and Frank M. Seeley party of the second part, witnesseth that the said parties of the first part for and in consideration of the sum of six hundred and fifty (\$650.00) dollars gold coin of the United States, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents, grant, bargain, sell, convey and confirm unto the said party of the second part his heirs and assigns, the following described tract or parcel of land lying and being in the county of Skamania, State of Washington and particularly described as follows to-wit:

*Handwritten signatures and notes:*  
*Malcolm*  
*W. J. ...*  
*...*

*105*