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Book 161 Page 931

A. Alexander Smith Deed 3/27/46  
Amander P. Foster By Addie Thomas D.C.  
Filed for Record at 9:15 o'clock A.M., the 6  
day of Oct. 1927  
Recorded the 6 day of Oct. 1927  
W.B. Jones Chancery Clerk  
By A.O. Sutherland D.C.

In Consideration of the sum of One DOLLARS,  
cash in hand paid me by Robert H. Powell the receipt of which is  
hereby acknowledged, and of the further sum of Thirty Nine Hundred DOLLARS,  
due me by him as is evidenced by his 5 promissory notes of even date herewith,  
due and payable to my order, as follows, viz:

One Note for \$ 180.00	Due	One year	after date.
One Note for \$ 180.00	Due	Two years	after date.
One Note for \$ 180.00	Due	Three years	after date.
One Note for \$ 180.00	Due	Four years	after date.
One Note for \$ 3180.00	Due	Five years	after date.
One Note for \$	Due		after date.
One Note for \$	Due		after date.
One Note for \$	Due		after date.
One Note for \$	Due		after date.
One Note for \$	Due		after date.
One Note for \$	Due		after date.

Each of said notes bearing interest after its respective maturity at the rate of 6.5 per cent. per annum, and 15 per cent. attorney's fees, if placed in the hands of a lawyer for collection after maturity, I, Amanda P. Foster hereby convey and warrant unto the said Robert H. Powell forever, the following described real estate, lying and being situated in Madison County, State of Mississippi, to-wit:

My undivided one fourth interest of in and to Lots 164 and 66, on the north side of East Academy Street an Lots 77 and 79 on the South side of East Peace Street and 8 feet off of the East side of Lot 75 on the south side of said Peace Street, said lots being described with reference to the map of said City prepared by George and Dunlap.

The above property is not my homestead. I am one of the children of Sallie C. Powell, deceased. The said Robert H. Powell has the option of pre-paying all of the said notes at any time and should he prepay them or any part of them before maturity, then the interest not earned on such prepaid notes or notes, shall be deducted. The first 4 notes are interest notes.

I have received that part of the personal property in the residence that I want and the remainder thereof is owned by Robert H. Powell. I can become the purchaser of said lands at any sale made under the provisions of this deed.

I hereby acknowledge that I do owe the indebtedness secured by said instrument and the lien securing the same are fully secured and kept alive.

This April 2, 1939. Robert H. Powell.

Attest: Q.C. Brewster, Clerk, S.C.

We or our, or I, or my assigns may become the Purchaser or purchasers at any sale made under this deed.

4-19-39

Should default be made in the payment of either of said promissory notes when due, then I or my assigns can in my or assigns' option, declare them all due and payable whether so by their terms or not, and sale then can be made of said property as hereinafter provided.

To secure the payment of said notes I and my assigns hereby retain a vendor's lien upon said property and the said Robert H. Powell, by the acceptance of this deed intends to make and acknowledge a lien upon said property in the nature of a mortgage, with power of sale in me or my assigns, and I or my assigns may enforce said lien without recourse to the courts, if there shall be default in the payment of any of said promissory notes, by a sale of said property, before the south door of the Court House in Canton, Mississippi, at public auction, to the highest bidder, for cash, after having given 3 weeks notice of the time and place of sale, by posting a written or printed notice thereof at the Court House door in said County, and may convey the property so sold to the purchasers thereof by proper instruments of conveyance; and from the proceeds of said sale, I or my assigns, shall first pay the costs and expenses of executing said sale, and second, pay the indebtedness secured and intended to be secured by this deed to the owners thereof; and should any balance remain I or my assigns shall pay it over to the said Robert H. Powell or his assigns. The said Robert H. Powell is entitled to the rents and shall pay the taxes on said property for the year 1927.

WITNESS my signature and seal, this 5th day of October, A.D. 1927.

Amanda Powell Foster (Seal)  
(Seal)

STATE OF MISSISSIPPI,

Madison County, City of Canton Personally appeared before me J.E. Weatherby, a Notary Public in and for said County and State. Amanda P. Foster, who acknowledged that she signed, sealed and delivered the foregoing instrument of writing on the day and year therein mentioned, as her act and deed and for the purpose therein expressed.

WITNESS my hand and official seal, this the 5th day of October, A.D. 1927.

J.E. Weatherby

Notary Public

(SEAL)