MISCELLANEOUS RECORD NO. 529

9.

ASSIGNMENT OF CONTRACT FOR SALE OF REAL ESTATE

RUBBLE D. MIXON TO: CLARENCE D. GOODNIGHT, ET AL

STATE OF OKLAHOMA, COUNTY OF OKLAHOMA SS:

This instrument was filed for record on Jan 13, 1945, at 11:11 A. M., and recorded in Book 529, at Page 158. Fee $1.00

Helen Nix, County Clerk Hall, Deputy

PROOF READ By ... To ...

PROOF READ By Johnson To Williams

This indenture, made this 13 day of January, 1945, witnesseth, that I, Rubble D. Mixon, of the City of Oklahoma City, for and in consideration of the sum of $875.00, lawful money of the United States, to me in hand paid, by Clarence D. Goodnight and Lois E.Goodnight, of the same place, have sold, and by these presents do sell, transfer, assign, and set over, unto the said Clarence D. Goodnight and Lois E. Goodnight, a contract for the sale of certain real estate, being Lot Seventeen (17), in Block Fourteen (14), of Sunset Park Addition, to the city of Oklahoma City, as shown by the recorded plat thereof, being more particularly described in said contract, which said contract was made and executed by Elmer L. Gordon and Margie M. Gordon, of the city of Oklahoma City, to the said Rubble D. Mixon, and bears date the 18th day of October, 1944, to have and to hold the same unto the said Clarence D. Goodnight and Lois E. Goodnight, their heirs, executors, administrators and assigns, for their use and benefit forever; subject nevertheless to the covenants, conditions and payments therein mentioned. And I hereby authorize and empower the said Clarence D. Goodnight and Lois E. Goodnight upon their performance of the said covenants and conditions, to demand and receive of the said Elmer L. Gordon and Margie M. Gordon, the deed covenated to be given in the said contract, in the same manner, to all intents and purposes, as I myself might, or could do, were these presents not executed.

In witness whereof, I have hereto affixed my hand and seal the day and year first above written.

Rubble D. Mixon

STATE OF OKLAHOMA, COUNTY OF OKLAHOMA SS

Before me, Gertrude Freeman, a Notary Public, personally appeared Rubble M. Mixon, known to me to be the identical person who executed the foregoing assignment and acknowledged to me that he signed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

(Notarial Seal) My commission expires November 14, 1948.

Gertrude Freeman, Notary Public

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9.

A F F I D A V I T

SOLON W. SMITH TO: PUBLIC

STATE OF OKLAHOMA, COUNTY OF OKLAHOMA SS.

This instrument was filed for record on Jan 16, 1945, at 4:12 P.M., and recorded in Book 529, at Page 158. Fee $ 1.25

Helen Nix, County Clerk Hall, Deputy

PROOF READ By Johnson To ...

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STATE OF OKLAHOMA, OKLAHOMA COUNTY SS.

Solon W. Smith, being first duly sworn, says that he was one of the attorneys for the plaintiff in the case of S. T. Butler vs. Eugene Evans, et al., No. 35,019, filed in the District Court of Oklahoma County, Oklahoma, on the 15th day of July, 1922, to foreclose a certain mortgage on the following described real estate in Oklahoma County,

Oklahoma, to-wit:

The North Fifty (50) feet of the West One Hundred and Forty (140) feet of Lot One (1) in Block Sixteen (16) in Epworth View Addition to Oklahoma City,

and that he had charge of said proceedings; that on October 5, 1923, as attorney for said plaintiff, he executed an assignment of the judgment rendered therein on behalf of said plaintiff assigning said judgment to Leon L. Loehr, which assignment was filed in said cause on October 5, 1923; that said assignment was executed upon the written direction and authority of said S. T. Butler, and that all proceedings thereafter were carried on for and on behalf of said Leon L. Loehr, who thereby became the owner of said judgment for value and who became the purchaser at sheriff's sale held in said cause.

Affiant further says that he was personally acquainted with said S. T. Butler, and that he was the same and identical person who, on November 26, 1919, was named as the assignee in an assignment of mortgage on said property, which assignment was recorded in Book 137, Mortgages, 72, of the Records of Oklahoma County, and also the same and identical person who, as Sarfield T. Butler (Sarafield T. Butler) executed a Power of Attorney to George S. Ross of Toledo, Ohio, which was recorded in Book 28, Misc., 88, of the Records of said Oklahoma County, and that said S. T. Butler was one and the same person for whom said George S. Ross executed a release of said mortgage on October 19, 1921, which release was filed and recorded in Book 53, Releases, 110, of the Records of said Oklahoma County; that in said last mentioned release, the said George S. Ross executed and signed the same as Geo. S. Ross, Attorney in Fact, but that said George S. Ross and Geo. S. Ross were one and the same person.

Affiant further says that he was well and personally acquainted with said Leon L. Loehr, grantee in the sheriff's deed mentioned above, and that he was one and the same person as the grantor in quit claim deed wherein he conveyed said above described real estate to Charles F. Butler on October 20, 1925, which said deed was recorded in Book 306 Deeds, 232, of the Records of said Oklahoma County; that said Leon L. Loehr, on said date, was a resident of Chicago, Illinois, and had his home there, and that he had not resided and did not have any residence in said Oklahoma County, and that the above described real estate was neither occupied nor claimed by him as a homestead; and further affiant sayeth not.

Solon W. Smith

Subscribed and sworn to before me this 12th day of January, 1945.

Gertie B. Lemon, Notary Public

My commission expires August 17, 1945. (Notarial Seal)

STATE OF OKLAHOMA, OKLAHOMA COUNTY SS.

Before me, a Notary Public, in and for said County and State, on this 12th day of January, 1945, personally appeared Solon W. Smith, to me known to be the identical person who executed the within and foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed for the uses and purposes therein set forth.

In witness whereof I have hereunto set my hand and official seal the day and year/last above written.

My commission expires August 17, 1945. (Notarial Seal)

Gertie B. Lemon, Notary Public

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UNOFFICIAL