Skinner, John Warburton,
and
Breck, Daniel
v.
Woodson, Charles F.

355/7

This Indenture, Made at the City of St. Louis, Missouri, the Tenth day of March one thousand eight hundred and thirty-six by and between the Mayor, Aldermen and Citizens of the City of St. Louis, of the County of St. Louis and State of Missouri, of the one part, and Nathaniel B Atwood of the County of Saint Louis and State of Missouri of the other part, to comply with the ninth section of "An Act to authorize the sale of the Saint Louis Common," approved March 18, 1835, **Witnesseth,** that the said Mayor, Aldermen and Citizens of the City of St. Louis, for and in consideration of the rents reserved and the covenants hereinafter set forth, on the part and behalf of the said Nathaniel B. Atwood his executors, administrators and assigns, to be paid, kept and performed, have demised, granted and to farm-let, and by these presents do demise, grant, and to farm-let, unto the said — — Nathaniel B. Atwood his executors, administrators and assigns, all that lot, messuage and tract of Land, situate within the limits of the St. Louis Common, in the county aforesaid, containing Nine acres, and Seventy hundredths of an acre, and described as follows, to wit: The South east quarter of Block number Seventy nine (S. E. qr of Block No 79) of the Survey of the St Louis Common made by Charles De Ward by order and direction of the Board of Aldermen of the city of St Louis —

together with all the rights, members and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the rents, issues and profits thereof: **To have and to hold,** the said lot, messuage and tract of land, and all and singular, the premises hereby demised, with the appurtenances, unto the said Nathaniel B. Atwood his executors, administrators and assigns from the date hereof for and during the term, and upon the conditions following, being those prescribed by an act of the General Assembly of the State of Missouri, passed the 18th day of March, 1835, entitled "An Act to authorize the sale of the St. Louis Common;" that is to say—

1*st.*—Yielding and paying for the same, as a yearly rent, unto the Mayor, Aldermen and Citizens of the City of St. Louis, and their successors, the interest of five per cent a year on the amount bid for the said lot or parcel of ground, being the sum of Thirty Six — — dollars and Eighty Six cents at the expiration of one year from the date of these presents; and to secure the payment of which, a note has been executed by the said Nathaniel B. Atwood and the like sum at the expiration of every year thereafter.

2*nd.*—That at the end of fifty years from the day of sale, being the Tenth day of March A D 1886 and every fifty years thereafter, and after the assessment made by the public assessor, agreeably to the act of assembly above mentioned, the said Nathaniel B Atwood shall pay five per centum a year upon such assessed value as a yearly rent.

3*d.* -That should the interest aforesaid remain unpaid for six months after due, the Mayor and Aldermen of the City aforesaid, may annul the sale, and proceed to sell again, according to the act of assembly aforesaid.

4*th* -That at the expiration of ten years from the day of sale, or at any time after such term, if the annual rent aforesaid be duly paid, the said Nathaniel B Atwood may pay the sum of Seven hundred & thirty Seven dollars and Twenty cents being the amount bid for the lot aforesaid, and receive a deed in fee simple, with special warranty only, against the inhabitants of St. Louis, and all persons claiming under them. And the said Nathaniel B Atwood for himself, his heirs, executors and administrators, do covenant, promise and agree to, and with the said Mayor, Aldermen and citizens of the city of St. Louis and their successors, by these presents, that he the said Nathaniel B. Atwood his heirs, executors and administrators, or some of them, shall, and will well and truly pay, or cause to be paid, unto the said Mayor, Aldermen and citizens of the city of St. Louis and their successors, the yearly rent of Thirty Six 86/100 dollars, (the interest aforesaid) hereby reserved at the times herein before mentioned and appointed for the payment thereof, according to the true intent and meaning of these presents.

In Witness whereof, the parties aforesaid have executed this deed in duplicate, the Mayor of the city of St, Louis, and the city Register signing their names, and causing the common seal of the city of St. Louis to be affixed to both parts, and the said Nathaniel B Atwood signing his name and affixing his seal to both parts of this indenture, on the Tenth day of March in the year of our Lord, one thousand eight hundred and thirty Six

By the Mayor
J. Wherry Register.

John F. Darby Mayor.
Nath. B. Atwood

STATE OF MISSOURI,
County of St. Louis, } ss

On this Ninth day of May eighteen hundred and thirty Six before me, the subscriber, one of the Justices of the Peace within and for the county aforesaid, came John F Darby and Nathaniel B Atwood who are all personally known to me to be the same persons whose names are subscribed to the foregoing instrument of writing, as having executed the same, and severally acknowledged the said instrument of writing to be their act and deed, for the purposes therein mentioned.

Taken and certified the day and year aforesaid.

P. Walsh Justice of the Peace.

State of Missouri }
County of St Louis } ss I John Ruland Clerk of the Circuit Court & Ex Officio Recorder in said County do hereby certify that the foregoing Deeed was filed on the 11th January 1838 And is truly recorded in my Office Book C No 2. page 473 and following

Given under my hand and seal of said Court this Twentieth day of January Anno Domini 1838

J. W. Ruland Recorder

Atwood

No 79

Mayor, aldermen &c
to
N. 73. Atwood

Filed January 11th 1838
John Ruland Clerk & Recorder

Filed Thursd 10. 1854
G. A. Hunt Clk

p. 28 paid

Cd