

ALVAREZ, DIONICIO, et. ux., Cecilia R.

QUITCLAIM DEED

ANTHONY DRAIN #3

0023-0041-0003-00

LEO GRANDE

1938 29-(3)

470

X

Dionicio Alvarez
29-12a
L.D. 16

Anthony Dr # 3
COLONIA NEW MEXICO STATE

QUITCLAIM DEED

THIS INDENTURE, made the 20th day of May, in the year of our Lord, one thousand nine hundred and twenty-eight, between Dionicio Alvarez and his wife, Cecilia R. Alvarez part of the first part, and the United States of America, party of the second part, in pursuance of the provisions of the act of June 17, 1902 (32 Stat. 368), and acts amendatory thereof and supplementary thereto.

WITNESSETH: That the part of the first part, for and in consideration of the allowance of credits in the sum of Fifty-eight dollars and 80/100 Dollars (\$ 58.80) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said part of the first part, pursuant to contract of December 20, 1929, between the said District and the United States, do by these premises demise, release, and forever quitclaim unto the said party of the second part, and to its successors and assigns, all the certain lots, piece, or parcel of land situated in the County of Dona Ana, and State of New Mexico, and bounded and particularly described as follows, to wit:

A tract of land lying and situate in Dona Ana County, New Mexico, and in the Southeast quarter of the Southwest quarter (SE 1/4 SW 1/4) of Section thirty-four (34), Township twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey; being also within the Refugio Colony Grant, Tract 1, and tract numbered 1883, as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point on the Northerly property line of the land of the grantors, and from which point the Southwest (SW) corner of Section thirty-four (34), Township twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey, bears South seventy-nine degrees (79°) fourteen minutes (14') thirty-five seconds (35") West, two thousand three hundred seventy-eight and six-tenths (2378.6) feet; thence along said northerly property line North sixty-five degrees (65°) thirty-five minutes (35') East, ninety-eight and one-tenth (98.1) feet; thence South thirty-eight degrees (38°) forty-five minutes (45') East, three hundred eighty-two and nine-tenths (382.9) feet to the southerly property line of the land of the grantors; thence along said southerly property line South sixty-five degrees (65°) twenty-eight minutes (28') West, ninety-eight and no-tenths (98.0) feet to a point from which the South quarter (S 1/4) corner of Section thirty-four (34), Township twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey, bears South twenty-nine degrees (29°) twenty-nine minutes (29') forty-five seconds (45") East, one hundred sixty-five and nine-tenths (165.9) feet; thence North thirty-eight degrees (38°) forty-five minutes (45') West, three hundred eighty-three and one-tenth (383.1) feet to the point of beginning; said tract of land containing eighty-four hundredths (0.84) acre, more or less, all as shown on Plat attached hereto and made a part hereof.

Correct as to Engr. Data R.O.D.

together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

To Have and to Hold, all and singular the said premises, together with all the appurtenances, unto the said party of the second part, and unto its successors and assigns, forever.

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

Signed, sealed, and delivered in the presence of—

x Dionicio Alvarez [L. s.]
x Cecilia R. Alvarez [L. s.]
[L. s.]

STATE OF NEW MEXICO }
COUNTY OF DONA ANA } ss:

On this 20th day of May, 1938, before me personally appeared Bloncio Alvarez and Cecilia R. Alvarez to me known to be the person described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

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

My commission expires June 9, 1938

[Signature]
Notary Public in and for Dona Ana County.

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain _____ (Mortgage or other lien) dated _____, 19____, and recorded at Page _____, Book _____, Records of Dona Ana County, New Mexico, ha_____ released and do_____ hereby release the said _____ (Mortgage or other lien) insofar as the same pertains to the parcel or tract of land described in the above and foregoing quitclaim deed, and authorize said lien to be released and satisfied of record to that extent, provided, however, that said _____ (Mortgage or other lien) shall in all other respects remain in full force and effect.

WITNESS (my, our) hand(s) and seal(s) this _____ day of _____, 19____.

STATE OF NEW MEXICO }
COUNTY OF DONA ANA } ss:

On this _____ day of _____, 19____, before me appeared _____ (Such as president or other officer) of _____ (Here describe the corporation) and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors and said _____ acknowledges said instrument to be the free act and deed of said corporation.

My commission expires _____

[Signature]
Notary Public in and for Dona Ana County.

STATE OF NEW MEXICO }
COUNTY OF DONA ANA } ss:

On this _____ day of _____, 19____, before me personally appeared _____ to me known to be the person described in and who executed the foregoing _____ (Quitclaim deed or partial release of lien) and acknowledged that _____ executed the same as _____ free act and deed.

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

My commission expires _____

[Signature]
Notary Public in and for Dona Ana County.

STATE OF NEW MEXICO }
COUNTY OF DONA ANA } ss:

I hereby certify that this instrument was filed for record on the _____ day of _____ A. D. 19____, at _____ o'clock, _____ a.m., and duly recorded in Book 85-e, Page 318, of the Records of Deeds and Mortgages of said County.

JUN 28 1938

[Signature]
County Clerk and Ex-officio Recorder.
[Signature]
Deputy.

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

430-

RIO GRANDE

El Paso, Texas June 15, 1938

From Superintendent

To District Counsel

Subject: Acquisition of land utilized for drains - Deed under contract dated December 20, 1929, between the Elephant Butte Irrigation District and the United States - Rio Grande Project.

1. For your consideration, there is transmitted herewith, deed dated May 20, 1938, from Dionicio Alvarez and Cecilia R. Alvarez conveying 0.84 acres of land, in Sec. 34, Twp. 26 S, Range 5 W Dona Ana County, Plat No. 1883, Right of Way Plat No. 3, Anthony Drain, together with certificate of officials of the Elephant Butte Irrigation District dated May 23, 1938, under the provisions of contract dated December 20, 1929, between said District and the United States.

L. R. [Signature]
Superintendent

To Superintendent

El Paso, Texas, JUN 16 1938

The above described deed appears on its face to be in satisfactory form and to be properly executed. The certificate of the officials of the Elephant Butte Irrigation District as to title is properly executed and based thereon, in accordance with the provisions of the above mentioned contract, the deed and certificate are approved as to form and legal sufficiency and the deed may be recorded and the original thereof transmitted to the Washington office in the usual manner and credit may be extended to the District in the amount stated in said certificate in accordance with provisions of the above mentioned contract.

[Signature]
District Counsel

BAR

To The Commissioner

El Paso, Texas, AUG 23 1938

The deed above described has been accepted and recorded. The original executed deed and certificate are transmitted herewith to the Washington office for filing.

[Signature]
Superintendent

CC - Chief Engineer
with enclosure

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

May 23, 1938

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Dionicio Alvarez and Cecilia R. Alvarez conveying 0.84 acres of land in Section 34, Township 26 S, Range 3 W, to The United States for drain right-of-way, and on account of which the District has fixed credit on assessments to be allowed the said grantor in the total sum of \$ 58.80, of which amount a credit of \$ _____ has already been allowed by the District to the said landowner on assessments for the year _____, pursuant to contract between the District and The United States dated December 20, 1929.

2. It is certified from investigation made, that the grantor(s) named in the said deed appear(s) to be the owner(s) and in possession of the land described in said deed and that said land was at the time of said conveyance free from tax liens and other recorded liens and encumbrances.

ELEPHANT BUTTE IRRIGATION DISTRICT

By Arthur Starr
President

ATTEST:

Janice Lucey
Secretary
(SEAL)

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

May 23, 1936

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

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2. It is certified from investigation made, that the grantor(s) named in the said deed appear(s) to be the owner(s) and in possession of the land described in said deed and that said land was at the time of said conveyance free from tax liens and other recorded liens and encumbrances.

ELEPHANT BUTTE IRRIGATION DISTRICT

By Arthur S. Carr
President

ATTEST:

Joseph A. Lueders
Secretary
(SEAL)

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

May 23, 1938

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Dionicio Alvarez and Cecilia R. Alvarez conveying 0.84 acres of land in Section 34, Township 26 S, Range 3 E, to The United States for drain right-of-way, and on account of which the District has fixed credit on assessments to be allowed the said grantor in the total sum of \$ 56.80, of which amount a credit of \$ _____ has already been allowed by the District to the said landowner on assessments for the year _____, pursuant to contract between the District and The United States dated December 20, 1929.

2. It is certified from investigation made, that the grantor(s) named in the said deed appear(s) to be the owner(s) and in possession of the land described in said deed and that said land was at the time of said conveyance free from tax liens and other recorded liens and encumbrances.

ELEPHANT BUTTE IRRIGATION DISTRICT

By Arthur Starr
President

ATTEST:

Joseph R. Lueders
Secretary
(SEAL)

N. B. PHILLIPS
TREASURER-MANAGER

LORA RITCHIE
SECRETARY TO MANAGER

JOHN L. GREGG
ASSESSOR-COLLECTOR

**ELEPHANT BUTTE IRRIGATION DISTRICT
OF NEW MEXICO**

OFFICE OF
TREASURER-MANAGER

LAS CRUCES, NEW MEXICO

June 13, 1938

Bureau of Reclamation
Federal Court House
El Paso, Texas

Attention: Mr. Hoadley

Gentlemen:

Enclosed herewith are the following quitclaim deeds covering drain right of way in this district, which deeds are ready for recording if found to be in proper form:

Dionicio Alvarez	Anthony Drain 3	0.84 acres	29-12A
Edwin Mechem	Del Rio Drain 95B	0.30 "	5-36L-2A
Francisco E. Mendez	Nemexas Drain 4C	1.00 "	29-32
W. S. Ralph	Rincon Drain 20	0.40 "	H-13

Very truly yours,

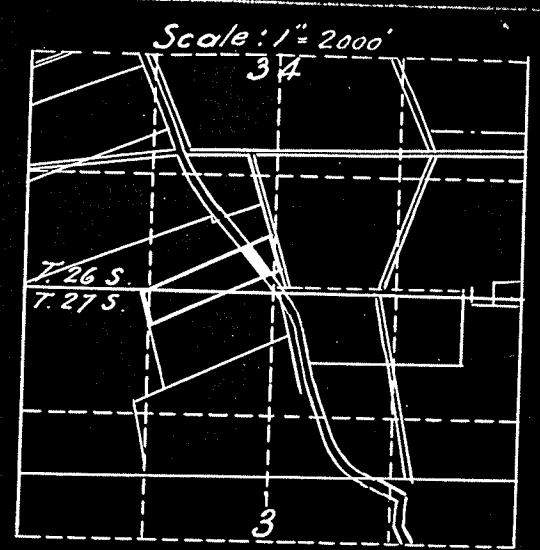


Mrs. Lora Ritchie
Secretary to Manager

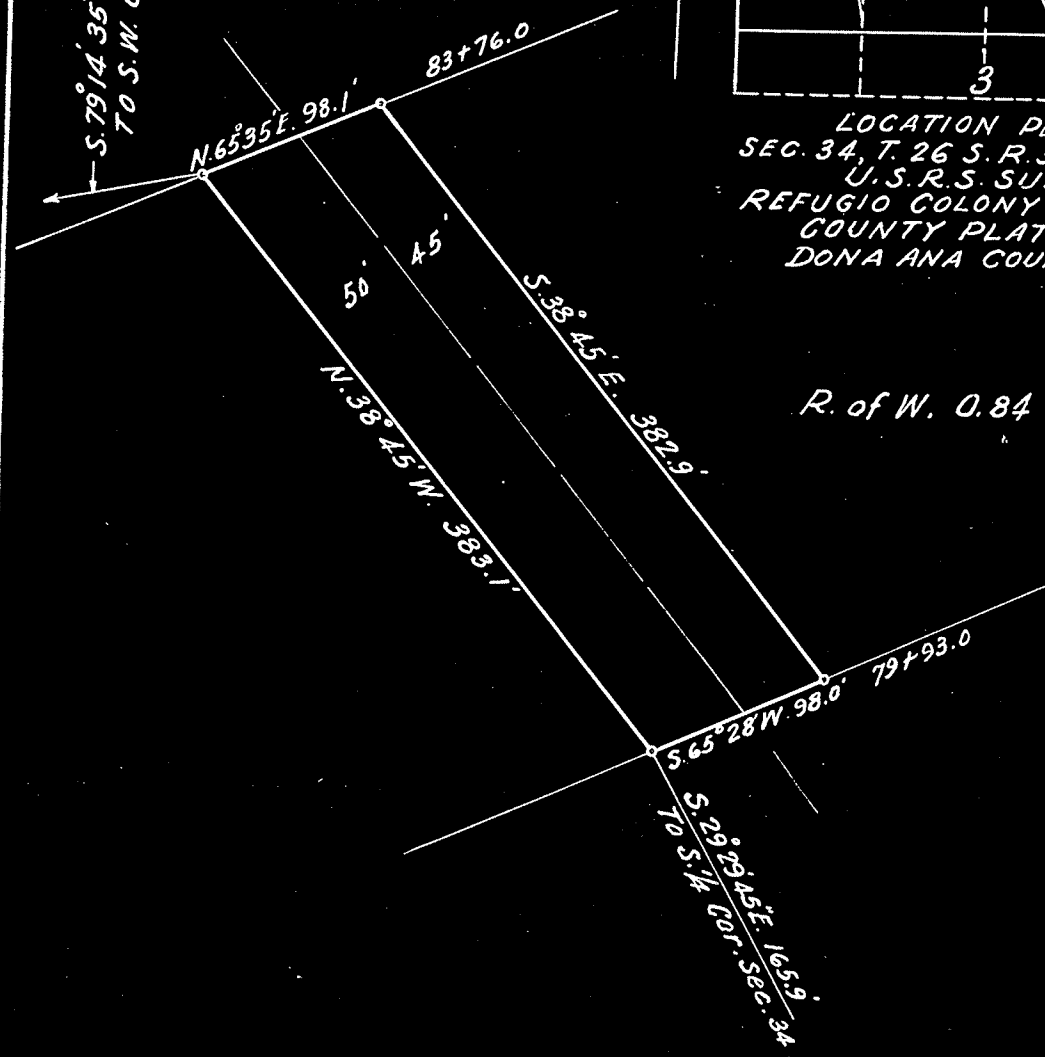
R

Encl.

S. 79° 14' 35" W. 2378.6'
TO S.W. COR. SEC. 34.



LOCATION PLAT.
SEC. 34, T. 26 S. R. 3 E. N.M.P.M.
U.S.R.S. SURVEY.
REFUGIO COLONY GRANT, TR. 1.
COUNTY PLAT NO. 1883
DONA ANA COUNTY, N.M.



R. of W. 0.84 Acre.

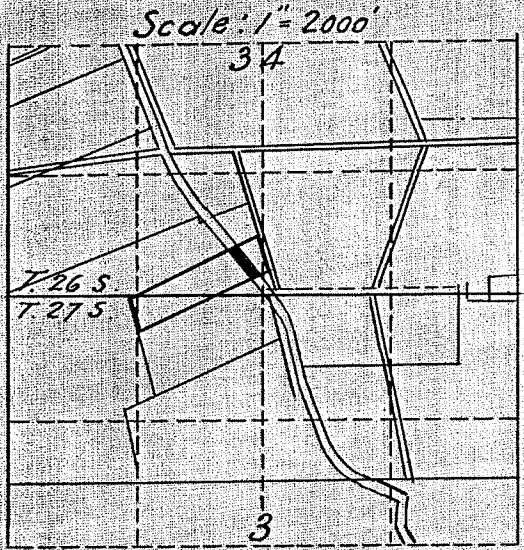
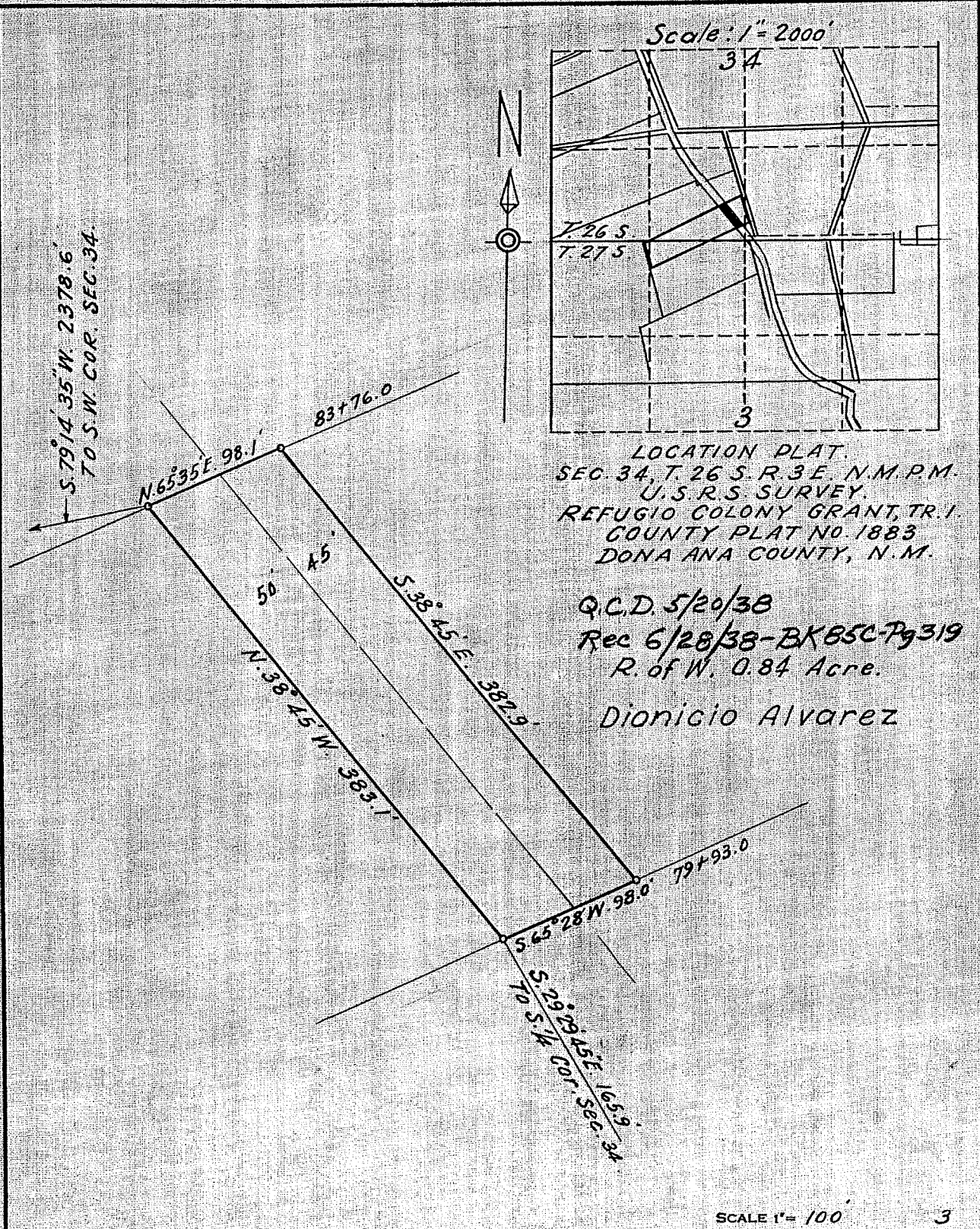
SCALE 1" = 100' 3

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
RIO GRANDE PROJECT: NEW MEXICO-Texas
ANTHONY DRAIN.
RIGHT OF WAY

FIELD WORK CHECKED *J.R.P.*
DRAWN *A.O.D.* APPROVED

1107-L102 | EL PASO, TEX. *Aug.* 1937

Constructed: Oct. 1918.



LOCATION PLAT.
 SEC. 34, T. 26 S., R. 3 E., N.M.P.M.
 U.S.R.S. SURVEY.
 REFUGIO COLONY GRANT, TR. 1
 COUNTY PLAT NO. 1883
 DONA ANA COUNTY, N.M.

Q.C.D. 5/20/38
 Rec 6/28/38-BK 85C-Pg 319
 R. of W. 0.84 Acre.
 Dionigio Alvarez

Constructed: Oct. 1918.

SCALE 1" = 100' 3

UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION RIO GRANDE PROJECT: NEW MEXICO-TEXAS ANTHONY DRAIN. RIGHT OF WAY	
FIELD WORK	CHECKED <u>J.R.P.</u>
DRAWN <u>A.O.D.</u>	APPROVED
1107-L102	EL PASO, TEX. ^{Aug} 1937

29-17-A