

003-0060-0020-00

27-(20)

250

Special case 222-27-51,02
See Letter
L. R. Fock, Supl
to N.B. Phillips, Mgr.
10/18/39

Homer Tams

Anthony (8)

QUITCLAIM DEED

THIS INDENTURE, made the 21st day of November, in the year of our Lord, one thousand nine hundred and thirty-nine (39) between Dairy Farm Co. a corporation

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 One thousand five hundred seventy six and 70/100 Dollars (\$1576.70) 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, does by these premises demise, release, and forever quitclaim unto the said party of the second part, and to its successors and assigns, all that certain lot, 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 (SE 1/4) Section Twenty-eight (28), Southwest quarter (SW 1/4) Section Twenty-seven (27) and Northwest quarter (NW 1/4) Section Thirty-four (34), Township Twenty-six (26) South, Range Three (3) East, N.M.P.M., Bureau of Reclamation Survey, being also within Refugio Colony Grant Tracts 1 and 2 and tract numbered 1805, as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point on the southeasterly property line of the land of the grantors and from which point the Southwest (SW) Corner Section Thirty-four (34), Township Twenty-six (26) South, Range Three (3) East, N.M.P.M., bears South Twenty degrees (20°) Three minutes (03') Nine seconds (09") West Three Thousand Eighty-three and six tenths (3083.6) feet; thence North Twenty-three degrees (23°) Twenty-nine minutes (29') West Three Thousand One Hundred Eighty-nine and four tenths (3189.4) feet; thence North Eighteen degrees (18°) Ten minutes (10') West Forty-three and one tenth (43.1) feet to a point on the north property line of the land of the grantors; thence North Seventy-nine degrees (79°) Fifty-one minutes (51') East along said north property line, Sixty-six and three tenths (66.3) feet to a point on the southwesterly right of way line County road and from which point the Northwest (NW) Corner Section Thirty-four (34), Township Twenty-six (26) South, Range Three (3) East, N.M.P.M., bears South Thirteen degrees (13°) Fifty-two minutes (52') East Six Hundred Twenty-three and no tenths (623.0) feet; thence along said southwesterly right of way line County road South Twenty-three degrees (23°) Twenty-five minutes (25') East Four Hundred seven and four tenths (407.4) feet; South Twenty-three degrees (23°) Twenty-nine minutes (29') East Two Thousand Six Hundred Fifty-eight and four tenths (2658.4) feet, and South Seventeen degrees (17°) Twenty-five minutes (25') East One Hundred Fifty-four and one tenth (154.1) feet to a point on the southeasterly property line of the land of the grantors; thence South Sixty-eight degrees (68°) Forty-four minutes (44') West along said southeasterly property line Fifty-one and eight tenths (51.8) feet to the place of beginning. Said tract containing Five and no tenths (5.0) acres, more or less. All as shown on plat attached hereto and made a part hereof.

Correct as to Engr. Data S.M.A.

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 party of the first part has hereunto set its hand and seal the day and year first above written.

Signed, sealed, and delivered in the presence of—

attest
[Signature]
[Signature]

Dairy Farm Co., [L. S.]
[Signature] [L. S.]
[Signature] [L. S.]

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 instrument, 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.

Notary Public in and for Dona Ana County.

My commission expires _____

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____

Texas
STATE OF NEW MEXICO }
COUNTY OF DONA ANA } ss:
El Paso

On this *21st* day of *November*, 19*39*, before me appeared *R. B. Kimbrough* to me personally known, who being by me duly sworn did say that he is the *President* (Such as president or other officer) of *Waring Farm Co.* (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 *R. B. Kimbrough* acknowledges said instrument to be the free act and deed of said corporation.

Eleanor C. Ranck
Notary Public in and for Dona Ana County
El Paso Co., Texas

My commission expires *May 31, 1941*

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.

Notary Public in and for Dona Ana County.

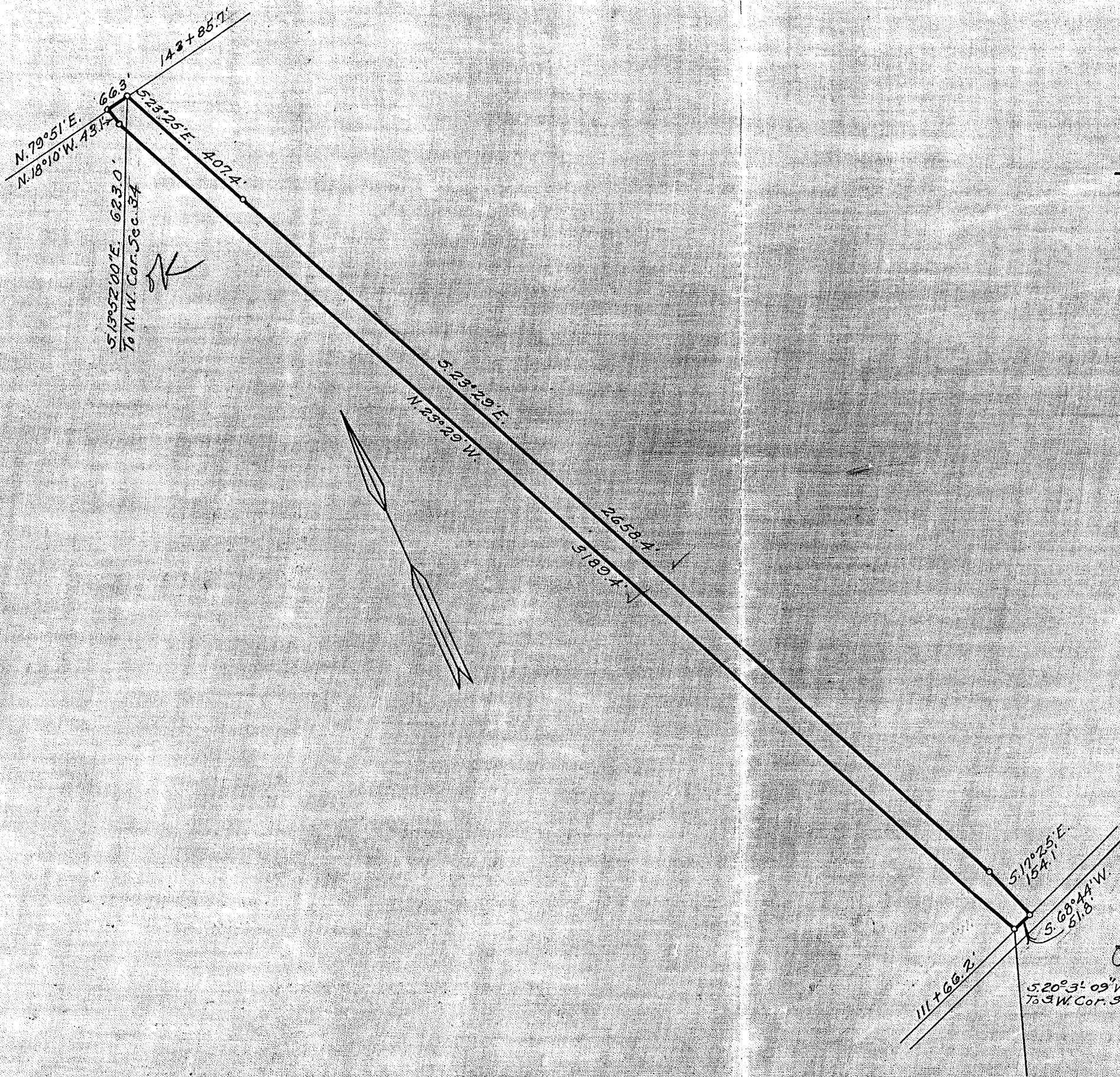
My commission expires _____

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 *10:10* o'clock, *A* m., and duly recorded in Book _____, Page _____, of the Records of Deeds and Mortgages of said County.

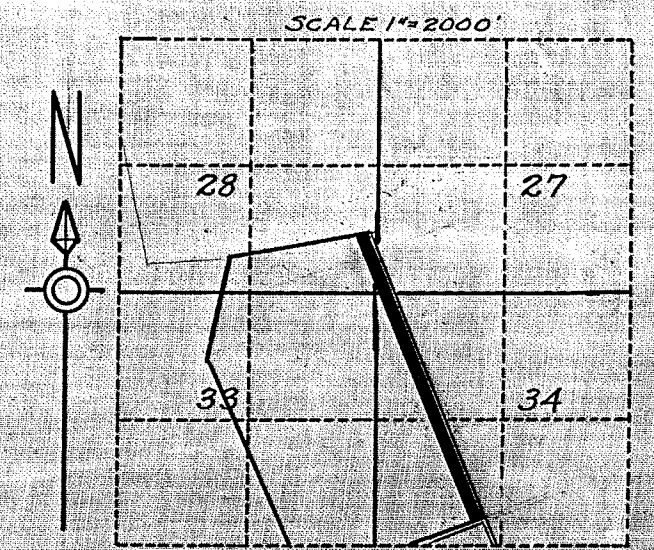
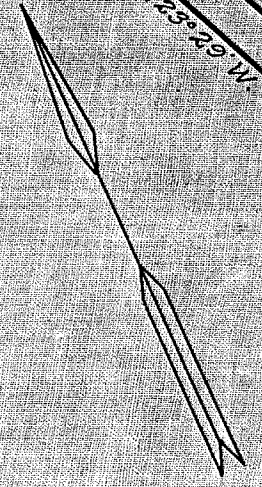
APR 13 1940

S. L. Godwin
COUNTY CLERK
County Clerk and Ex-officio Recorder.
A. L. Podaca
Deputy.



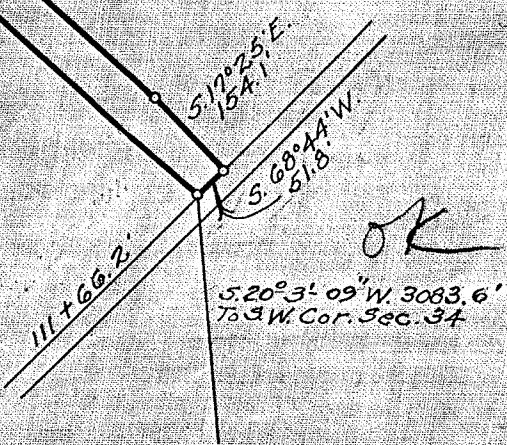
519° 52' 00" E. 623.0'
To N. W. Cor. Sec. 34

OK



SCALE 1" = 2000'
LOCATION PLAT
S 27, 34, 28, T. 26 S., R. 3 E., N.M.P.M.
U.S. R.S. SURVEY
DONA ANA COUNTY, N.M.
COUNTY PLAT # 1805
SEC. 33, 34 REFUGIO COLONY GRANT TR. 1 & 2
SEC. 27, 28 REFUGIO COLONY GRANT TR. 2

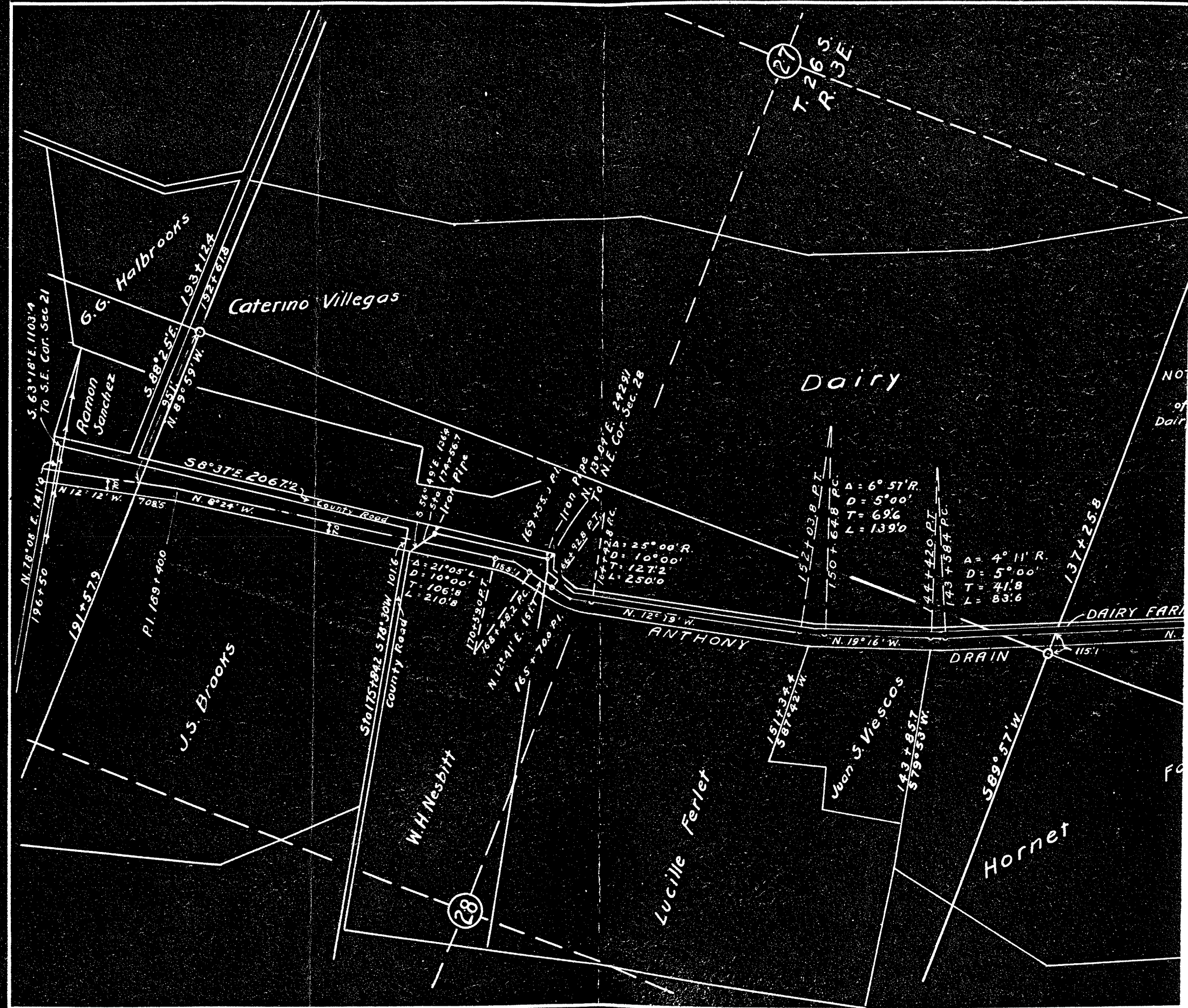
Dairy Farms Co.
R.W. AREA = 50A.
O.C.D. 11/21/39
REC 4/13/40
BK 85D-Pg 218

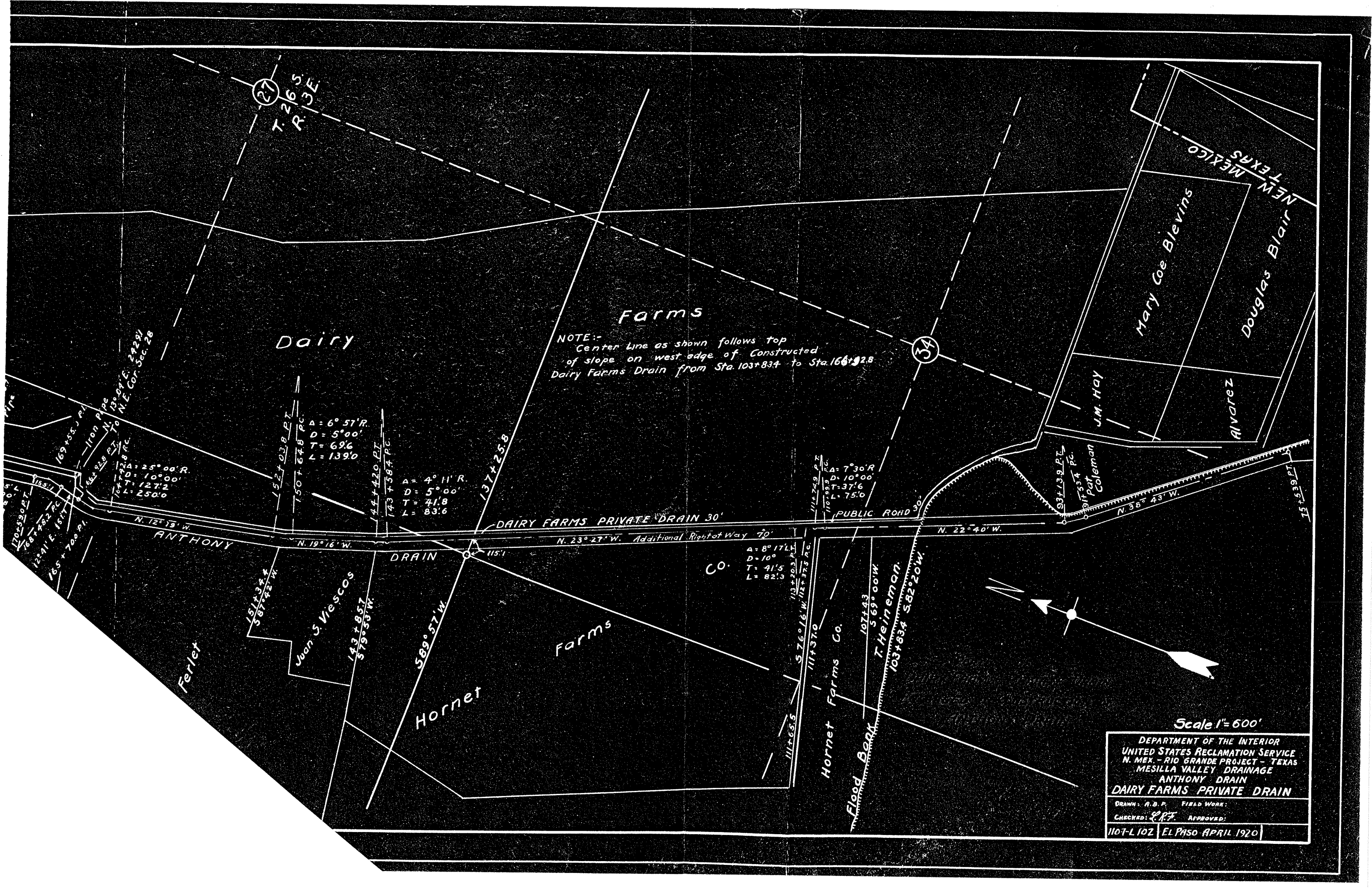


OK

CONSTRUCTED: Dec. 1918.
Jan. & Feb. 1919.
SCALE 1" = 300' #8

| | |
|--|--------------------|
| DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION RIO GRANDE PROJECT-NEW MEXICO-TEXAS ELEPHANT BUTTE DISTRICT ANTHONY DRAIN RIGHT OF WAY | |
| FIELD WORK... J.R. | CHECKED... C.W.H. |
| DRAWN... S.H.G. | APPROVED... A.W.B. |
| 1107-1-102 | EL PASO, TEX. 2/31 |





27
T. 26 S.
R. 3 E.

34

Farms

Dairy

NEW MEXICO

Mary Coe Blevins

Douglas Blair

J.M. Hay

Alvarez

Pat Coleman

NOTE:-
Center line as shown follows top
of slope on west edge of Constructed
Dairy Farms Drain from Sta. 103+834 to Sta. 166+92.8

130°07'E. 242.8'
N.E. Cor. Sec. 28

152+03.8 PT
1507.648 PC
A = 6° 57' R.
D = 5° 00'
T = 69.6
L = 139.0

144+42.0 PT
143+58.7 PC
A = 4° 11' R.
D = 5° 00'
T = 41.8
L = 83.6

114+24.9 PT
110+59.9 PC
A = 7° 30' R.
D = 10° 00'
T = 37.6
L = 75.0

CO.
A = 8° 17' L.
D = 10°
T = 41.5
L = 82.3

N. 12° 13' W.

N. 19° 16' W.

N. 23° 27' W. Additional Right of Way 70'

N. 22° 40' W.

ANTHONY DRAIN

DRAIN

DAIRY FARMS PRIVATE DRAIN 30'

PUBLIC ROAD 50'

Ferlet

Juan S. Viescos
143+85.7
579°50' W.

589° 57' W.

Hornet

Farms

Hornet Farms Co.

T. Heineman
103+834

Flood Bank

Scale 1" = 600'

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
N. MEX. - RIO GRANDE PROJECT - TEXAS
MESILLA VALLEY DRAINAGE
ANTHONY DRAIN
DAIRY FARMS PRIVATE DRAIN

DRAWN: A. B. P. FIELD WORK:

CHECKED: R. P. F. APPROVED:

1107-L 102 | EL PASO APRIL 1920

430.-

DEPARTMENT OF THE INTERIOR
Bureau of Reclamation

RIO GRANDE

El Paso, Texas April 8, 1940

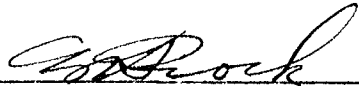
From Superintendent

TRANSFER CASH

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 November 21 19 39, from Dairy Farms Co., a corporation conveying 5.0 acres of land in Sec. 34, 28, 27 Twp. 26 S, Range 3 E Dona Ana County, Plat No. 1805, Right of Way Plat No. 8, Anthony Drain, together with certificate of officials of the Elephant Butte Irrigation District dated April 2, 19 40 under the provisions of contract dated December 20, 1929, between said District and the United States.


Superintendent

To Superintendent

El Paso, Texas APR 9 1940

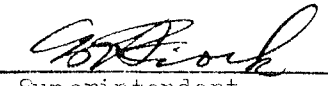
The above described deed appears on its face to be in satisfactory form and to be properly executed. The certificate of the officials of the Elephant Butte Irrigation District as to title is properly executed and based thereon, in accordance with the provisions of the above mentioned contract, the deed 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.


District Counsel

To the Commissioner

El Paso, Texas OCT 29 1940

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


Superintendent

cc- Chief Engineer
with enclosure

No. 1 of 4

Anthony Drain

27-57,62 222

Flat No. 8

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

April 2, 1940

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Dairy Farms Co., a corporation conveying 5.0 acres of land in Section 34, 28.27 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 \$ 1,576.70, 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 J. Carr
President

ATTEST:

Joseph L. Lucas
Secretary

(SEAL)

Please refer to letter dated October 18, 1939, from L. R. Fiock, Supt. to N. B. Phillips, Manager, Elephant Butte Irrigation District, regarding the amount of compensation allowed in this case.