

180 SMITH, EUGENE P. et. ux. Mrs. E.

QUITCLAIM DEED

ANTHONY DRAIN #13(003)

0023-0060-06H-00

27-(12)

284

QUITCLAIM DEED

This Indenture, made the 28th day of March, in the year of our Lord, one thousand nine hundred and thirty-eight, between Eugene P. Smith and Mrs. Eugene P. Smith, his wife

parties 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 parties of the first part, for and in consideration of the allowance of credits in the sum of Fifty-eight and 10/100 Dollars (\$58.10) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said parties of the first part, pursuant to contract of Dec. 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 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 Northwest quarter (NW 1/4) of the Southeast quarter (SE 1/4) of Section twenty-one (21) Township twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey being also within the Refuge Colony Grant Tract 2 and tract numbered 1740 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 Northeast corner of Section twenty-one (21) Township twenty-six (26) South Range three (3) East, N.M.P.M., Bureau of Reclamation Survey bears North thirty-four degrees (34°) forty-four minutes (44') thirty-two seconds (32") East three thousand three hundred forty and five tenths (3340.5) feet; thence South twenty-six degrees (26°) eighteen minutes (18') East five hundred seventy and five tenths (570.5) feet to a point from which the East quarter (E 1/4) Corner of Section twenty-one (21) Township twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey bears North sixty-eight degrees (68°) twenty-eight minutes (28') five seconds (05") East one thousand seven hundred seventy-four and eight tenths (1774.8) feet; thence South ten degrees (10°) thirty-five minutes (35') East one hundred ninety-seven and one tenth (197.1) feet; thence North twenty-six degrees (26°) twenty-one minutes (21') East seven hundred seventy-seven and three tenths (777.3) feet to the northerly property line of the land of the grantors; thence along said property line North eighty-one degrees (81°) fourteen minutes (14') East fifty-six and seven tenths (56.7) feet to the point of beginning. Said tract of land containing eighty-three hundredths (0.83) acre, more or less. Shown as tract B on Plat attached hereto and made a part hereof.

Correct as to Engr. Data

together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any-wise 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 parties of the first part have hereunto set their hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of—

Eugene P. Smith (L.S.)

Mrs. Eugene P. Smith (L.S.)

(L.S.)

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

On this 28th day of March, 1938, before me personally appeared
Eugene P. Smith and Mrs. Eugene P. Smith, his wife

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.

W. F. Smith

Notary Public in and for Dona Ana County.

My commission expires January 23, 1941

PARTIAL RELEASE OF LIEN

Know all men by these presents, That the undersigned owner(s) and holder(s) of that certain
dated 19 , and recorded at Page , Book ,
(Mortgage or other lien)

Records of Dona Ana County, New Mexico, ha..... released and
do..... hereby release the said 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 sat-
isfied of record to that extent, provided, however, that said shall in all other
respects remain in full force and effect.
(Mortgage or other lien)

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
to me personally known, who being by me duly sworn did say that he is the
of
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.
(Such as president or other officer)
(Here describe the corporation)

Notary Public in and for Dona Ana County.

My commission expires

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
and acknowledged that executed the same as free act and deed.
(Quitclaim deed or partial release of lien)

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certifi-
cate first above written.

Notary Public in and for Dona Ana County.

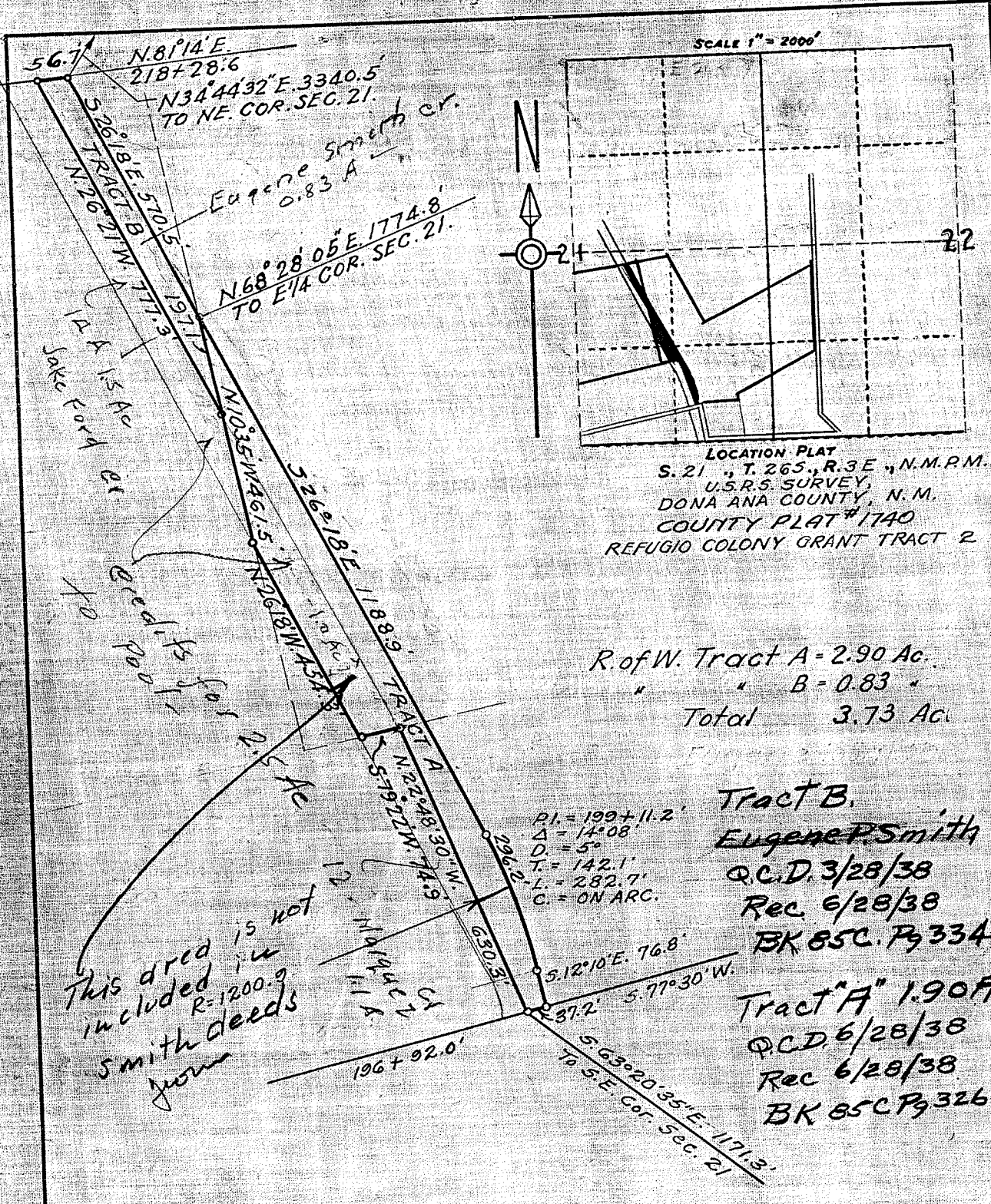
My commission expires

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

I hereby certify that this instrument was filed for record on the 28 day of June
A. D. 1938, at 9 o'clock, A.m., and duly recorded in Book 85-c, Page 334, of the
Records of Deeds and Mortgages of said County.

S. L. Apodaca
County Clerk and Ex-Officio Recorder.

F. C. Lopez
Deputy.



R. of W. Tract A - 2.90 Ac.
 " B - 0.83 "
 Total 3.73 Ac.

Tract B.
 Eugene P. Smith
 Q.C.D. 3/28/38
 Rec. 6/28/38
 BK 85C P. 334

Tract "A" 1.90 A
 Q.C.D. 6/28/38
 Rec. 6/28/38
 BK 85C P. 326

This dred is not included in Smith deeds from

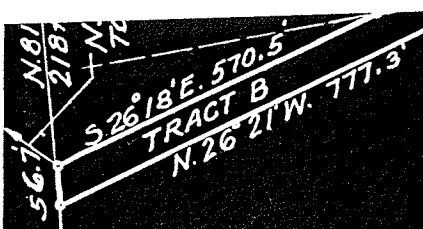
P.I. = 199 + 11.2'
 Δ = 14° 08'
 D = 5'
 T = 142.1'
 L = 282.7'
 C = ON ARC.

CONSTRUCTED: Feb. 1920.

REVISED NOV. 1939
 A.O.D.
 REVISED JAN. 1938
 A.O.D.

DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 RIO GRANDE PROJECT-NEW MEXICO-TEXAS
 ELEPHANT BUTTE DISTRICT
 ANTHONY DRAIN
 RIGHT OF WAY

FIELD WORK J.B. CHECKED G.V.H.
 DRAWN S.H.C.-A.M. APPROVED A.W.B.
 1107-L-102 EL PASO, TEX. 2/31



13
 SCALE 1" = 300'

DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 RIO GRANDE PROJECT-NEW MEXICO-TEXAS
 ELEPHANT BUTTE DISTRICT
 ANTHONY DRAIN
 RIGHT OF WAY

FIELD WORK J.B. CHECKED G.V.H.
 DRAWN S.H.C.-A.M. APPROVED A.W.B.
 1107-L-102 EL PASO, TEX. 2/31

REVISED JAN. 1938
 A.O.D.

CONSTRUCTED: Feb. 1920.

27-17

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas June 9, 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 March 28, 1938, from Eugene P. Smith and Mrs. Eugene P. Smith conveying 0.83 acres of land, in Sec. 21, Twp. 26 S, Range 3E Dona Ana County, Plat No. 1740, Right of Way Plat No. 13, Anthony Drain, together with certificate of officials of the Elephant Butte Irrigation District dated May 19, 1938, under the provisions of contract dated December 20, 1929, between said District and the United States.

L R Fiock

Superintendent

To Superintendent

El Paso, Texas, June 11, 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.

H J S Devries

District Counsel

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.

L R Fiock

Superintendent

CC - Chief Engineer
with enclosure

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

May 19, 1938

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from
Eugene P. Smith and Mrs. Eugene P. Smith

conveying 0.22 acres of land in Section 21, Township 25 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 \$ 58.10,
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. Lucas
Secretary

(SEAL)

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

May 19, 1938

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Eugene P. Smith and Mrs. Eugene P. Smith conveying 0.83 acres of land in Section 21, 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 \$ 58.10, 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. Reed
Secretary
(SEAL)

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

On this 28th day of March, 1938, before me personally appeared Eugene P. Smith and Mrs. Eugene P. Smith, his wife

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 January 23, 1941
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, have 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... to me personally known, who being by me duly sworn did say that he is the (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...
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...
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 28 day of June A. D. 1938, at 9 o'clock, a.m., and duly recorded in Book 85-C, Page 324, of the Records of Deeds and Mortgages of said County.

S. L. Apodaca
County Clerk and Ex-Officio Recorder.
F. C. Lopez
Deputy.

Anthony # 13
Tract B

QUITCLAIM DEED

This Indenture, made the 28th day of March, in the year of our Lord, one thousand nine hundred and thirty-eight, between Eugene P. Smith and Mrs. Eugene P. Smith, his wife

parties 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 parties of the first part, for and in consideration of the allowance of credits in the sum of Fifty-eight and 10/100 Dollars (\$58.10) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said parties of the first part, pursuant to contract of Dec. 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 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 Northwest quarter (NW 1/4) of the Southeast quarter (SE 1/4) of Section twenty-one (21) Township twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey being also within the Refuge Colony Grant Tract 2 and tract numbered 1740 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 Northeast corner of Section twenty-one (21) Township twenty-six (26) South Range three (3) East, N.M.P.M., Bureau of Reclamation Survey bears North thirty-four degrees (34°) forty-four minutes (44') thirty-two seconds (32") East three thousand three hundred forty and five tenths (3340.5) feet; thence South twenty-six degrees (26°) eighteen minutes (18') East five hundred seventy and five tenths (570.5) feet to a point from which the East quarter (E 1/4) Corner of Section twenty-one (21) Township twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey bears North sixty-eight degrees (68°) twenty-eight minutes (28') five seconds (05") East one thousand seven hundred seventy-four and eight tenths (1774.8) feet; thence South ten degrees (10°) thirty-five minutes (35') East one hundred ninety-seven and one tenth (197.1) feet; thence North twenty-six degrees (26°) twenty-one minutes (21') West seven hundred seventy-seven and three tenths (777.3) feet to the northerly property line of the land of the grantors; thence along said property line North eighty-one degrees (81°) fourteen minutes (14') East fifty-six and seven tenths (56.7) feet to the point of beginning. Said tract of land containing eighty-three hundredths (0.83) acre, more or less. Shown as tract B on Plat attached hereto and made a part hereof.

Correct as to Engr. Data A. O. P.

together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in any-wise 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 parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of— Eugene P. Smith (L.S.) Mrs. Eugene P. Smith (L.S.)