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MASON ET AL

QUITCLAIM DEED

(043) CRAWFORD SPUR DRAIN NO. 2

0023-00065-0008-00

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QUITCLAIM DEED

THIS INDENTURE, made the 20th day of February, in the year of our Lord, one thousand nine hundred and thirty three, between

G. H. MASON, MARY ADELE MASON, D. W. GATHCART AND J. W. GATHCART

part ies 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 ies of the first part, for and in consideration of the allowance of credits in the sum of Six hundred two and no/100 Dollars (\$ 602.00) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said part ies 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 th at 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 South half Southeast quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$ ) and Southeast quarter Southwest quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ) Section sixteen (16) and the North half Northeast quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ ) and Northeast quarter Northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ) Section twenty-one (21), Township twenty-eight (28) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey; being also within the Santa Teresa Grant and tract numbered 2798, as shown on Dona Ana County, New Mexico Plat Book; more particularly described as follows:

Beginning at a point on the Boundary line between the States of New Mexico and Texas, and from which point Boundary Monument number 65 bears North forty-nine degrees (49°) eighteen minutes (18') West, seven hundred four and one tenth (704.1) feet and the Southeast Corner Section sixteen (16), Township twenty-eight (28) South, Range three (3) East, N.M.P.M. bears South eighty-nine degrees (89°) fifty-five minutes (55') thirty-five seconds (35") East, four hundred sixty and four tenths (460.4) feet; thence South forty-nine degrees (49°) eighteen minutes (18') East along said Boundary line between the States of New Mexico and Texas, one hundred fifty-four and eight tenths (154.8) feet; thence North eighty-nine degrees (89°) thirty-two minutes (32') West, two thousand eight hundred thirty-one and three tenths (2831.3) feet; thence to the right along a curve having a radius of six hundred twenty-three and no tenths (623.0) feet, a distance of eight hundred fifty-eight and one tenth (858.1) feet; thence North ten degrees (10°) thirty-seven minutes (37') West, two hundred twenty-three and four tenths (223.4) feet; thence North seventy-nine degrees (79°) twenty-three minutes (23') East, one hundred and no tenths (100.0) feet to a point from which the South quarter (S $\frac{1}{4}$ ) Corner Section sixteen (16), Township twenty-eight (28) South, Range three (3) East, N.M.P.M. bears South fifty-eight degrees (58°) twenty minutes (20') East, one thousand two hundred seventy-four and no tenths (1274.0) feet; thence South ten degrees (10°) thirty-seven minutes (37') East two hundred twenty-three and four tenths (223.4) feet; thence to the left along a curve having a radius of five hundred twenty-three and no tenths (523.0) feet, a distance of seven hundred twenty and three tenths (720.3) feet; thence South eighty-nine degrees (89°) thirty-two minutes (32') East, two thousand seven hundred thirteen and one tenth (2713.1) feet to the place of beginning, said tract containing eight and six tenths (8.6) acres more or less, curve distances based on the arc, all as shown on plat attached hereto and made a part hereof.

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 ies 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—

HARRIETT BERNICE LYON  
Notary Public in and for El Paso Co., Texas.  
(SEAL)

G. H. MASON [L. s.]  
D. W. GATHCART [L. s.]  
MARY ADELE MASON [L. s.]  
J. W. GATHCART [L. s.]

TEXAS

STATE OF ~~NEW MEXICO~~ }  
COUNTY OF ~~DONA ANA~~ EL PASO } ss:

On this 20th day of February, 1935, before me personally appeared G. H. Mason, Mary Adele Mason, D. W. Cathcart and J. W. Cathcart.

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.

Harriett Bernice Lynn (SEAL)  
Notary Public in and for DONA ANA County.  
El Paso

My commission expires May 31, 1935

**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, has \_\_\_\_\_ 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 satisfied 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 \_\_\_\_\_ (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.

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 \_\_\_\_\_ (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 18th day of May, A. D. 1937, at 9 o'clock, A m., and duly recorded in Book 85-B, Page 35, of the

Records of Deeds and Mortgages of said County.

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

F. C. Lopez  
Deputy.

(SEAL)

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas April 20, 1937

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 Feb. 23, 1933 1932, from C.H. Mason, Mary Adela Mason, D.V. & J.W. Cathcart conveying 8.6 acres of land, in Sec. 16.21, Twp. 26S Range 3 E Dona Ana County, Flat No. 2708, Right of Way Flat No. 2, Crawford Spur Drain, together with certificate of officials of the Elephant Butte Irrigation District dated February 27, 1933, under the provisions of contract dated December 20, 1929, between said District and the United States.

A. N. Brambridge  
Acting Superintendent

To Superintendent

El Paso, Texas, MAY 5 1937

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, NOV 18 1937

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

February 27, 1930

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quitclaim deed from C. E. Moore, Mary Alice Moore, D. W. & J. W. Galtner's Conveying 2.0 acres of land in Section 24, 22 Township 22N Range 2E Dona Ana County Plat No: 2795, Right of Way Plat No. 1, Grantford Spur Drain 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 \$ 422.00 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 [Signature]  
 President.

ATTEST:  
[Signature]  
 Secretary.

(SEAL)

8.6 ac

May 11, 1931

File

Clawson  
mealla

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KNOW ALL MEN BY THESE PRESENTS, That we, the undersigned owners of land situate in the County Dona Ana and State of New Mexico, and within the boundaries of the Elephant Butte Irrigation District, being desirous of securing improved adequate and more efficient irrigation drainage, and flood protection facilities for our lands in accordance with plans now or hereafter to be formulated by the United States of America under provisions of the Act of Congress approved June 17, 1903 (32 Stat. 388), and acts amendatory thereof and supplementary thereto, pursuant to contract dated June 18, 1918, and contracts supplementary thereto between the United States of America and the said Elephant Butte Irrigation District, for and in consideration of the contemplated benefits to be derived from the construction, reconstruction or improvement and subsequent operation of irrigation or drainage works or both in the vicinity of our lands, and in consideration of our mutual promises herein, without waiving, however, any claim that we may have, respectively, against the said Elephant Butte Irrigation District for credits upon assessments in accordance with the provisions of Section 20, Chapter 20, Session Laws of New Mexico in 1919, do hereby agree for ourselves, our heirs, executors, administrators, successors and assigns, to convey to the United States of America, by our respective proper quit claim deeds, upon demand for such deeds being made by the authorized representatives of the Bureau of Reclamation of the United States a strip or strips of land for right of way for drainage ditches, levees and intercepting drains, laterals, connections therewith and extensions thereof, of such width and length as may be necessary and actually occupied by such works and reasonably required for the proper operation and maintenance thereof not to exceed however the width in feet set opposite each of said

proposed works for what are or will be commonly known respectively as follows, to-wit:

<u>Feature:</u>	<u>Maximum Width of Right of Way.</u>
Crawford Spur Drain	120 feet wide.
_____	_____
_____	_____
_____	_____

As the same respectively are now or may hereafter be located and staked out on the ground by the United States acting through the Bureau of Reclamation, the locations of said drainage ditches, levees, intercepting drains and laterals respectively being approximately and substantially as shown on the map attached hereto and made a part hereof.

IN WITNESS WHEREOF, we have hereunto affixed our hands and seals this

11<sup>th</sup> day of May 1937.

Signed, sealed and delivered in the Presence of:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

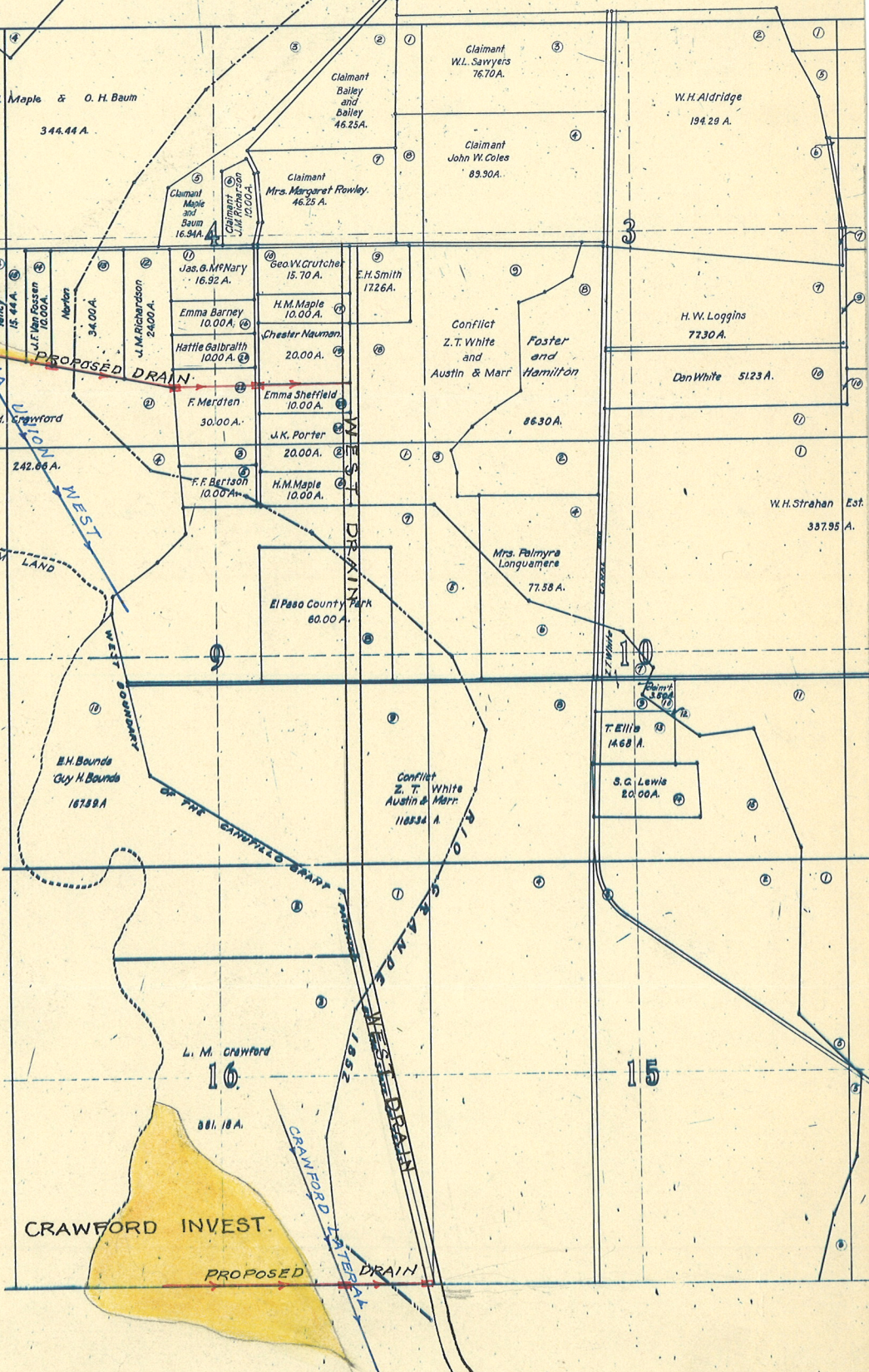
\_\_\_\_\_

J. W. Cathcart

D. W. Cathcart  
Per J. W. Cathcart  
C. H. Mason

BORDERLAND INVEST

CRAWFORD INVEST



LIMIT OF BOTTOM LAND

PROPOSED DRAIN

PROPOSED DRAIN

WEST

CRANKED LATERAL

16

15

L. M. Crawford  
881.18 A.

E.H. Bourde  
Cuy H. Bourde  
16788 A.

El Paso County Park  
80.00 A.

Conflict  
Z. T. White  
Austin & Marr  
116834 A.

T. Ellis  
1468 A.

S. G. Lewis  
20.00 A.

Mrs. Palmyra  
Longmire  
77.58 A.

W.H. Strahan Est.  
387.95 A.

Dan White  
5123 A.

H. V. Loggins  
7730 A.

W.H. Aldridge  
194.29 A.

Claimant  
W.L. Sawyers  
7670 A.

Claimant  
John Y. Coles  
89.90 A.

Claimant  
Mrs. Margaret Rowley  
46.25 A.

Claimant  
J. W. Coles  
75.00 A.

Claimant  
Maple  
337  
Sum  
16.94 A.

Geo. V. Crutcher  
15.70 A.

H.M. Maple  
10.00 A.

Emma Sheffield  
10.00 A.

F.F. Berison  
10.00 A.

H.M. Maple  
10.00 A.

J.K. Porter  
20.00 A.

F. Merdten  
30.00 A.

Hattle Galbraith  
10.00 A.

Emma Barney  
10.00 A.

Jas. & Mary  
16.92 A.

J.M. Richardson  
24.00 A.

J.F. Van Buren  
10.00 A.

J.F. Van Buren  
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H.M. Maple  
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E.H. Smith  
1726 A.

Conflict  
Z. T. White  
Austin & Marr  
8630 A.

Foster and  
Hamilton

W.H. Aldridge  
194.29 A.

H.V. Loggins  
7730 A.

Dan White  
5123 A.

W.H. Strahan Est.  
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L. M. Crawford  
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H.M. Maple & O.H. Baum  
344.44 A.

H.M. Maple  
10.00 A.

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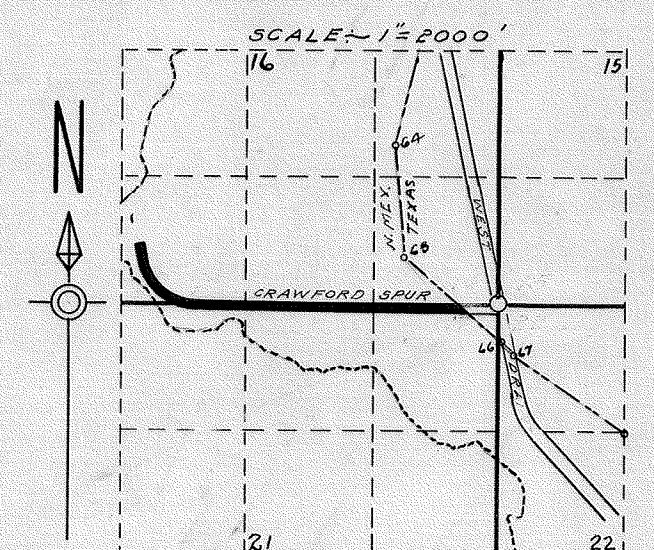
H.M. Maple  
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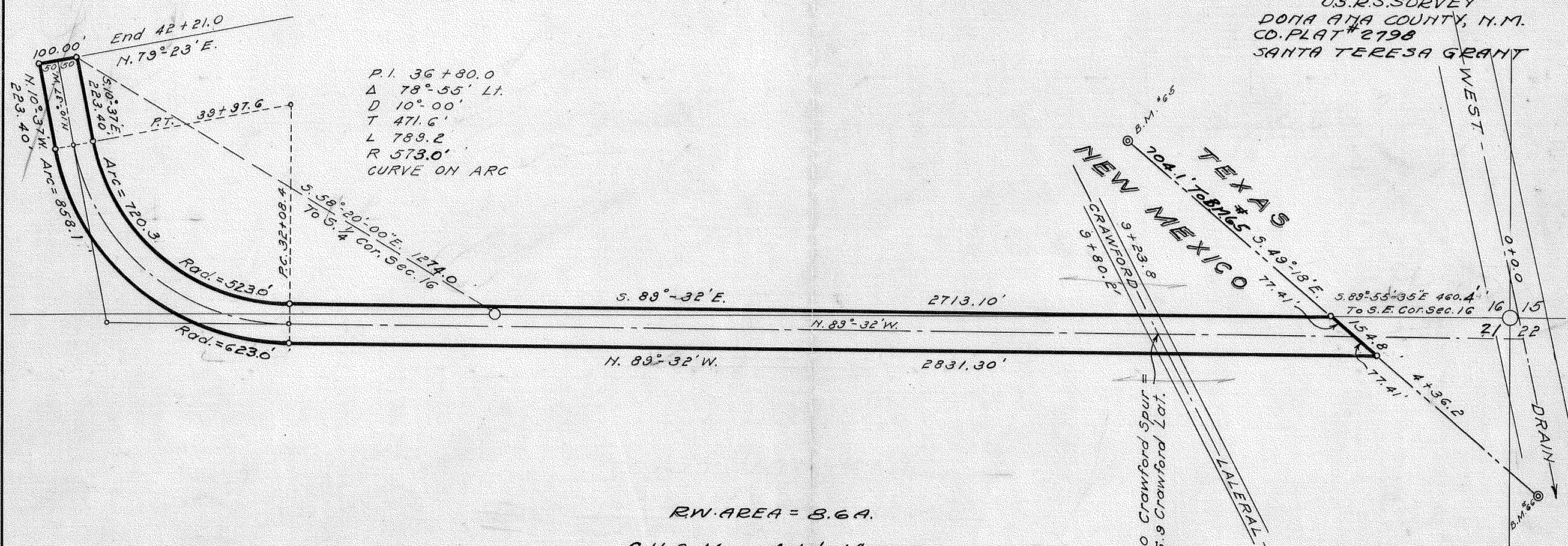
H.M. Maple  
10.00 A.





SCALE 1" = 2000'

LOCATION PLAT  
 S. 16-21, T. 28 S., R. 3 E., N.M.P.M.  
 U.S.R.S. SURVEY  
 DONA ANA COUNTY, N.M.  
 CO. PLAT # 2798  
 SANTA TERESA GRANT



R.W. AREA = 8.6 A.

C.H. & Mary Adele Mason.  
 D.W. & J.W. Cathcart.  
 Q.C.D. 2/20/33  
 Rec. 5/18/37  
 BK 95 B Pg 35

Constructed May & June 1931

SCALE 1" = 300'

2

DEPARTMENT OF THE INTERIOR  
 BUREAU OF RECLAMATION  
 RIO GRANDE PROJECT-NEW MEXICO-TEXAS  
 MESILLA VALLEY DRAINAGE  
 CRAWFORD SPUR DRAIN  
 RIGHT OF WAY

FIELD WORK..... CHECKED... *Gr. W. H.*.....  
 DRAWN *A.E.C.*..... APPROVED.....

3940-1-18 EL PASO, TEX. AUG 1931