

80

GISH, PHILAMEIA E. et. al.

QUITCLAIM DIED

EAST DRAIN PLAT NO. 11

056

0023-00

60

-6608-00

280

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

8-3  
TRANSFER CASE  
RIO GRANDE


El Paso, Texas Oct. 17, 1941

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.

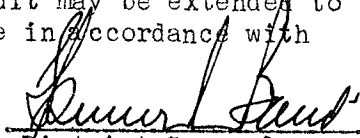
1. For your consideration, there is transmitted herewith, deed dated Oct. 3, 1941, from Philamela E. Gish, et al conveying 2.80 acres of land, in Sec. 26, Twp. 26 S Range 3 E Dona Ana County, Plat No. , Right of way plat No. 11 East Drain, together with certificate of officials of the Elephant Butte Irrigation District dated October 11, 1941, under the provisions of contract dated December 20, 1929, between said District and the United States.

  
Superintendent

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Amarillo, Texas OCT 24 1941

To Superintendent

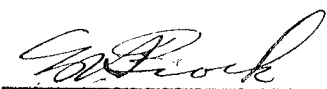
The above described deed appears on its face to be in satisfactory form and to be properly executed. The certificate of the officials of the Elephant Butte Irrigation District as to title is properly executed and based thereon, in accordance with the provisions of the above mentioned contract, the deed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

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To the Commissioner

El Paso, Texas NOV 24 1942

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 copy of above

No. 1 of 4  
Serial No. 27-51,53A,53B  
File No. 827

East Drain  
Flat No. 11

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

October 11, 1941

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from  
Philamela E. Gish, a feme sole, Elon C. Gish, Evert Gish, Charles Gish & J. W. Everts  
conveying 2.80 acres of land in Section 26, 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 \$ 98.00,  
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 and August 30, 1939

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.

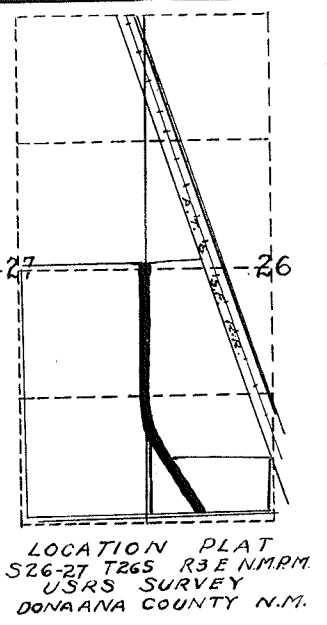
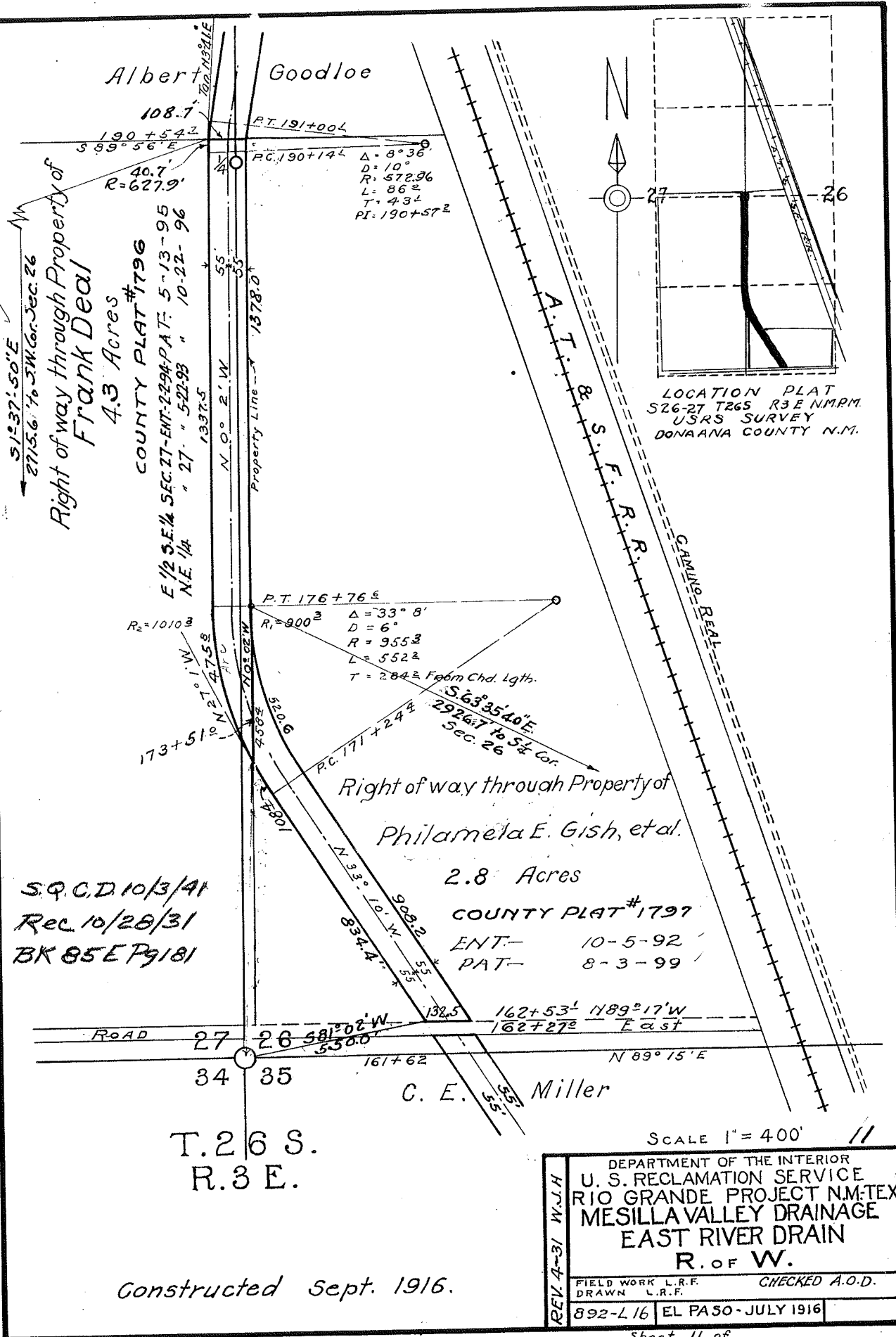
ELEPHANT BUTTE IRRIGATION DISTRICT

By Arthur Starr  
President

ATTEST

H. A. Loney  
Secretary

(SEAL)



Sheet 11 of  
27-44.51-13  
4/26/31  
200

QUITCLAIM DEED

This Indenture, made the 3rd day of October, 1939, in the year of our Lord, one thousand nine hundred and Forty-one, between Philamela E. Gish, a feme sole, Elon C. Gish, Evert Gish, Charles Gish and J. W. Everts part 1st 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 1st of the first part, for and in consideration of the allowance of credits in the sum of Ninety eight and 40/100 Dollars (\$98.40) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said part 1st of the first part, and contract of August 30, 1939 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 Southwest quarter (SW 1/4) of the Southwest quarter (SW 1/4) of Section twenty-six (26) Township twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey; being also within tract numbered 1797 as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point on the north right of way line of a road, being also the south property line of the land of the grantors, and from which point the Southwest corner of Section twenty-six (26) Township twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey bears South eighty-one degrees (81°) two minutes (02') West five hundred fifty (550) feet; thence North thirty-three degrees (33°) ten minutes (10') West eight hundred thirty-four and four tenths (834.4) feet; thence to the right along a one thousand ten and three tenths (1010.3) feet radius curve a distance on the arc of one hundred eight and four tenths (108.4) feet to a point on the west property line of the land of the grantors and at which point the tangent to the curve has a bearing North twenty-seven degrees (27°) one minutes (01') West; thence along said west property line North no degrees (0°) two minutes (02') West four hundred fifty-eight and four tenths (458.4) feet to a point on a curve having a radius of nine hundred and three tenths (900.3) feet and at which point the tangent to the curve has a bearing South no degrees (0°) two minutes (02') East and the South quarter (S 1/4) corner of Section twenty-six (26) Township twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey bears South sixty-three degrees (63°) thirty-five minutes (35') forty seconds (40") East two thousand nine hundred twenty-six and seven tenths (2926.7) feet; thence southerly and to the left along said nine hundred and three tenths (900.3) feet radius curve a distance on the arc of five hundred twenty and six tenths (520.6) feet; thence South thirty-three degrees (33°) ten minutes (10') East nine hundred eight and two tenths (908.2) feet to the north right of way line of a road being also the south property line of the land of the grantors; thence along said road right of way line and property line North eighty-nine degrees (89°) seventeen minutes (17') West one hundred thirty-two and five tenths (132.5) feet to the point of beginning. Said tract of land containing two and eight tenths (2.8) acres, more or less. 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 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—

Philamela E. Gish (L. S.)  
Elon C. Gish (L. S.)  
Evert Gish (L. S.)

Charles Gish (L. S.)  
J. W. Everts (L. S.)  
(L. S.)

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

On this 3rd day of October, 1941, before me personally appeared Philamelas gish, a fine sole, Eloul gish, Earl gish and Charles gish, all to me known to be the person described in and who executed the foregoing instrument, and acknowledged that they each 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.

R. L. Nichols  
Notary Public in and for Dona Ana County.  
El Paso County, Texas

My commission expires June 1, 1943

dated 19...., and recorded at Page...., Book...., 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 (Mortgage or other lien) 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 October, A. D. 1941, at 9:35 o'clock, A. M., and duly recorded in Book 856, Page 181-182, of the Records of Deeds and Mortgages of said County.

M. J. Chavez  
County Clerk and Ex-Officio Recorder.  
By Adela Gonzalez  
Deputy

