780

THE STATE OF TEXAS, COUNTY OF EL PASO.

know all men by these presents:

THAT Mrs. Mabel L. Lohnann and John M. Lohnann, her husband

of the County of El Paso, State of Texas, in consideration of the sum of

DOLLARS,

Two handred twenty-five and no/100----

(\$225.00)

in hand paid by

us

THE UBITED STATES OF AMERICA, in pursuance of the provisions
of the act of June 17. 1902 (32 Stat. 358), and acts emendatory thereof and supplementary thereto

ha Granted, Sold and Conveyed, and by these presents do

grant, Sell and Convey unto the said

THE UNITED STATES OF AMERICA

of the County of

and

of

, all that certain

tract or parcel of land, lying in the County of El Paso and State of Texas and more particularly described as follows, to-wit:

A tract of land lying and situate in El Paso County. Texas, and in the Southwest quarter of the Southwest quarter (SE(SE)) Section thirty-three (33). Township thirty-three South, Range eight East (T335,RSE) and the Northwest quarter of the Northwest quarter (RE(RE)) of Section four (1). Township thirty-four South, Range eight East (T345,RSE), Bureau of Reclamation Survey and being fractional parts of lots one and two (122), Block A, of the Riverside Addition to Habens, Texas, according to a plat or map of said addition on file in the office of the Clerk of El Paso County, Texas, more particularly described as follows:

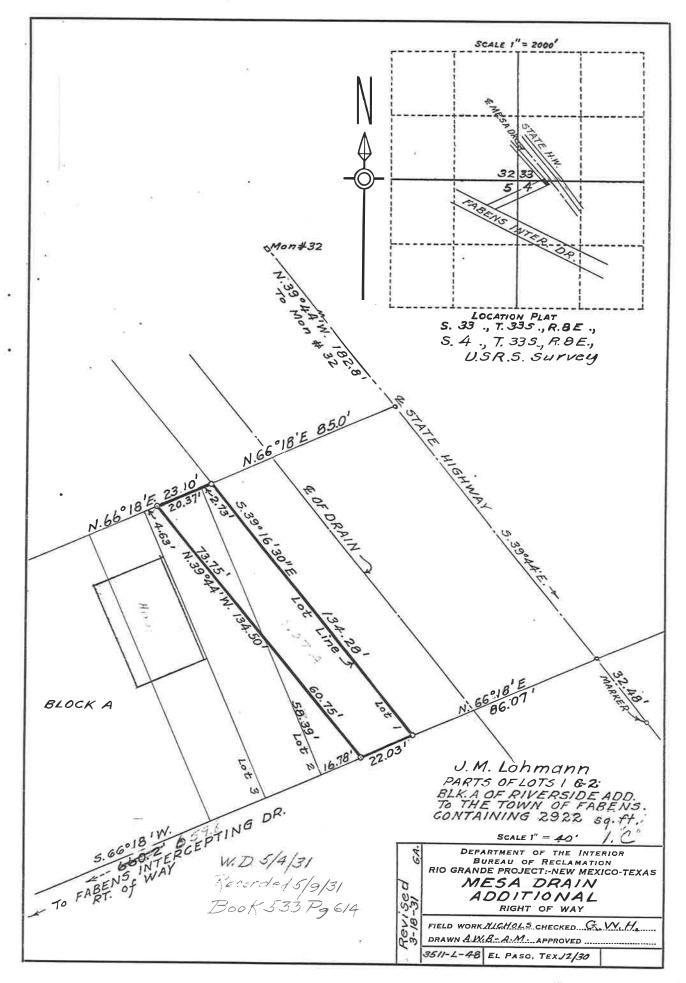
Beginning at a point the east corner of Lot one (1) Block A of said Riverside Addition to Fabens. Texas, and from which point as El Paso County Road Marker on the center line of State Highway Number One bears North sixty-six degrees twenty minutes East (N66°20'E) eighty-three and three-tenths (83.3) feet and South thirty-nine degrees forty-four minutes East [839°14'E) thirty-three and no-tenths (33.0) feet; thence South sixty-six degrees twenty minutes Nest (866°20'E) along the southeasterly line of said Lot 1. Block A twenty-four and eight-tenths (24.8) feet; thence North thirty-nine degrees forty minutes Nest (N39°40'E) one hundred thirty-four and two-tenths (134.2) feet to a point on the north-easterly line of Lot two (2) Block A of said Riverside Addition to Fabens. Texas, and from which point the northwest corner of said Lot two (2) bears South sixty-six degrees

twenty minutes West (866°20'W) four and four-tenths (4.4) feet; thence North sixtysix degrees twenty minutes East (N66°20'E) along the northwesterly line of said Lots
one and two (1&2) Block A twenty-four and eight-tenths (24.8) feet to a point the
northeast corner of said Lot one (1) Block A and from which point El Paso County
Read more ment on the center line of State Highway Number one bears North Sixty-six his
degrees twenty minutes East (N66°20'E) eighty-three and three-tenths (83.3) feet and
North thirty-nine degrees forty-four minutes West (N39°40'E) one hundred eighty-two
and six-tenths (182.6) feet; thence South thirty-nine degrees forty minutes East
(839°40'E) along the mortheasterly line of Lot one (1) Block two (2) of the eaid
Riverside Addition to Eabens, Texas, one hundred thirty-four and two-tenths (134.2)
feet to the point of beginning, said tracterly lind containing three thousands on accusors and
hundred and ninety-four (3194) square feet more or others and the grantee of record
in Book 547 at page 7 of the records of El Paso County, Texas.

heirs and assigns, against every ferror whomsoever lawfully claiming or to claim the same, or any part thereof.

WITNESS	ORF	hand S	at		. eas	Terrs	ŧh	is	fourth	day of
May			A. D. 19	31	\	Mrs. Meb	el L. Lol	The same	14	
Witness	es at Req	uest of Gr	rantor		(John K.	Lohmenn			
A					-	ş:				
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a Notary Pul		in and	for El Paso	County, Tex	as, on this	s day persona	lly abbeared
John M.	. Lohmann	***************************************		, +	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	<i>y</i> 1	
known to me to b	e the person	whose name	is	······			
acknowledged to m	ie that he	executed the	cama fou the	basa basa sa	ped to the	foregoing ins	trument and
Given un	der my hand a	nd seal of office	die for the	purposes ana c ih	onsideratio	on therein exp	ressed.
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		2-	E 11 D	Public in a	na lor A	T FASO COM	ity, Texas
THE STATE OF	TEXAS,	WIFE'S SEPA	RATE ACKNO	OWLEDGMENT.			
County of El I	Paso.	Before n	ne Geo.	W. Hoadley			
a Notary	Public	in and	for El Dans	C . m			
. Mrs	- debel L. L	Character and	gurta of	County, Text	is, on this	day personal	ly appeared
known to me to be	the person who	se name is subsc	rihed to the	forgoin - in-		3 7 4 3 4	
by me privily and a	bart from her l	ushand and has	vina the annu	joregoing inst	rument, ar	id having bee	n examined
by me privily and a	Mrs. Ma	bel W. Tahma	nng the same	e by me fully	explained	to her, she	the said
to he her act and d	leed and dactar	bel M. Lohman	477. 1		ackno	wledged such	instrument
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herein expressed, a Gizien under	ma that she ara	not wish to retro	ict it.		35000		
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				ollo III and	TOL ST L	aso county,	, rexas
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THE STATE OF	TEXAS.)	CLER	K'5 CERTIFIC	DATE.		9.6	
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County of El F	Paso.		W. D. G	reet		rk of the Co	unty Court
of said County, do	Paso. } hereby certify ti	I,hat the above ins	W. D. Gi	reet	on the	fourth	
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El Paso, Texas, May 11, 1931.

From:

District Counsel

To r

Superintendent, El Paso, Texas.

Subject:

Acquisition of Land - Opinion of Title - Land Described in Contract dated February 11, 1931, with Mrs. Mabel 1. L. Lohmann and John M. Lohmann; Area, 3194 square feet; Consideration, \$225.00; for El Paso Valley Mesa Drain - Rio Grande Project.

- 1. A good and indefeasible title to the real property described in the above mentioned land purchase contract is found to be now vested in the United States free and clear of liens and encumbrances, as disclosed by recorded warranty deed dated May 4, 1931, from Mrs. Mabel L. Lohmann and John M. Lohmann to the United States and by certificate of guarantee of title of the New York Title & Mortgage Company of Texas, No. 1042, issued through the Pioneer Abstract & Guarantee Title Co. of El Paso, Texas, dated May 7, 1931.
- 2. All taxes assessed up to and including the year 1930 appear to have been paid and while taxes in Texas become a lien as of the first of the taxable year, the taxing officials of Texas have not made levies or assessments for the year 1931 and consequently taxes for the year 1931 have not attached to the property acquired by the United States.
- 3. \$3.00 has or will be paid to the Pioneer Abstract & Guarantee Title Co. under its invoice No. 22527 on account of the recording of instruments No. 51158 and No. 51159 which are chargeable to the contractors as being necessary to clear up the title in order to enable them to make clear conveyance and consequently the sum of \$3.00 should be deducted from the consideration of \$225.00 nemed in the contract and the balance of \$222.00 may then be paid to John K. Lohmann and Mrs. Mabel L. Lohmann, his wife, there being no further deductions.
- 4. The original and two copies of the recorded deed and the original of the certificate of guarantee of title are transmitted herewith.

H. J. S. Dovries

cc - Commissioner C. E., Denver

Pioneer Abstract & Guarantee Title Company EL PASO, TEXAS

April 22, 1931,

Bureau of Reclamation Service, Toltec Club Building, El Paso, Texas,

Dear Sir:

Att: Mr. Geo. Hoadley,

For your information in connection with the John M. Lohman purchase, being a portion of Lots 1 and 2, in Block "A", of the Riverside Addition, to Fabens, in El Paso County, Texas, we beg to advise that we have received the release requested which release fully releases that portion of said lots being bought by the government from Lohman, from the vendor's lien and Deed of Trust set out in our report to you.

Very truly yours,

BESchwarglast A. Secy.

DES:MF.

El Paso, Texas, March 2, 1931.

Mr. John M. Lohmann and Mabel L. Lohmann, Fabens, Texas.

Dear Sir and Madam:

Reference is made to contract between the United States and yourselves, dated February 11, 1931, for the purchase by the United States of Lots 1 and 2, Block A, Riverside Addition to the town of Fabens, El Paso County, Texas.

According to our usual practice, we have called upon the Pioneer Abstract & Guarantee Title Company of El Paso for a certificate of guarantee of title. We are now advised by the title company that in addition to a tax lien for 1930 taxes in the sum of \$9.80, certain record matters should be cleared up before this certificate may issue. We quote from the title company's letter as follows:

"A Vendor's Lien retained in Marranty Deed dated Nov. 15, 1929, of record in Book 523 at page 20 Deed Records, El Paso County, Texas, from J. B. Fisher and wife, Lovella, to John M. Lohmann and wife, Mrs. John M. Lohmann, securing payment of two notes for \$100.00 each and one note for \$2000.00, numbered 1, 2 & 3 respectively, bearing 8% interest per annum, payable as notes and installments become due, Note No. 1 is due on or before Dec. 15, 1929, Note No. 2 is due on or before Jan. 15, 1930, and Note No. 3 in monthly installments of \$50.00 each and accrued interest on said installments as paid, the first installment being due February 15, 1930, and a like installment on the 15th day of each month until all of said note and all interest thereon has been paid.

"A deed of trust from John M. Lohmann and wife to C. W. Bickley, Trustee for J. B. Fisher further securing the payment of the three notes above described and given as additional and cumulative security to the Vendor's Lien."

"The Vendor's Lien and Deed of Trust liens should be released insofar as property being conveyed to the United States is concerned.

"There is an Abstracy of Judgment of record in Book 5 at page 266, Abstract of Judgment records, El Paso County, Texas, styled,

D. W. Sageser and Robert Real vs. John M. Lohmann, which Judgment was dated Sept. 21, 1922, filed, indexed and recorded Nov. 6, 1922, for the sum of \$355.50 with \$11.95 costs, 6% interest per annum on the sum of \$355.50 from date of judgment.

"On October 7, 1930, John M. Lohmann and wife brought suit against D. W. Sageser and Robert Real to remove the cloud cast upon lots 7 to 12, both inclusive, Block "D" and lots 1 to 8, both inclusive, Block "A", of the Riverside Addition to the Town of Fabens. The suit is pending and we are not informed as to when same will be tried and this Judgment should be released insofar as the property being deeded to the United States of America is concerned."

Very truly yours,

H. J. S. Devries, District Counsel.

PIONEER ABSTRACT & GUARANTEE TITLE CO.

EL PASO, TEXAS

TITLE DEPARTMENT

PRELIMINARY OPINION

IN REPLY PLEASE REFER TO

BES

NO. 8216

EXAMINER_

Peb.28,1931

To United States Reclamation Service, Attention Mr. H.J.S.Devries, District Counsel Toltec Club Blag. El Paso, Texas.

IN RE:

lots 1 & 2, Block "A" Riverside Addition to the town of Fabens, El Paso PROPERTY: County, Texas, described in contract between Lohmann & W.S.A. dated 2/11/31.

INSTRUMENTS EXAMINED: None

RECORD TITLE IN: John M. Lohmann and Mabel L. Lohmann

SUBJECT TO:

TAXES: We have not yet received Tax Certificate but will advise you upon receipt thereof the condition of taxes.

PAVING Rone

A Vendor's Lien retained in Warranty Deed dated Nov.15,1929,of record in Book 520 at page 20 Deed Records, El Paso County, Texas, from J.B. Fisher and wife, Lovella, to John M. Lohmann and wife, Mrs. John M. Lohmann, securing payment of two notes for w100 each and one note for \$2000, numbered 1,2 & 3 respectively, bearing 8% interest per annum, payable as notes and installments become due, Note No.1 is due on or before Dec.15,1929, Note No.2 is due on or before Jan.15,1930 and Note No.5 in monthly installments of \$50.00 each and accrued interest on said installments as paid, the first installment being due 2/13/30 and a like installment on the 15th day of each month until all of said note and all interest thereon has been paid.

A deed of trust from John M. Lohmann and wife to C.W. Bickley, Trustee for J. 3. Fisher further securing the payment of the three notes above described and given as additional and cumulative security to the Vencor's Lien.

The Vancor's Lien and Deed of Trust liens should be released insofar as property being conveyed to the United States is concerned.

There is an Abstracy of Judgment of record in Book 5 at page 266 Abstract of Judgment records, El Faso County, Texa: , styled, D. ... Sageser as

U.S.R.S.#2 Feb.28,1931 C/8216

Robert Real vs. John M. Lohmann, which Judgment was dated 9/21/22 filed, indexed and recorded Nov. 6, 1922, for the sum of \$355.50 with \$11.95 costs, 6% interest per annum on the sum of \$355.50 from date of judgment.

On Oct.7,1930 John M. Lohmann and wife brought suit against D.W.Sageser and Robert Real to remove the cloud cast upon lots 7 to 12,both inclusive, Block "D" and lots 1 to 8,both inclusive, Block "A" of the Riverside Addition to the Town of Fabens. The suit is pending and we are not informed as to when same will be tried and this Judgment should be released insofar as the property being deeded to the United States of America is concerned.

Yours very truly,

Assistant Secretary.

BeSchwarzbach

BES/B

P.S. We now have tax certificate showing 1930 taxes due the County in the amount of \$9.80.

El Paso, Texas, February 17, 1931.

Pioneer Abstract & Guarantee Title Co., Two Republics Bldg., El Paso, Texas.

Gentlemen:

Will you kindly supply a guarantee of title certificate certifying that the fee simple unencumbered title is vested in the United States oy warranty deed to be procured from Mrs. Mabel L. Lohmann and John M. Lohmann to a certain tract of land containing 3194 square feet, situate in El Paso County, being fractional parts of Lots 1 and 2, Block A, Riverside Addition to Fabens, Texas, described in contract dated February 11, 1931, between the United States and Mrs. Mabel L. Lohmann and John M. Lohmann.

Very truly yours,

H. J. S. Devries, District Counsel.

CERTIFICATE BY PROJECT SUFF IN STORM

I hereby certify that the land described in attached land purchase contract dated February 11, 1931, between The Mabel United States of America and Mrs/L. Lohmann and John M. Lohmann, is required for purposes authorized by the Act of June 17, 1902 (32 Stat., 388), namely, as right of way for the El Paso Valley Mesa Drain, a part of the Rio Grande Federal Irrigation Project; that the consideration to be paid thereunder, namely, \$225.00, is reasonable and the lowest that could be obtained; and I recommend that the contract be approved.

Dated at El Paso, Texas, this 13th day of February, 1931.

Superintendent

CE TIFICATE OF POSSESSION

I HERCEY CE TIFF that I have personally examined the land described in attached land purchase contract dated February 11. 1931, between The United States of America, and Mrs. Mabel L. Lohmann and John M. Lohmann, and that the proposed grantors are in actual, sole and exclusive possession of the land proposed to be conveyed, claiming to be the owners thereof, and no person claiming a right in such land adverse to the proposed grantors is in possession of any part of it.

Dated at El Paso, Texas, this 13th day of February, 1931.

Geo. W. Hoshley

Right of Yay Agent

1161-499

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

Rio	Grande	 IRRIGA	TION	PROJ	ECT

LAND PURCHASE CONTRACT

This Contract, made this	11th	d	y of	Februare	,	, 193 ₁ , in
pursuance of the act of June 17,	1902 (32	Stat., 388), an	d acts	amendatory	thereof	or supplementary
thereto between the UNITED	STATES	OF AMERIC	A, he	ercinafter sty	rled the U	United States, 🚉

represented by the contracting officer executing this contract . Superintendent Burner of Reclemation,

therete velocity authorized and subject to the approval of the proper supervisory officer thereof,

Mrs. Mabel L. Lohnann

and

John M. Lohmann, her husbank

, his wife hereinafter styled Vendor,

of Fabens, , County of TI Paso , State of TOTAL 2. WITNESSETH, That for and in consideration of the mutual agreements herein contained, the parties hereto do covenant and agree as follows:

3. The Vendor shall sell and by good and sufficient (General warranty, covenant against grantor, or quitclaim) deed, convey to United States, free of lien or encumbrance, the following-described real estate which is

hor separate (Homestead, community, separate)

property, situated in the County of

SI PASO

State of

Poyas

, to wit:

A treet of land lying and situate in El Paso County, Texas, and in the Southwest quarter of the Southwest quarter (SESSE) Section thirty-three (33), Township thirty-three South, Range eight East (T355, ESE), and the Morthwest quarter of the Northwest quarter (NEWES) of Section four (4). Township thirty-four South, Range eight East (T345, RGE), Bureau of Reclamation Survey and being fractional parts of lots one and two (182), Block A, of the Riverside Addition to Fabens, Texas, according to a plat or map of said addition on file in the office of the Clerk of El Paso County, Texas, more particularly described as follows:

Beginning at a point the east corner of Lot one (1) Block A of said Riverside Addition to Fabous, Toxas, and from which point an El Paso County Road Marker on the center line of State Highway Number One bears North sixty-six defects twenty minutes East (N66°20'E) eighty-three and three-tenths (83.5) feet and South thirty-nine degrees forty-four minutes East (359°44'E) thirty-three and no-tenths (35.0) feet; thence South sixty-six degrees twenty minutes West (366°20'V) along the southeasterly line of said Lot 1, Block A twenty-four and eight-tenths (24.8) feet; thence Borth thirty-nine degrees forty minutes West (N39°40'V) one hundred thirty-four and two-tenths (134.2) feet to a point on

¹ Strike out clause regarding approval of supervisory officer if not applicable

6-8068

as to East, Lang 9 met

- 10. Where the operations of this contract extend beyond the current fiscal year, it is understood that the contract is made contingent upon Congress making the necessary appropriation for expenditures thereunder after such current year has expired. In case such appropriation as may be necessary to carry out this contract is not made, the Vendor hereby releases the United States from all liability due to the failure of Congress to make such appropriation.
- 11. The Vendor warrants that the Vendor has not employed any person to solicit or secure this contract upon any agreement for a commission, percentage, brokerage, or contingent fee. Breach of this warranty shall give the Government the right to annul the contract, or, in its discretion, to deduct from the contract price or consideration the amount of such commission, percentage, brokerage, or contingent fees. This warranty shall not apply to commissions payable by contractors upon contracts or sales secured or made through bona fide established commercial or selling agencies maintained by the Vendor for the purpose of securing business with others than the Government.
- 12. No Member of or Delegate to Congress, or Resident Commissioner, after his election or appointment or either before or after he has qualified and during his continuance in office, and no officer, agent, or employee of the Government, shall be admitted to any share or part of this contract or agreement, or to any benefit to arise thereupon. Nothing, however, herein contained shall be construed to extend to any incorporated company, where such contract or agreement is made for the general benefit of such incorporation or company, as provided in section 116 of the act of Congress approved March 4, 1909 (35 Stat., 1109).

In witness whereof the parties have hereto signed their names the day and year first above written.

THE UNITED STATES OF AMERICA,

By L. R. Flock
Superintendent, Bureau of Recordarios. \ 3 \

P. O. Address

Vendor.

P. O. Address

John M. Lohmann

Vendor.

P. O. Address

Standard Form No. 1036 Form approved by Comptroller General U. S June 18, 1926

STATE-OWN AND CERTIFICATE OF AVAID

ABSTRACT OF AGREEMENT

No.	116r-409
	(Contract)
ъ.	4.0

ADVERTIS	ING—AWARD—FORM	Date, 19
(Department or establishment)	(Bureau or office)	(Location)
ABSTRA	CT OF AGREEMENT	
(Name of contractor)	Total am	ount, \$
By		
Title	Contract period	
Address	Appropriation	
Contracting officer	Discount	***************************************
Items		
Quantity		
Unit price(s)		
Deliveries		C7.11 **
Conditions		
Payments		3 -
Deductions Special requirements: Damages, actual		~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~
Damages, liquidated		
Other		***************************************
Remarks	27 27	•
1,34 1 2		***************************************
·	e service which existed prior to	the order and would not admit

El Pasovalley Mosa Drain

- 5. Without advertising, it being impracticable to secure competition because of * _____
- *See Note 1 on reverse hereof.

7—528t August, 1927 Approved by the Department January 4, 1927

DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION

RECORD OF EXECUTION OF CONTRACT

symbol and number 1157-499 ; ma amount involved, \$225.00 ; auth purpose Furchase of land	ng to above-named project, dated Feb.11.1931 ade by Mrs. Mabel L. Lohmann and John M. Lohmann acrity No. or clearing account
Notice of execution of contract to ent at, Di and, Di	be given Chief Engineer at Denver, Superintend- strict Counsel at El Paso , Texas
1. On this date the above-described	Place X1 Paso, Texas Date F-b.13,1931 contract was executed (or) passed, and bond, if and transmitted to district counsel for legal
	lock , Project Superintendent.
Inclosures: Original and 3 copies of this form. Original and 4 copies of contract.	
	Place Tl Paso, Texas Date Fab. 17, 1931
2. On this date the above-described approval by this office, and transmitted	contract, with bond, if any, was given legal to the Rio Grande project office.
Ħ.	J. J. District Counsel.
Inclosures: Original and	
3. On this date the above-described approved by this office.	Denver, Colorado, Datecontract was executed, and bond, if any,
	, Chief Engineer.
4. On this date the above-described office and transmitted to the Washington	Denver, Colorado, Datecontract, with bond, if any, was passed by this office.
	, Chief Engineer.
<pre>Inclosures: Original and copies of this form. Original and copies of contract.</pre>	8
5. On this date the above-described approved by	Washington, D. C., Date contract was executed, and bond, if any,
G—7416	, Commissioner.

DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION

Rio Grando

IRRIGATION PROJECT

REPORT ON LAND PURCHASE CONTRACT

(SEE PAGES 251-267, VOL. I, OF MANUAL)

Pebruary 11, 1931

222

INFORMATION relating to land purchase contract made

ers. Mabel L. Lohesan and John M. Lohenne

,192 , with

1. State purpose for which the land is required,

To widen and deepen the MI Faco Valley Mass Dyain

2. State description and approximate area of land to be conveyed.

3194 eq. ft. in lote 1 end 2, block A of the Siverside Addition to Februa. Texas

3. State nature, number, and date of entry by which it was acquired under public land laws, also date of final certificate and patent, if such has been issued.

No sublic lands in Texas

4. State names of the owners, post-office addresses, and county and State of residence. Give names of wives and husbands, as the case may be; if unmarried, widow, or widower, so state.

Mrs. Mabel L. Lohanna, Patons . Texas John M. Lohanna, her bushand, Pabons, Texas

5. State who is in possession of the premises to be conveyed, or of any part thereof, and if a tenant, give his name and post-office address. If the land is held under a lease, state the general terms of such lease, the date the tenant is to give up possession, and state clearly whether any arrangement has been made with the tenant for the disposition of his affected interest.

Owner in possession

6. State whether land is subject to right of way by virtue of contract with water users' association, irrigation district, or other agreement.

CERTIFICATE OF RECORD

The State of Texas County of El Paso.

I. W. D. Greet, County Clerk in and for said County, do hereby certify that the foregoing instrument of writing with its certificate of authentication, was filed for record in my office on the 18th day of February, A.D.1931 at 10:22 o'clock A.M. and recorded the 18th day of March, A.D.1931, at 9:40 A.M. in the deed records of said County, in Yolume 545 page 7.

Witness my hand and seal of the County Court of said County, at offices in El Paso, Texas, the day and year lastabove written.

Wand year lastabove written.

W.D.Greet,

County Clerk,

By A.A.Osborne, Deputy