

BO WHITNEY ZACK T ET AL
KONNORCA DREBIN

(D.O.B.) unrecorded - ~~SENT TO~~
Red White

32-(16), 33-(10), 34-(2) VESTINA WHITE TEXAS

Montofa Drain

39526

QUIT-CLAIM DEED

THE STATE OF TEXAS)
County of El Paso)

KNOW ALL MEN BY THESE PRESENTS: That we,

Geo. J. White, Horace P. Stevens, Chas. P. Stevens
W. L. Pooley, N. Abraham, K. Abraham, J. G. McNary, James
H. McNary, administrators of the estate of George L. McKee, John A. Popper
El Paso Country Club, a corporation, El Caminito Townsite, Paul Leo, a
corporation

tenants in common in the ownership of the property herein-
after described, of the County of El Paso, State of Texas,
for and in consideration of the sum of ONE DOLLAR and other
valuable considerations to us in hand paid by the UNITED STATES
OF AMERICA, pursuant to the Act of Congress approved June 17,
1902 (32 Stat., 388), the receipt whereof is hereby acknowledged,
do by these presents bargain, sell, release and forever quit-
claim unto the UNITED STATES OF AMERICA, its successors and
assigns all their right, title and interest in and unto those
certain drainage canals heretofore constructed and now in ex-
istence in the County of El Paso and State of Texas, more par-
ticularly delineated and shown in red on map hereto attached
and hereby made a part hereof, together with all appurtenances
and structures thereunto belonging or in any wise appertaining,
and such additional right-of-way, not exceeding seventy (70) feet
in width, on the West or river side of said main Drain as now
constructed and in existence as may, in the opinion of the
proper representatives of the UNITED STATES, be reasonably
necessary for the enlargement, operation and maintenance of

said Drain.

This deed is executed pursuant to a resolution of the Board of Directors of the El Paso County Water Improvement District No.1, passed at a meeting duly called and held in the office of said District in the Mills Building, in the City of El Paso, Texas, at 10 a.m., January 16, 1918, at which there was a quorum present, said resolution reading as follows:

"BE IT RESOLVED That the Board of Directors of the El Paso County Water Improvement District No.1 hereby approve the construction of the Montoya Unit at a charge not to exceed EIGHTY THOUSAND DOLLARS(\$80,000) with construction charges the same as for the balance of the project - except that credit on future payments be allowed on the value of the Drains already constructed approximately equivalent to their cost."

It is a condition of this deed that in fixing the charges for irrigation and drainage works constructed by the United States, for the use and benefit of the said El Paso County Water Improvement District No.1, appropriate credits shall be allowed, at the proper time and in the manner most feasible, to the grantors herein for the approximate cost to the said grantors of the drainage canals hereby conveyed, said credits to be apportioned among the various grantors herein in accordance with their respective interests as they may be made to appear to the officials charged by law with the assessment and levy of charges against the land owners within said improvement district.

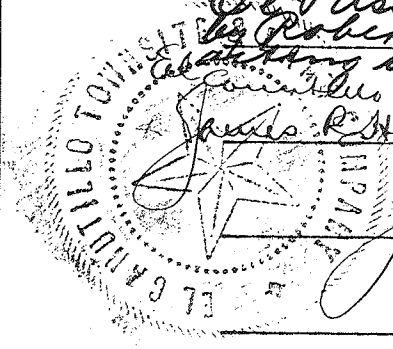
TO HAVE AND TO HOLD all their right, title, interest, estate and claim in and to the said drainage canals, together with all and singular, the rights, privileges and appurtenances to the same in any manner belonging, unto the

said UNITED STATES, its successors and assigns forever.

WITNESS OUR HANDS, This the 26th day
of February, A. D. 1918.

Witnesses at Request
of Grantor:

- x Z. J. White ✓
- x James B. Stevens ✓
- x Chas B. Stevens ✓
- x A. Abraham ✓
- x and K. Abraham ✓ 417
86
- x W. S. Cooley ✓
- x J. M. Mann ✓
- x James J. Mann ✓
Administrator with the wife annexed
of the estate of George Cook - deceased
- x El Paso Country Club ✓
Robert Knorr ✓
Acting in absence of Pres.
President's Fournice Board by
James R. Harper vice Pres.
- x John A. Harper ✓



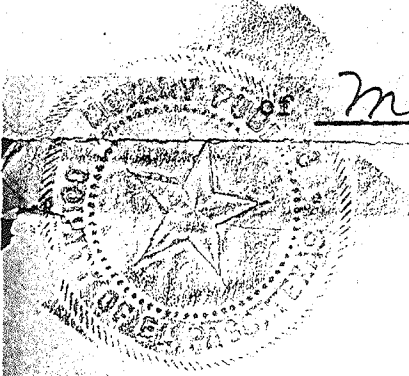
THE STATE OF TEXAS
County of El Paso

Before me P. J. Knight, in and
for El Paso County, Texas, on this day personally appeared
J. McNamee and W. J. Tooley

known to me to be the person whose names are subscribed to
the foregoing instrument, and acknowledged to me that they execut-
ed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 20 day
of March, A. D. 1918.

P. J. Knight
Notary Public



BOOK 946 PAGE 707

THE STATE OF TEXAS

County of El Paso

Before me,

P. J. Knight

in and

for El Paso County, Texas, on this day personally appeared

James M. Gray - Adm'r with the wife annexed
of the Estate of George Cook deceased

known to me to be the person whose name is subscribed to
the foregoing instrument, and acknowledged to me that he execut-
ed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 20th day

of March, A. D. 1918.

P. J. Knight
Notary Public

THE STATE OF Texas

County of El Paso

Before me,

P. J. Knight

in and

for El Paso County, Texas, on this day person-

ally appeared Robert Kraemer Vice

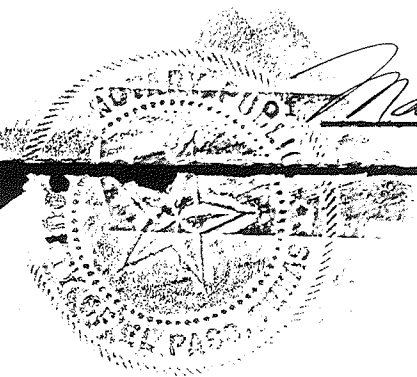
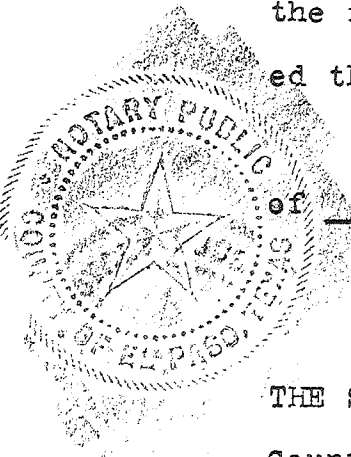
President El Paso County
Club

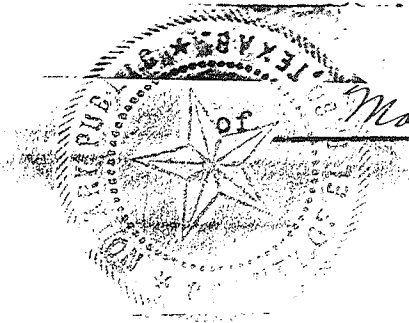
known to me to be the person whose name is subscribed to
the foregoing instrument, and acknowledged to me that he
executed the same for the purposes and consideration therein
expressed.

Given under my hand and seal of office, this 21 day

March, A. D. 1918.

P. J. Knight
Notary Public





Given under my hand and seal of office, this 23rd day
of March, A. D. 1918.

Mauds Estaly
Notary Public, El Paso County, Tex.

THE STATE OF Texas
County of El Paso

Before me, Mary M. Ellis Notary Public in and
for El Paso County, Texas, on this day person-
ally appeared Z. T. White, Horace B. Stevens,
Chas. B. Stevens, ~~and L. B. ...~~

known to me to be the persons whose names are subscribed to
the foregoing instrument, and acknowledged to me that they
executed the same for the purposes and consideration therein
expressed.

Given under my hand and seal of office, this 22nd day
of March, A. D. 1918.

Mary M. Ellis
Notary Public, El Paso County, Tex.

THE STATE OF Texas
County of El Paso

Before me, Wanda E. Healy, Notary Public in and
for El Paso County, Texas, on this day person-
ally appeared James R. Harper, Vice President
El Comite de Townsite & Land Co. a corporation

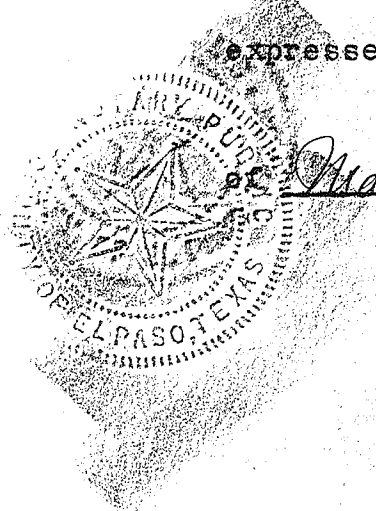
known to me to be the person whose name is subscribed to
the foregoing instrument, and acknowledged to me that he
executed the same for the purposes and consideration therein
expressed.

THE STATE OF Texas
County of El Paso

Before me, a Notary Public in and
for El Paso County, Texas, on this day person-
ally appeared John Attappur

known to me to be the person whose name is subscribed to
the foregoing instrument, and acknowledged to me that he
executed the same for the purposes and consideration therein
expressed.

Given under my hand and seal of office, this 23rd day
of March, A. D. 1918.



Ermond Ahueta
Notary Public El Paso Co Texas

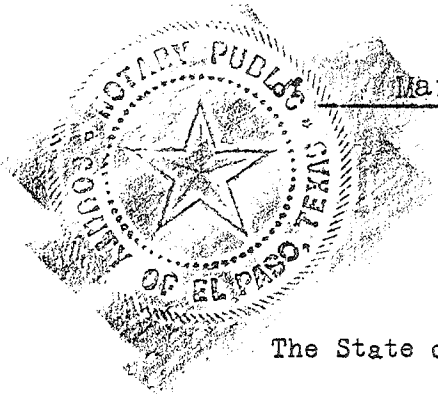
BOOK 946 PAGE 710

THE STATE OF Texas
County of El Paso

Before me, Mary M. Ellis, Notary Public in and
for El Paso County, Texas, on this day
personally appeared N. Abraham and K. Abraham

known to me to be the persons whose names are subscribed to the
foregoing instrument, and acknowledged to me that they executed
the same for the purpose and consideration therein expressed.

Given under my hand and seal of office, this 25th day
March, A.D. 1918.



Mary M. Ellis
Notary Public, El Paso County, Texas.

The State of _____
County of _____

BOOK 946 PAGE 711

Before me _____ in and
for _____ County, _____, on this day personally
appeared _____

known to me to be the person whose name subscribed to the
foregoing instrument, and acknowledged to me that _____ executed
the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this _____ day
of _____, A.D. 1918.

Miss White

J. G. McMan

J. G. McMan
A. Asentares

Caumers Fenwick Co. + Fenwick Co. Judge
Hays
502

Geo. Cook + see McMan

W. M. Kirby Chas.

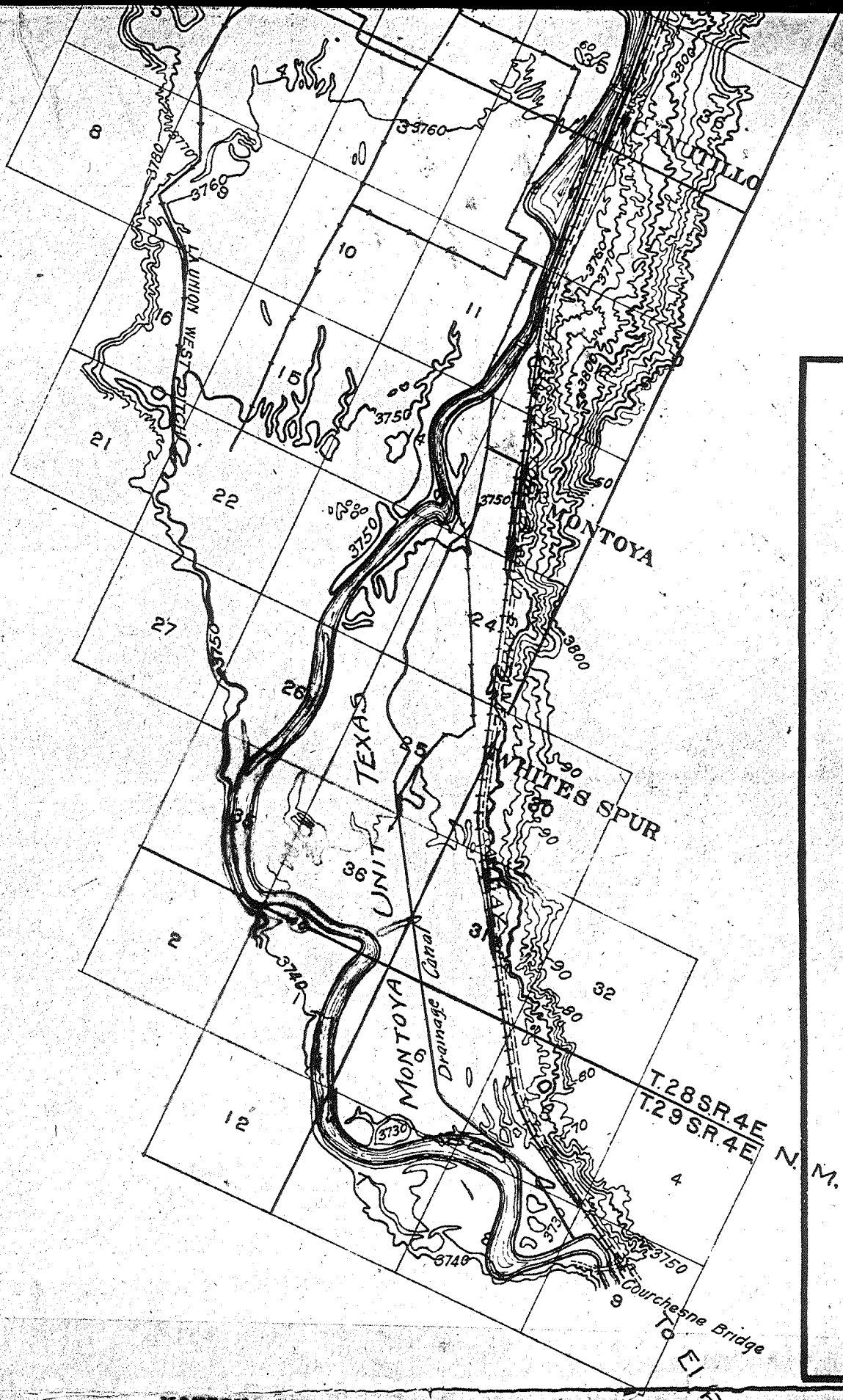
re Pass come club. D. W. Dickson

56

Mr. Russ Thomas
back of paper for
me to sign.

Mr. Bob Thalhauer
I think you may
sign for the club but should
put "Vice Pres acting in absence of
president" of the name.
certificates of acknowledgment should
be in form for office of copy-
right.

R. J.



Scale 1" = 1 Mile
 Las Cruces Dec. 8-1913.
 L.M. Lawson, Project Engr.
 N. M. P. M.

MONTTOYA UNIT.

El Paso County Water Improvement District No. 1

RIO GRANDE PROJECT, N. M. TEXAS.

El Paso Texas, Feb. 19th 1918.

BOOK 946 PAGE 713
 El Paso, Texas 4 Miles

BOOK PAGE 946 714

CASH 21.00
39526

FILED FOR RECORD
IN MY OFFICE

78 NOV 1 AM 9:24

COUNTY CLERK
EL PASO COUNTY TEXAS
Sylvia DeLoach

STATE OF TEXAS COUNTY OF EL PASO
I hereby certify that this instrument was filed
on the date and time stamped hereon by me and
was duly recorded in the volume and page of the
Official Public Records of Real Property, El Paso
County, Texas.

NOV 1 1978

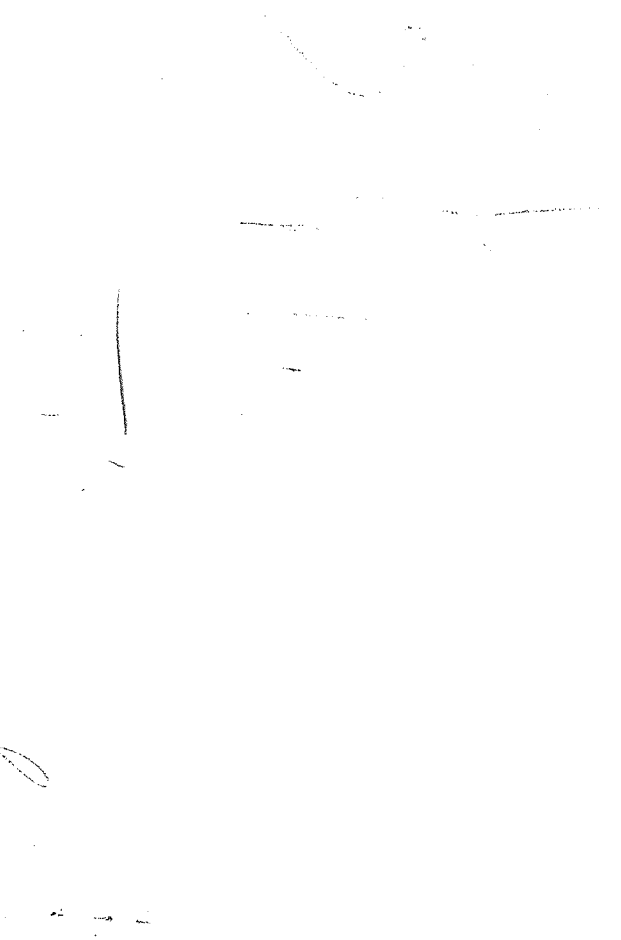


John Brown
COUNTY CLERK, El Paso County, Texas

Return To Bureau of Reclamation
P.O. Box Drawer P
El Paso, Texas 79952

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE

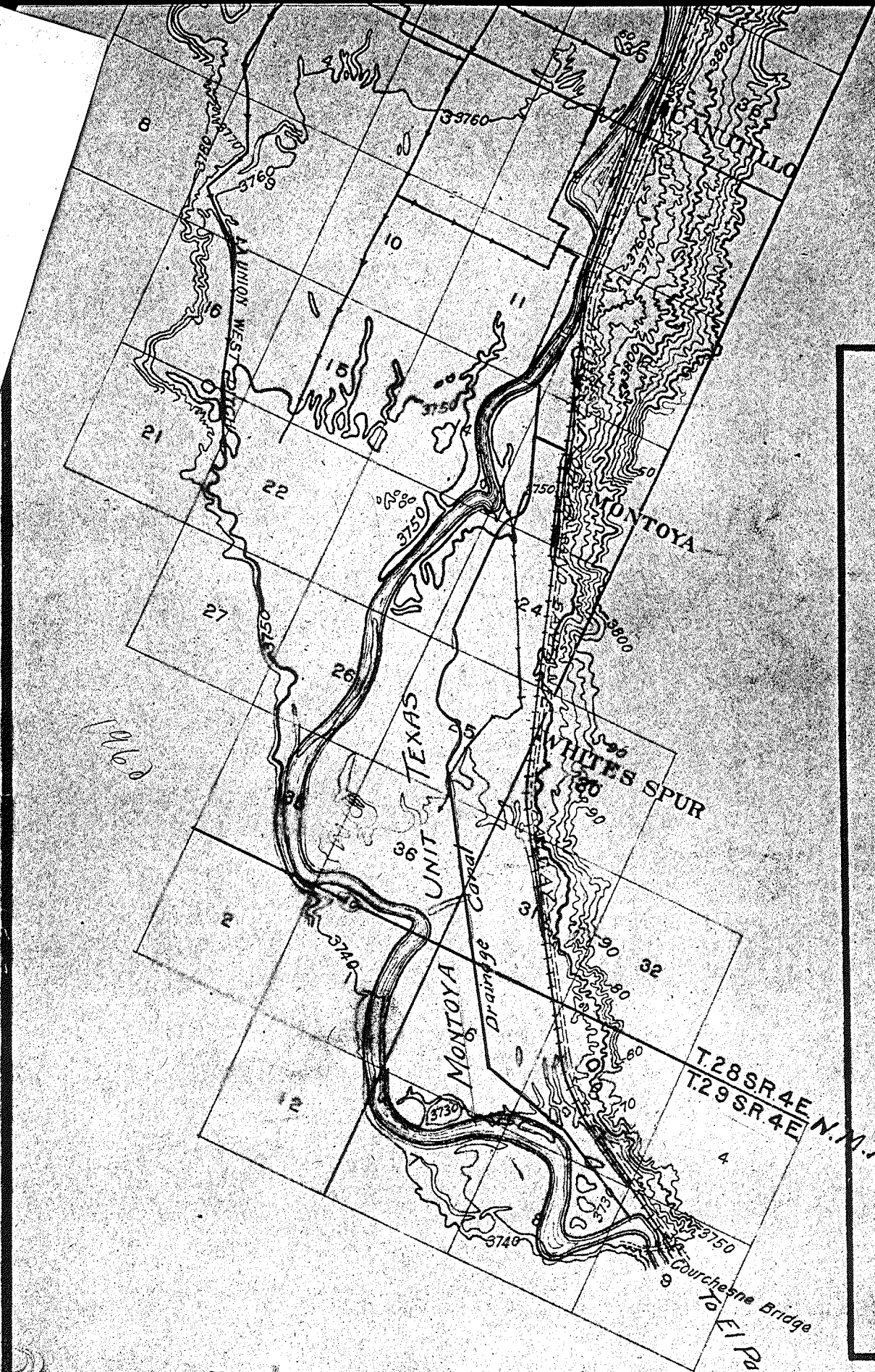
We will require a strip of land approx. 700 ft
wide from edge of present drain, on same
side of drain.



and such additional right-of-way, not exceeding seventy feet in width, on the west or river side of said main drain as now constructed and in existence as may, in the opinion of the proper representatives of the United States, be reasonably necessary for the enlargement, operation and maintenance of said drain.

*I never before have made mention
for above, 44 copy forward mention
omitted but it properly belongs
will indicate*

Passer



L. C. Hill, Supervising Engr. L. M. Lawson, Project Engr.
 Scale 1" = 1/4 Mile Los Cruces Dec. 8 - 1913.

MONTTOYA UNIT.
 El Paso County Water Improvement District No. 1
 RIO GRANDE PROJECT, N. M. TEXAS.
 El Paso Texas, Feb. 19th 1918.

T.28 SR.4E
 T.29 SR.4E
 T.30 SR.4E
 N.M.P.M.
 El Paso, Texas
 4 Miles



520.4
IN REPLY REFER TO:
Eng

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

RIO GRANDE PROJECT
211 U. S. COURT HOUSE
EL PASO, TEXAS

ADDRESS ALL COMMUNICATIONS
TO THE PROJECT MANAGER

April 5, 1954

Memorandum for the Files
(T. H. Moser)

Subject: Right-of-Way survey on Montoya Main Lateral, Montoya
"C" Lateral, and Montoya Drain in Block 2, El Paso Co.,
Texas

A survey was made on various dates in February and March and on April 1, 1954 by Jack Redman and party to establish the rights-of-way on Montoya Main Lat., Montoya "C" Lateral and Montoya Drain in Block 2, El Paso Co., Texas, to establish and monument our rights-of-way adjacent to the Marwood and Elanor Acres subdivision. The dimensions and bearings shown on the county plat were used wherever possible, and existing right-of-way markers were used whenever they could be located to the extent that it appeared they were reliable. The results of this survey are shown on Dwg. 23-503-5581.

The survey of right-of-way adjacent to Tract 9 was made first. The centerline of Birdway Road was established. The property corner at the intersection of Birdway and Montoya Main Lat. was set. The distance shown on the county plat was measured along Birdway and the county's bearings and distances were used along the east and west sides of Tract 9. This tract had previously been surveyed by Mr. Love of the Love Construction Co., and the corner at the intersection of Montoya "C" Lateral and Montoya Drain coincided with his stake. He had also set a pipe at the intersection of the centerline of Elanor Way and Montoya "C" Lateral. This point was accepted and the bearings and distances along Montoya "C" Lateral were laid out to meet these established points. Closure was computed on this tract with an error of closure of only 0.13 ft.

Next the south side of Montoya "C" Lateral was laid out. A 50 ft. offset on the west end of this line was used because a house was on the right-of-way. A bearing of $N12^{\circ}41'W$ was turned off, a computed distance of 232.3 ft. was measured, and an existing pipe corner marker was found. This corner was accepted as the original survey and used as the true corner.

Next the centerline of Frontera Road was established by running from a spike found in the highway to spikes found at Boy Scout Road and Gibson Road and other spikes along the centerline. It was believed that this firmly established the centerline of Frontera Road even though several pipes along the southern property line of Block 2 were at varying dimensions from this established centerline.

The west line of Montoya Main Lateral along Elanor Acres subdivision was laid out in the following manner. Bearing $S32^{\circ}30'E$ was extended south and the county's distance of 886.8' was measured to the P.I. An offset of 17.0 ft. measured parallel to Frontera Road was laid out since the view along the property line was obstructed. The corner at the intersection of Montoya Main Lateral and Frontera Road was set by measuring 60.24' from an existing pipe found on the east side of the lateral. A pipe was set in the line with the other pipes found along the north property line of Frontera Road. This pipe was 20.25' from the centerline of the road. A 17.0' offset was set parallel to the road. Setting up on this offset point and taking a backsight on the previously set offset point, the intersection with the centerline of Frontera Road was found. From this intersection, the angle was measured to determine the bearing of the offset line. Distances of 542.1 and 1202.0 were measured along the offset line conforming to the county's distances and beginning 20.0 from the centerline of the road. Corners were set at each of these POT's on the actual property line. The remaining distance was measured as 520.12'.

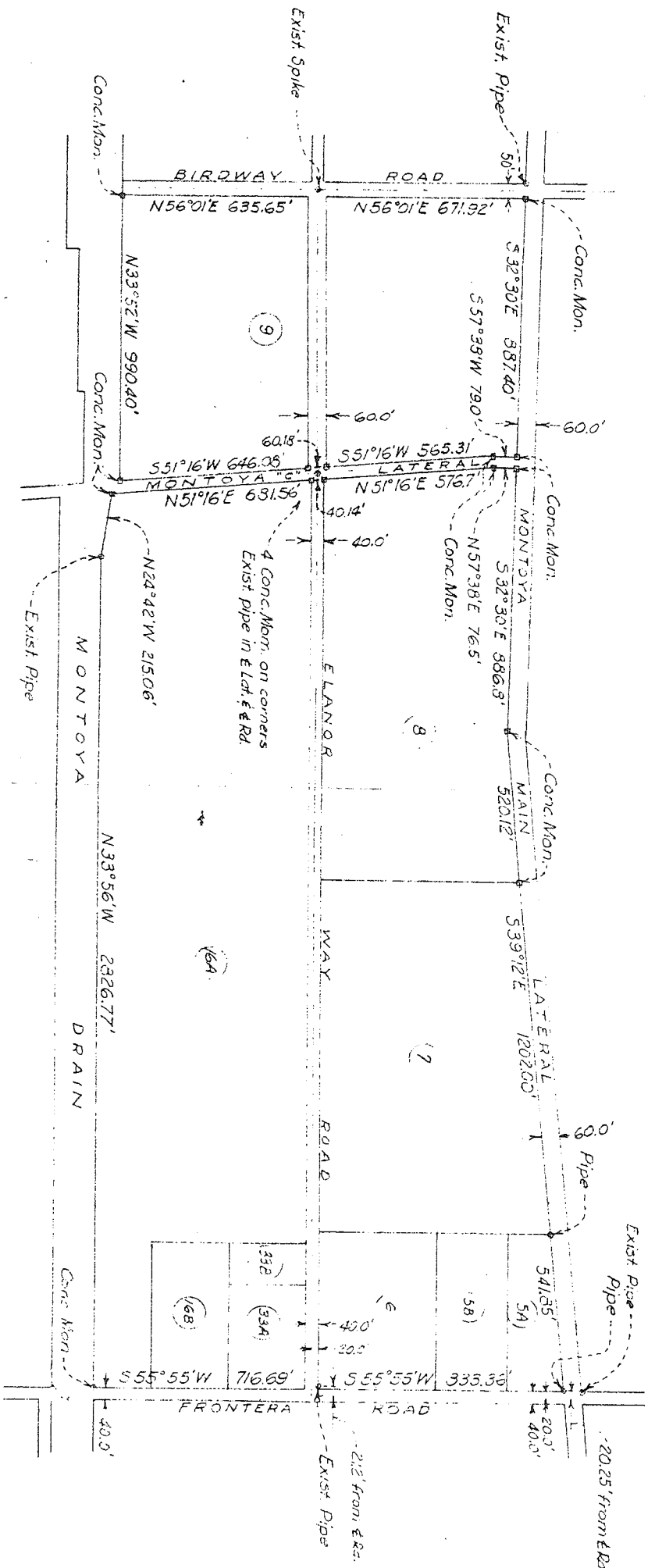
The property line intersection at Frontera Road and Montoya Drain was found by using the county's bearings for each line and wiggling in between previously established points. It was necessary to do this on a 15.0' offset along the drain because of buildings on the right-of-way. The total measured distance along Frontera Road was within 0.15' of the county's distance.

With all corners thus established, all angles were measured again making additive readings twice in an upright position and twice in an inverted position. The bearings were computed and rounded-off to the nearest minute so that the bearings on each side of Montoya "C" Lateral would agree. Closure was then computed and the error of closure was 1.12' or 1 in 8200. Angular closure checked.

All property corners along the west side of Montoya Main Lateral, both sides of Montoya "C" Lateral, and the east side of Montoya Drain in Block 2, El Paso County, Texas, were monumented as shown on Dwg. 23-503-5581.

T. H. Moser
T. H. Moser

BLOCK 2, EL PASO COUNTY, TEXAS



Surveyed by J. Redman & party, Bureau of Reclamation, April 1, 1954.
Pipes and spikes shown as existing were in place at time of survey.
All other right-of-way markers shown were set on this survey.

UNITED STATES	
DEPARTMENT OF THE INTERIOR	
BUREAU OF RECLAMATION	
RIO GRANDE DISTRICT - N. MEX. - TEXAS	
RIGHT OF WAY SKETCH	
MONTROYA LATERALS & DRAIN	
DRAWN: THM	SUBMITTED:
CHECKED:	APPROVED:
EL PASO 76-145	APR 2, 1954
	23-503-5591

COMPUTATION SHEET

1.20

70

52

1.26

GPO 82-80006

P.C. LOGS	P.I. BEARINGS	P.T. DISTANCE	TAN. N.	L.O.F.C. S.	RADIUS E.	D.O.F.C. W.	DEF.ANGLE D.M.D.	BEARING	
								Total Lat.	Total Dep.
								Northing	Southing

Closure around Elanor Acres subdivision after resetting corners on April 1, 1954.

56039810 82822338	555°55'W	1590.05		891.06		1316.92			
82968766 55822790	N33°56'W	2826.77	2345.34			1577.98			
90850818 41786707	N24°42'W	215.06	195.38			89.87			
62569659 78006652	N51°16'E	1298.4	812.40		1012.84				
53533549 84463951	N57°38'E	76.5	40.95		64.61				
84339145 53729961	S32°30'E	886.8		747.92	476.48				
77476061 63225470	S39°13'E	2264.22		1754.23	1431.56				
		9158.80	3394.07	3393.21	2985.49	2984.77			
				+0.86		+0.72			

Side of closure = $\sqrt{.86^2 + .72^2} = 1.12$

Error of closure = $\frac{1.12}{9158.80} = \frac{1}{8200}$

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE

OFFICE OF
DISTRICT COUNSEL

Los Angeles, Cal., Mch. 12, 1918.

Mr. P. W. Dent,
El Paso, Texas.

Dear Mr. Dent:

A telegram has just gone forward to you in answer to your telegram relative to the Montoya deed.

As I recall it, Mr. Zach White and another gentleman called with the deed in question and were referred to me. I found that the signatures had been placed under "Witnesses at Request of Grantors" leaving the proper lines for signing blank, but for some reason, probably because of the acknowledgment, I decided that the words quoted above, might be erased and the blanks opposite the names used for writing in the credits requested for the several grantors.

As I was not sure that the conditions in the deed covered the allowance of the certain credits suggested and requested by Mr. White and the other gentleman whose name I do not recall (they had a list with them of what amounts were still owing from two or three of the ditch-owners for the original construction which I understood had been paid by Mr. White and others, and which they were now asking full credit) I advised Mr. White to take up the matter with you or Mr. Lawson, as I was leaving and Mr. Harvey had not handled the matter at all.

I cannot recall anything further than this, and if the deed was left with me, it should be or should have been, in the basket on the desk by the window where the cards were filed, or I may have inadvertently placed it in the Montoya Unit folder, which, however, I do not think was the case.

Being very much wornout the last few days I was in El Paso, the new matters coming up at the last moment (like this one) in all their details, were not so well impressed on my mind, and it was only with great effort that I could recall what I have written. However, the impression remains that the matter was to be taken up with you and I cannot remember placing the deed in the files or handling it later. Please look carefully thru all the cases Mr. Peery is handling,

those which I took out for him and of which I spoke to him. It is possible ~~that~~ in handling so many papers, while scattering my mind out over so many points, that I placed the deed in question in one of those particular folders.

I would also suggest that Miss Keck or Mr. Lawson be interviewed, for it occurs to me that Mr. White may have called on Mr. Lawson in regard to the matter.

I am getting along very nicely with entirely new gleams of the Reclamation Service. Mr. Morton has discovered that I am not an expert stenographer, but is quite agreeable nevertheless. I understand that I am to be here only two months.

We have had some of the most delicious rainy weather since my arrival, and I can assure you that the moisture feels good.

With best wishes and hoping that that deed will show up just in the nick of time, and that the work will go on better than ever, I am,

Yours very truly,

Regards to Mrs. Dent.

Alice B. Peuss

The copy to be retained by official sender's telegram.

7-23-18 (MAY 1918)

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE

MEMORANDUM
DENVER OFFICE
El Paso
Commodity

Western Union

District Counsel

Receiver's No.

Time Filed

PAID

WORDS
DAY MONTH

Godfather

Francis, Reclamation, Los Angeles, California.

El Paso, Texas, March 13, 1918.

Do you remember delivery this executed deed and if so what disposition did you make Cannot find same in office file reply

Dent

CLASS OF SERVICE SYMBOL	
Day Message	
Day Letter	Blue
Night Message	Red
Night Letter	N.L.

If sender of third class messages does not see the check (mark) on the check (mark) after the check (mark) is made, it is a day message. Other messages are indicated by the symbol appearing after the check.

WESTERN UNION TELEGRAM



NEWCOMB CARLTON, PRESIDENT

GEORGE W. E. ATKINS, FIRST VICE-PRESIDENT

CLASS OF SERVICE SYMBOL	
Day Message	
Day Letter	Blue
Night Message	Red
Night Letter	N.L.

If sender of third class messages does not see the check (mark) on the check (mark) after the check (mark) is made, it is a day message. Other messages are indicated by the symbol appearing after the check.

RECEIVED AT 107 NORTH OREGON STREET, EL PASO, TEXAS, ALWAYS OPEN

A290GS 41 GOVT

9

WH LOSANGELES CALIF 108P 12

DENT RECLAMATION

506

ELPASO TEX

1918 MAR 12 PM 2 22

DO NOT RECALL THAT ZACH WHITE LEFT DEED FROM MONTROYA OWNERS WITH ME
 ADVISED HIM TAKE UP WATER OF CREDITS WITH YOU IF DEED WAS
 LEFT SHOULD BE IN BASKET OR MONTROYA FOLDER SEE LETTER FOLLOWING
 PREUSS.

QUIT-CLAIM DEED

THE STATE OF TEXAS)
County of El Paso)

KNOW ALL MEN BY THESE PRESENTS: That we,

tenants in common in the ownership of the property hereinafter described, of the County of El Paso, State of Texas, for and in consideration of the sum of One Dollar and other valuable considerations to us in hand paid by the UNITED STATES OF AMERICA, pursuant to the Act of Congress approved June 17, 1902(32 Stat., 388), the receipt whereof is hereby acknowledged, do by these presents bargain, sell, release and forever quit-claim unto the UNITED STATES OF AMERICA, its successors and assigns all their right, title and interest in and unto those certain drainage canals heretofore constructed and now in existence in the County of El Paso and State of Texas more particularly delineated and shown in red on map hereto attached and hereby made a part hereof, together with all appurtenances and structures thereunto belonging or in any wise appertaining. *(warranty)*

This deed is executed pursuant to a resolution of the Board of Directors of the El Paso County Water Improvement District No.1, passed at a meeting duly called.

and held in the office of said district in the Mills Building, in the City of El Paso, Texas, at 10 A. M. January 16, 1918, at which there was a quorum present, said resolution reading as follows: D. 1918.

"BE IT RESOLVED that the Board of Directors of the El Paso County Water Improvement District No.1 hereby approve the construction of the Montoya unit at a charge not to exceed Eighty Thousand Dollars (\$80, 000) with construction charges the same as for the balance of the project - except that credit on future payments be allowed on the value of the drains already constructed approximately equivalent to their cost."

It is a condition of this deed that in fixing the charges for irrigation and drainage works constructed by the United States, for the use and benefit of the said El Paso County Water Improvement District No.1 appropriate credits shall be allowed, at the proper time and in the manner most feasible, to the grantors herein for the approximate cost to the said grantors of the drainage canals hereby conveyed, said credits to be apportioned among the various grantors herein in accordance with their respective interests as they may be made to appear to the officials charged by law with the assessment and levy of charges against the land owners within said improvement district.

TO HAVE AND TO HOLD all their right, title, interest, estate and claim in and to the said drainage canals, together with all and singular, the rights, privileges and appurtenances to the same in any manner belonging, unto the said United States its successors and assigns forever.

THE STATE OF TEXAS |
County of El Paso |

Before me, _____ in and
for El Paso County, Texas, on this day personally appeared _____

known to me to be the person _____ whose name _____ subscribed to
the foregoing instrument, and acknowledged to me that _____ execut-
ed the same for the purposes and consideration therein expressed.
Given under my hand and seal of office, this _____ day
of _____, A. D. 1918.

THE STATE OF _____ |
County of _____ |

Before me, _____ in and
for _____ County, _____, on this day person-
ally appeared _____

known to me to be the person _____ whose name _____ subscribed to
the foregoing instrument, and acknowledged to me that _____
executed the same for the purposes and consideration therein
expressed.
Given under my hand and seal of office, this _____ day
of _____, A. D. 1918.

THE STATE OF _____
County of _____

Before me, _____ in and
for _____ County, _____, on this day person-
ally appeared _____

known to me to be the person whose name _____ subscribed to
the foregoing instrument, and acknowledged to me that _____
executed the same for the purposes and consideration therein
expressed.

Given under my hand and seal of office, this _____ day
of _____, A. D. 1918.

THE STATE OF _____
County of _____

Before me, _____ in and
for _____ County, _____, on this day person-
ally appeared _____

known to me to be the person whose name _____ subscribed to
the foregoing instrument, and acknowledged to me that _____
executed the same for the purposes and consideration therein
expressed.

Given under my hand and seal of office, this _____ day
of _____, A. D. 1918.

THE STATE OF _____
County of _____

Before me, _____ in and
for _____ County, _____, on this day person-
ally appeared _____

known to me to be the person whose name _____ subscribed to
the foregoing instrument, and acknowledged to me that _____
executed the same for the purposes and consideration therein
expressed.

Given under my hand and seal of office, this _____ day
of _____, A. D. 1918.
