

780

HORNITZ, L. M. et. ux Sadie

QUITCLAIM DEED

150

NEMEXAS NO. ")

0023-0017-00

781

QUITCLAIM DEED

(L.)

enture, made the Twentieth day of December, in the year of our Lord, one
hundred and thirty nine, between L. M. Horwitz and
Horwitz, his wife

of the first part, and the United States of America, party of the second part, in pursuance of the
of the act of June 17, 1902 (32 Stat. 368), and acts amendatory thereof and supplementary thereto.
That the parties of the first part, for and in consideration of the allowance of credits in
of Forty two and no/100 Dollars (\$ 42.00) upon the construction

charge assessments of the Elephant Butte Irrigation District against lands of the said part 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
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 North-
west quarter (NW $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of Section seven (7) Township twenty-six
(26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey; being also
within Private Claim No. 37, Tract 1 and in tract numbered 1643 as shown on Dona Ana
County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point on the south property line of the land of the grantors and
from which point the South quarter (S $\frac{1}{4}$) corner of Section seven (7) Township twenty-six
(26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey bears South
twenty-seven degrees (27°) fifty-two minutes (52') fourteen seconds (14") West one
thousand six hundred fifty-eight and seven tenths (1658.7) feet; thence North forty-two
degrees (42°) thirty-four minutes (34') West forty-two and seven tenths (42.7) feet;
thence to the left along a five hundred seventeen and ninety-six hundredths (517.96) feet
radius curve a distance on the arc of two hundred eighty and two tenths (280.2) feet;
thence North seventy-three degrees (73°) thirty-four minutes (34') West nine (9) feet;
thence North sixteen degrees (16°) twenty-six minutes (26') East one hundred twenty-five
(125) feet to a point from which the East quarter (E $\frac{1}{4}$) corner of Section seven (7) Town-
ship twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey
bears North sixty-seven degrees (67°) four minutes (04') East two thousand two hundred
forty-four and seven tenths (2244.7) feet; thence South seventy-three degrees (73°)
thirty-four minutes (34') East nine (9) feet; thence to the right along a six hundred
forty-two and ninety-six hundredths (642.96) feet radius curve a distance on the arc
of three hundred forty-seven and nine tenths (347.9) feet; thence South forty-two degrees
(42°) thirty-four minutes (34') East one hundred fifty-two (152) feet to the south
property line of the land of the grantors; thence along said south property line South
eighty-eight degrees (88°) thirty-six minutes (36') West one hundred sixty-six (166)
feet to the point of beginning. Said tract of land containing one and two tenths (1.2)
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 part 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—

L. M. Horwitz (L. S.)
Sadie Horwitz (L. S.)
..... (L. S.)

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

On this 20th day of December, 1939, before me persons

L. M. Horwitz & Sadie Horwitz, his wife
to me known to be the person(s) described in and who executed the foregoing instrument, and acknow
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
certificate first above written.

My commission expires My Commission Expires April 7, 1940 Notary Public in and for Dona Ana

PARTIAL RELEASE OF LIEN

Know all men by these presents, That the undersigned owner (s) and holder (s) of that certain
Mortgage dated January 1st 1935, and recorded at Page 421,
or other lien) Mortgage Records of Dona Ana County, New Mexico, has

do hereby release the said mortgage insofar as the same pertains to
(Mortgage or other lien) or tract of land described in the above and foregoing quitclaim deed, and authorize said lien to be repudiated
satisfied of record to that extent, provided, however, that said mortgage shall in
(Mortgage or other lien) respects remain in full force and effect.

Witness (my, our) hand (s) and seal (s) this 13th day of May, 1940

ATTEST:

THE FEDERAL LAND BANK OF WICHITA, Wichita, Kansas,
a corporation.

J. A. Carrico, Assistant Secretary
STATE OF ~~NEW MEXICO~~
COUNTY OF ~~DONA ANA~~

By G. R. Kurt, Vice President

STATE OF ~~NEW MEXICO~~
COUNTY OF ~~DONA ANA~~
SEDGWICK } SS:

On this 13th day of May, 1940, before me appeared C. R. Kurt
to me personally known, who being by me duly sworn did say that he is the Vice President
of The Federal Land Bank of Wichita, Wichita, Kansas, a corporation,
(Such as president or other officer)
(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 a authority of its board of directors and said
C. R. Kurt acknowledges said instrument to be the free act and deed of said corporation.

My commission expires November 23, 1940

Jessie Porter
Notary Public in and for ~~Dona Ana~~ County,
Sedgwick

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 cer-
tificate 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 JUN 24 1940
day of.....
A. D. 19....., at 12 o'clock, 9 a.m., and duly recorded in Book 85-0, Page 332, of the
Records of Deeds and Mortgages of said County.

M. J. Chavez
County Clerk and Ex-Officio Recorder.
J. B. Lopez
Deputy.

PARTIAL RELEASE OF LIEN

Know all men by these presents, That the undersigned owner (s) and holder (s) of that certain.....

Mortgage..... dated January 1st..... 19.35., and recorded at Page. 477., Book. 52., (Mortgage or other lien)

Mortgage..... Records of Dona Ana County, New Mexico, has... released and do... hereby release the said..... mortgage..... 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..... shall in all other

respects remain in full force and effect. (Mortgage or other lien)

Witness (my, our) hand (s) and seal (s) this.. 13th.... day of..... May..... 1940..

ATTEST:

J.A. Garrico, Assistant Secretary

FEDERAL FARM MORTGAGE CORPORATION, a corporation, and LAND BANK COMMISSIONER, acting pursuant to Part 3 of the Emergency Farm Mortgage Act of 1933, as amended. By THE FEDERAL LAND BANK OF WICHITA, Wichita, Kansas, a corporation, their Agent and Attorney-in-Fact.

KANSAS STATE OF SEDGWICK COUNTY OF } SS:

By C. R. Kurt, Vice President

On Before me, the undersigned, a Notary Public in and for said County and State, on this 13th day of May, 1940, personally appeared C. R. Kurt, Vice President, to me personally known and known to me to be the identical person who, as Vice-President of said Bank, subscribed the names of The Federal Land Bank of Wichita, Wichita, Kansas, a corporation (as Agent and Attorney-in-Fact), the Federal Farm Mortgage Corporation, a corporation, and the Land Bank Commissioner, acting pursuant to Part 3 of the Emergency Farm Mortgage Act of 1933, as amended, to the foregoing instrument; and he, being by me duly sworn, did say that he is such officer, and that the seal affixed to such instrument is the corporate seal of said Bank, and that the same was signed and sealed in behalf of said Bank, as Agent and Attorney-in-Fact for said Corporation and said Commissioner, and was signed in behalf of said Corporation and said Commissioner by said Bank, as Agent and Attorney-in-Fact therefor, all by authority of the Board of Directors of said Bank; and he acknowledged to me that the foregoing instrument was executed by him, as his free and voluntary act and deed and as the several free and voluntary acts and deeds of said Bank (as agent and Attorney-in-Fact), said Corporation and said Commissioner, all for the uses and purposes set forth and specified therein.

WITNESS my hand and seal, the day and year last above written.

On this day of 19..... I here personally appeared.....

[Signature] Notary Public

My Commission expires November 23, 1940

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.

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.....

demise, release, and forever quitclaim unto the said party of the second part, and to its successors and assigns, all
th 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:

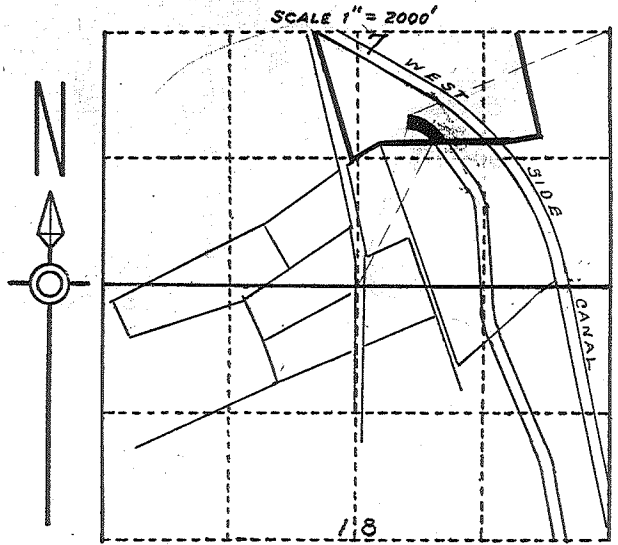
A tract of land lying and situate in Dona Ana County, New Mexico, and in the North-
west quarter (NW $\frac{1}{4}$) of the Southeast quarter (SE $\frac{1}{4}$) of Section seven (7) Township twenty-six
(26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey; being also
within Private Claim No. 57, Tract 1 and in tract numbered 1645 as shown on Dona Ana
County, New Mexico, Plat Book; more particularly described as follows:

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

Beginning at a point on the south property line of the land of the grantors and
from which point the South quarter (S $\frac{1}{4}$) corner of Section seven (7) Township twenty-six
(26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey bears South
twenty-seven degrees (27°) fifty-two minutes (52') fourteen seconds (14") West one
thousand six hundred fifty-eight and seven tenths (1658.7) feet; thence North forty-two
degrees (42°) thirty-four minutes (34') West forty-two and seven tenths (42.7) feet;
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radius curve a distance on the arc of two hundred eighty and two tenths (280.2) feet;
thence North seventy-three degrees (73°) thirty-four minutes (34') West nine (9) feet;
thence North sixteen degrees (16°) twenty-six minutes (26') East one hundred twenty-five
(125) feet to a point from which the East quarter (E $\frac{1}{4}$) corner of Section seven (7) Town-
ship twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey
bears North sixty-seven degrees (67°) four minutes (04') East two thousand two hundred
forty-four and seven tenths (2244.7) feet; thence South seventy-three degrees (73°)
thirty-four minutes (34') East nine (9) feet; thence to the right along a six hundred
forty-two and ninety-six hundredths (642.96) feet radius curve a distance on the arc
of three hundred forty-seven and nine tenths (347.9) feet; thence South forty-two degrees
(42°) thirty-four minutes (34') East one hundred fifty-two (152) feet to the south
property line of the land of the grantors; thence along said south property line South
eighty-eight degrees (88°) thirty-six minutes (36') West one hundred sixty-six (166)
feet to the point of beginning. Said tract of land containing one and two tenths (1.2)
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-
and reversions, remainder and remainders, rents, issues, and profits there-
of.

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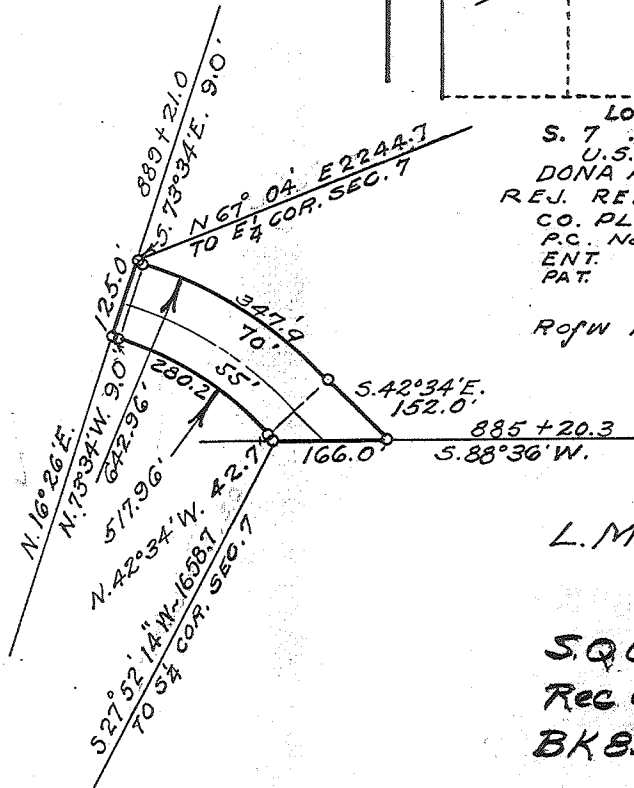


SCALE 1" = 2000'

LOCATION PLAT
 S. 7, T. 265, R. 3E, N.M.P.M.
 U.S.R.S. SURVEY
 DONA ANA COUNTY, N.M.
 REJ. REFUGIO COLONY GRANT
 CO. PLAT NO. 1643
 P.C. No. 37 Tr. 1 Pt.
 ENT. 10-12-14
 PAT. 9-1-15

Rofw 1.2 ACRES

PI = 887 + 70.0
 Δ = 31°
 D = 10°
 T = 158.9'
 L = 310
 C = ON ARC.



L. M. Horwitz

S.O.C.D. 12/20/39
 Rec 6/24/40
 BK 85D Pg 232

stat

Constructed: July 1926.

SCALE 1" = 300' 20

Revised, Dec. 1936 J.R.R.	DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION RIO GRANDE PROJECT-NEW MEXICO-TEXAS ELEPHANT BUTTE DISTRICT NEMEXAS DRAIN RIGHT OF WAY	
	FIELD WORK	J.R. CHECKED
	DRAWN	S.H.C. A.M. APPROVED A.W.R.
	1108-L-17	EL PASO, TEX. 1/31

24-15

430.-

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

RIO GRANDE
TRANSFER CL

El Paso, Texas

June 10, 1940

From Superintendent

To District Counsel

Subject: Acquisition of land utilized for drains. Deed under contract dated December 20, 1929, ^{and contract of August 30, 1939} between the Elephant Butte Irrigation District and the United States - Rio Grande Project.

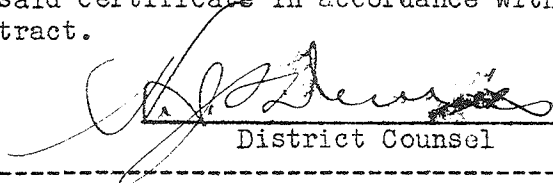
1. For your consideration, there is transmitted herewith, deed dated December 20, 1939, from L. M. Horwitz, et ux conveying 1.20 acres of land, in Sec. 7, Twp. 26 S, Range 3 E Dona Ana County, Plat No. 1643, Right of Way Plat No. 20, Nemexas Drain, together with certificate of officials of the Elephant Butte Irrigation District dated May 31, 1940, 1939, under the provisions of contract dated December 20, 1929, between said District and the United States.


Superintendent

To Superintendent

El Paso, Texas, JUN 11 1940

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

To The Commissioner

El Paso, Texas, OCT 29 1940

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 enclosure

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

May 31, 1940CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from L. M. Horwitz and Sadie Horwitz, his wife conveying 1.20 acres of land in Section 7, Township 24 26 South, 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 \$42.00, 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:

Walter L. Luce
Secretary

(SEAL)