

780 KLENLE, MILLER, EVA R. et. ux.

QUITCLAIM DEED

180 NEMEXAS DRAIN NO. 3D

0023-0063-0008-00

30-9, 1013  
504

QUITCLAIM DEED

THIS INDENTURE, made the 7<sup>th</sup> day of September, in the year of our Lord, one thousand nine hundred and thirty nine, between Eva R. Miller Kienle and Walter F. Kienle, her husband and R. J. Channell, Ancillary Administrator with the Will Annexed of the Estate of R. C. Bailey, Deceased 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 first of the first part, for and in consideration of the allowance of credits in the sum of Two hundred thirty one & 1/100 Dollars (\$ 231.00 ) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said part first 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 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 North-west quarter Southeast quarter (NW 1/4 SE 1/4) Section sixteen (16), Township twenty-seven (27) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey; being also within the Refuge Colony Grant and tract numbered 1945 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 Southeast Corner Section sixteen (16), Township twenty-seven (27) South, Range three (3) East, N.M.P.M. bears South forty-five degrees (45°) forty-five minutes (45°) thirty-four seconds (34") East, two thousand no hundred sixty-three and three tenths (2063.3) feet; thence North eighty-nine degrees (89°) forty-nine minutes (49") West, along said south property line, one hundred twenty-six and seven tenths (126.7) feet; thence North nine degrees (9°) eleven minutes (11") West, one thousand two hundred sixty-six and five tenths (1266.5) feet to a point on the northerly property line of the land of the grantors from which point the Southwest Corner Section sixteen (16), Township twenty-seven (27) South, Range three (3) East, N.M.P.M., bears South fifty-two degrees (52°) nine minutes (9") thirty seconds (30") West, four thousand and three hundred eighty-five and one tenth (4385.1) feet; thence along said northerly property line, South thirty degrees (30°) six minutes (6") East, one hundred fifty-four and one tenth (154.1) feet and South forty-six degrees (46°) seventeen minutes (17") East, one hundred sixteen and no tenths (116.0) feet; thence South nine degrees (9°) eleven minutes (11") East, one thousand no hundred fifty and seven tenths (150.7) feet to the place of beginning. Said tract containing three and three tenths (3.3) acres, more or less. All as shown on plat attached hereto and made a part hereof.

Correct as to Engr. Data E.M.M.

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.

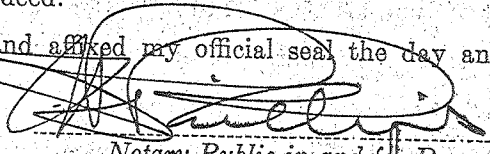
To Have and to Hold, all and singular the said premises, together with all the appurtenances, unto the said party of the second part, and unto its successors and assigns, forever.

IN WITNESS WHEREOF, The said part first of the first part has hereunto set their hands and seals the day and year first above written.  
Signed, sealed, and delivered in the presence of—  
Eva R. Miller Kienle [L. S.]  
Walter F. Kienle [L. S.]  
R. J. Channell [L. S.]  
Ancillary Administrator with the Will Annexed of the Estate of R. C. Bailey, Deceased.

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

On this 7th day of Sept, 1939, before me personally appeared Eva R Miller & Walter J Miller, her husband to me known to be the person <sup>s</sup> 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.



My commission expires My Commission Expires April 7, 1940

Notary Public in and for Dona Ana County.

**PARTIAL RELEASE OF LIEN**

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain \_\_\_\_\_ dated \_\_\_\_\_, 19\_\_\_\_, and recorded at Page \_\_\_\_\_, Book \_\_\_\_\_, Records of Dona Ana County, New Mexico, ha \_\_\_\_\_ 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.

WITNESS (my, our) hand(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

TEXAS  
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 \_\_\_\_\_ of \_\_\_\_\_ 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.

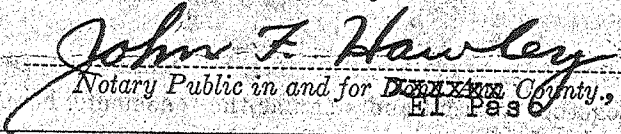
My commission expires \_\_\_\_\_

Notary Public in and for Dona Ana County.

TEXAS  
STATE OF ~~NEW MEXICO~~ }  
COUNTY OF ~~DONA ANA~~ } ss:

On this 23rd day of February, 1940, before me personally appeared R.J. Channell, Ancillary Administrator with the Will Annexed of the Estate of R. C. Bailey, Deceased, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed, and in the capacity therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



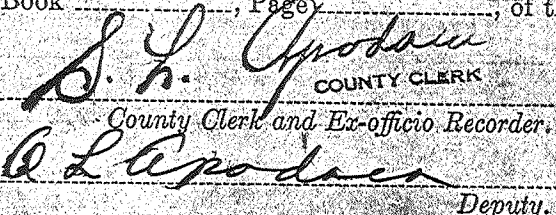
My commission expires May 31, 1941

Notary Public in and for Dona Ana County, Texas  
El Paso

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

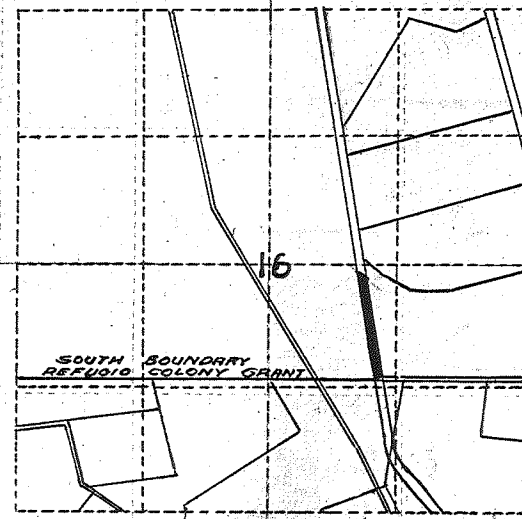
I hereby certify that this instrument was filed for record on the \_\_\_\_\_ day of \_\_\_\_\_ A. D. 19\_\_\_\_, at 10:40 o'clock, A.m., and duly recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, of the Records of Deeds and Mortgages of said County.

APR 13 1940



COUNTY CLERK  
County Clerk and Ex-officio Recorder.  
Q. L. Apodaca  
Deputy.

SCALE: 1" = 2000'

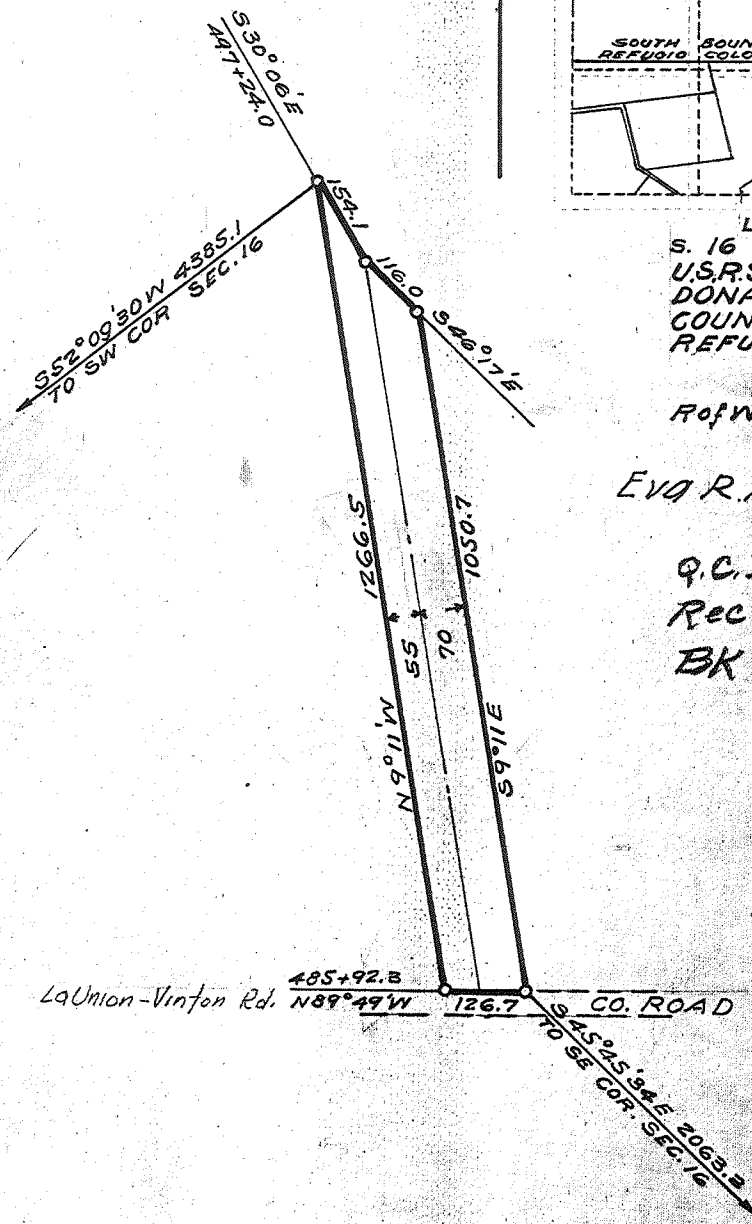


LOCATION PLAT  
S. 16 .. T. 275 .. R. 3E .. N.M.P.M.  
U.S.R.S SURVEY  
DONA ANA COUNTY N.MEX.  
COUNTY PLAT NO. 1948  
REFUGIO COLONY GRANT

RoFW 3.3 ACRES.

*Eva R. Miller Kientle*

Q.C.D. 9/7/39  
Rec 4/13/40  
BK 85D Pg 206



La Union-Vinton Rd. N 89° 49' W 485+92.3 CO. ROAD

SCALE: 1" = 300'

DEPARTMENT OF THE INTERIOR. UNITED STATES RECLAMATION SERVICE. RIO GRANDE PROJECT- NEW MEXICO-Texas MESILLA VALLEY DRAINAGE NEMEXAS DRAIN RIGHT OF WAY	
FIELD WORK: <i>MITHEN</i>	CHECKED: <i>G.W.H.</i>
DRAWN: <i>Zell</i>	APPROVED: .....
110817	EL PASO, TEX.

Constructed: Feb. & Mar. 1919.

*3D*

*OK J. H. 30-12-41B*

430.-

DEPARTMENT OF THE INTERIOR  
Bureau of Reclamation

RIO GRANDE

El Paso, Texas April 3, 1940

From Superintendent

TRANSFER CASE

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 Sept. 7 19 39, from Eva R. Miller Kienle & Walter F. her conveying 3.3 acres of land in Sec. 16 Twp. 27 S., Rng. 3 E. husband Dona Ana County, Plat No. 1948, Right of Way Plat No. 3D, Nemexas Drain, together with certificate of officials of the Elephant Butte Irrigation District dated March 22, 19 40, under the provisions of contract dated December 20, 1929, between said District and the United States.

L R Ploch  
Superintendent

To Superintendent

El Paso, Texas APR 8 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.

H. J. Dennis  
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.

L R Ploch  
Superintendent

cc- Chief Engineer  
with enclosure

## ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

March 22, 1940CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Eva R. Miller Kienle and Walter F. Kienle, her husband conveying 3.3 acres of land in Section 16, Township 27 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 \$ 231.00, 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 Arthur Starr  
President

ATTEST:

Joseph P. Reese  
Secretary

(SEAL)