

180 MENDEZ, FRANCISCO E. et. ux. Amalia O.

QUITCLAIM DEED

USDA NEMEXAS DRAIN NO. 4C

0023-0061-0026-00

781

QUITCLAIM DEED

THIS INDENTURE, made the 22nd day of December, in the year of our Lord, one thousand nine hundred and thirty-seven, between Francisco E. Mendez and Amalia O. Mendez, his wife

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 Seventy and no/100 Dollars (\$ 70.00) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said part 1st 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 the 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 half South half (N $\frac{1}{2}$ S $\frac{1}{2}$) Section nine (9), Township twenty-seven (27) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey; being also within the Refugio Colony Grant and tract numbered 1931 as shown on Dona Ana County, New Mexico Plat Book; more particularly described as follows:

Beginning at a point on the southerly property line of the land of the grantors and from which point the Southeast Corner Section nine (9), Township twenty-seven (27) South, Range three (3) East, N.M.P.M. bears South forty-seven degrees (47°) fifty-seven minutes (57') six seconds (06") East three thousand three hundred three and five tenths (3303.5) feet; thence South eighty-two degrees (82°) nine minutes (09') West, along said southerly property line one hundred twenty-five and no tenths (125.0) feet; thence North nine degrees (9°) eleven minutes (11') West three hundred seventy-six and no tenths (376.0) feet to a point on the northerly property line of the land of the grantors, from which point the South quarter (S $\frac{1}{4}$) Corner Section nine (9), Township twenty-seven (27) South, Range three (3) East, N.M.P.M. bears South no degrees (0°) four minutes (04') twenty-five seconds (25") East two thousand five hundred sixty-six and six tenths (2566.6) feet; thence North eighty-three degrees (83°) twenty-nine minutes (29') East, along said northerly property line one hundred twenty-five and one tenth (125.1) feet; thence South nine degrees (9°) eleven minutes (11') East three hundred seventy-three and one tenth (373.1) feet to the place of beginning. Said tract containing one (1.) acre, 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 1st of the first part ha vs hereunto set their hand and seal the day and year first above written.

Signed, sealed, and delivered in the presence of—

Francisco E. Mendez

Amalia O. Mendez

[L. S.]

[L. S.]

[L. S.]

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

On this 22 day of December, 1937, before me personally appeared Francisco E. Mendez and Amalia O. Mendez, his wife

to me known to be the person^s 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.

N. B. Phillips

Notary Public in and for Dona Ana County.

My commission expires April 7, 1940

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain mortgage dated March 17, 1938, and recorded at Page 255, Book 57 (Mortgage or other lien) Records of Dona Ana County, New Mexico, ha released and do ss hereby release the said mortgage (Mortgage or other lien) 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 (Mortgage or other lien) shall in all other respects remain in full force and effect.

WITNESS (my; our) hand(s) and seal(s) this 22nd day of March, 1938

W. B. Clark

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 22nd day of March, 1938, before me personally appeared W. B. Clark

to me known to be the person described in and who executed the foregoing quitclaim Deed and acknowledged that he executed the same as his (Quitclaim deed or partial release of lien) 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.

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

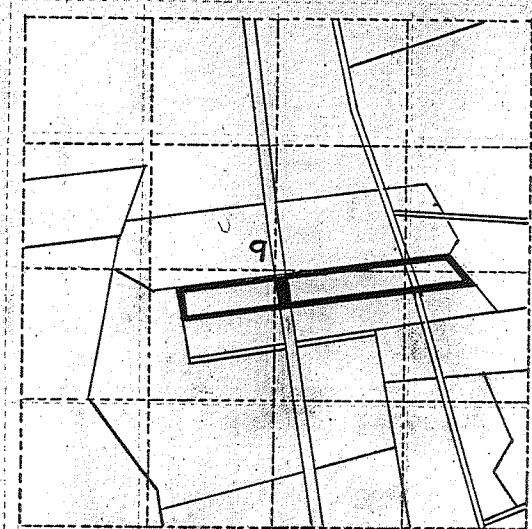
My commission expires June 1, 1939

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

I hereby certify that this instrument was filed for record on the 28 day of June A. D. 1938, at 7 o'clock, A. m., and duly recorded in Book 85-C, Page 322, of the Records of Deeds and Mortgages of said County.

S. L. Apodaca
County Clerk and Ex-officio Recorder.
F. C. Lopez
Deputy.

SCALE: 1" = 2000'



LOCATION PLAT
S. 9 .. T. 27S .. R. 3E .. N.M.P.M.
U.S.R.S. SURVEY
DONA ANA COUNTY N.MEX.
REFUGIO COLONY GRANT
COUNTY PLAT NO. 1931

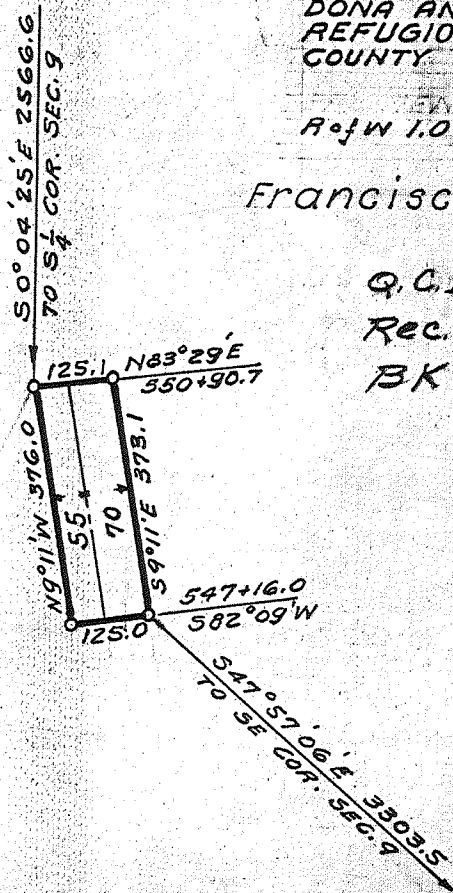
R.O.W 1.0 ACRE

Francisco Mendez

Q.C.D. 12/22/38

Rec. 6/28/39

BK 85C Pg 322



SCALE: 1" = 300'

AC

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE
RIO GRANDE PROJECT- NEW MEXICO-TEXAS
MESILLA VALLEY DRAINAGE
NEMEXAS DRAIN
RIGHT OF WAY

FIELD WORK: F.G.S. CHECKED: G.W.H.

DRAWN: [Signature] APPROVED: [Signature]

1108-L-17 EL PASO, TEX., 12/31

Constructed: March 1919

8/6 J. [Signature]
11/14/31

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas June 15, 1938

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 December 22, 1938 from Francisco E. Mendez & Amalia O. Mendez conveying 1.0 acres of land, in Sec. 9, Twp. 27 S, Range 3 E Dona Ana County, Plat No. 1931, Right of Way Plat No. 4 C, Nemexas Drain, together with certificate of officials of the Elephant Butte Irrigation District dated May 31, 1938, under the provisions of contract dated December 20, 1929, between said District and the United States.

L R Flock
Superintendent

To Superintendent

El Paso, Texas, _____

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 S Devries

District Counsel

To The Commissioner

El Paso, Texas, AUG 23 1938

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 Flock
Superintendent

CC - Chief Engineer
with enclosure

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico
May 31, 1938

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from
Francisco E. Mendes and Analia O. Mendes

conveying 1.0 acres of land in Section 9, 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 \$ 70.00,
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 L. Lueders
Secretary
(SEAL)