

190 PERRY, A. E., Jr et. ux. Jean C.

QUITCLAIM DEED (1970) NEMTEXAS DRAIN NO. 5b

0023-0061-0023-00

QUITCLAIM DEED

This Indenture, made the 7th day of March, in the year of our Lord, one thousand nine hundred and thirty-eight, between A. E. Pettit, Jr., and Jean C. Pettit, his wife parties 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. 369), and acts amendatory thereof and supplementary thereto.

WITNESSETH: That the parties of the first part, for and in consideration of the allowance of credits in the sum of Three Hundred ninety-nine and no/100 Dollars (\$399.00) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said parties 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 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 Southwest quarter (SW¹/₄) Section four (4) and North half (N¹/₂) 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 1907 as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point on the northerly property line of the land of the grantors and from which point the Northwest Corner Section four (4), Township twenty-seven (27) South, Range three (3) East, N.M.P.M., bears North twenty-seven degrees (27°) thirty-eight minutes (38') West four thousand four hundred fifty-seven and seven tenths (4457.7) feet; thence North eighty-five degrees (85°) two minutes (02') East along said Northerly property line, one hundred sixty-four and five tenths (164.5) feet to a point, the Northeast corner of the land of the grantors; thence South six degrees (6°) thirty-one minutes (31') East, along the easterly property line of the land of the grantors, three thousand three hundred thirty-one and six tenths (3331.6) feet to a point, the southeast corner of the land of the grantors; thence South eighty-three degrees (83°) twenty-nine minutes (29') West, along the southerly property line of the land of the grantors, sixty-five and no tenths (65.0) feet to a point from which the Northwest Corner Section nine (9), Township twenty-seven (27) South, Range three (3) East, N.M.P.M., bears North fifty-one degrees (51°) fifty-eight minutes (58') ten seconds (10") West three thousand two hundred three and eight tenths (3203.8) feet; thence North six degrees (6°) thirty-one minutes (31') West two thousand six hundred fifty-four and no tenths (2654.0) feet; thence North fourteen degrees (14°) forty-nine minutes (49') West six hundred eighty-nine and three tenths (689.3) feet to the place of beginning. Said tract of land containing five and seven tenths (5.7) acres, more or less. All as shown on Plat attached hereto and made a part hereof.

Correct as to Engr. Data J.W.H.

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 parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of -

A. E. Pettit, Jr.
Jean C. Pettit

STATE OF NEW MEXICO)
COUNTY OF DONA ANA) ss

On this 7th day of March, 1938, before me personally appeared A. E. Pettit, Jr., & Jean C. Pettit, his wife to me known to be the persons 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 Aug. 5, 1938
Notary Public in and for Dona Ana County
Martha A. Parsons

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder (s) of that certain mortgage dated November 1, 1934, and recorded at Page 183, Book 52, mortgage Records of Dona Ana County, New Mexico, has released and does 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.

Witness (my, our) hand(s) and seal(s) this 4th day of May 1938

THE FEDERAL LAND BANK OF WICHITA
BY R. H. Jones, Vice-President

ATTEST:
Guy Fogelberg, Secretary

STATE OF KANSAS)
COUNTY OF SEDGWICK) ss

On this 4th day of May, 1938, before me appeared R. H. Jones 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 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 R. H. Jones acknowledges said instrument to be the free act and deed of said corporation.

Bethry Porter

My commission expires Nov. 23, 1940

Notary Public in and for Sedgwick County

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain mortgage dated November 1, 1934, and recorded at Page 211, Book 53, mortgage Records of Dona Ana County, New Mexico, has released and does 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.

Witness (my, our) hand(s) and seal(s) this 4th day of May, 1938.

FEDERAL FARM MORTGAGE CORPORATION, A corporation, and
LAND BANK COMMISSIONER, acting pursuant to Part 3
of the Emergency Farm Mortgage Act of 1935, as
amended. By THE FEDERAL LAND BANK OF WICHITA, their
Agent and Attorney-in-Fact
By R. H. Jones, Vice-President

ATTEST:
Guy Fogelberg, Secretary

STATE OF KANSAS)
COUNTY OF SEDGWICK) ss

On this 4th day of May, 1938, before me appeared R. H. Jones 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 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 R. H. Jones acknowledges said instrument to be the free act and deed of said corporation.

Bethry Porter

My commission expires Nov. 23, 1940

Notary Public in and for Sedgwick County

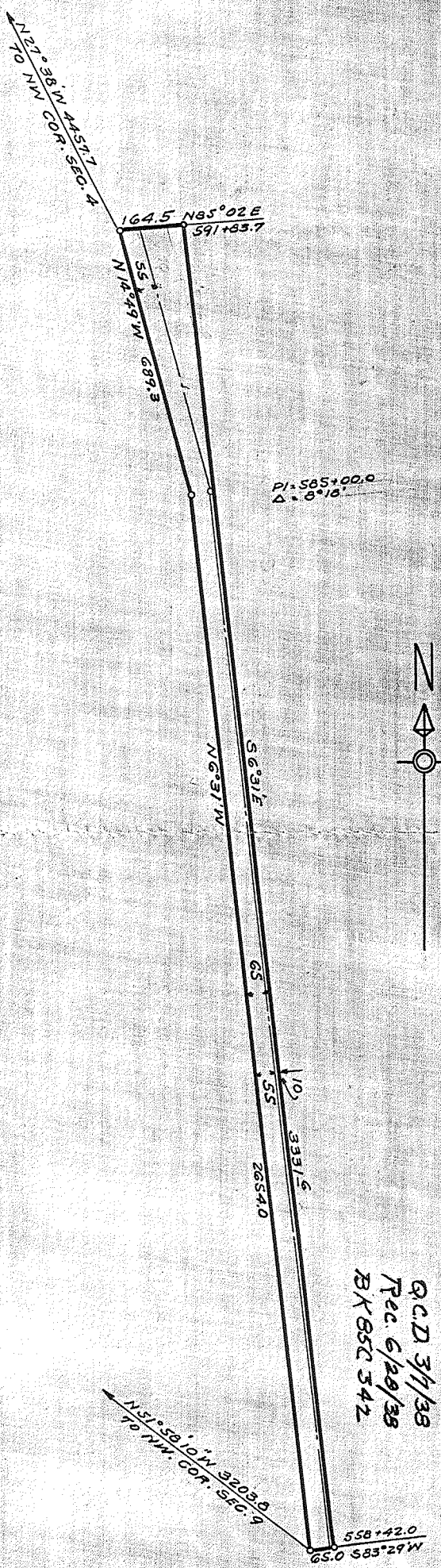
STATE OF NEW MEXICO)
COUNTY OF DONA ANA) ss

I hereby certify that this instrument was filed for record on the 28 day of June A.D. 1938, at 9 o'clock, a M., and duly recorded in Book 85C Page 742, of the Records of Deeds and Mortgages of said County.

S. L. Apodaca
County Clerk and Ex-Officio Recorder

F. C. Lopez
Deputy

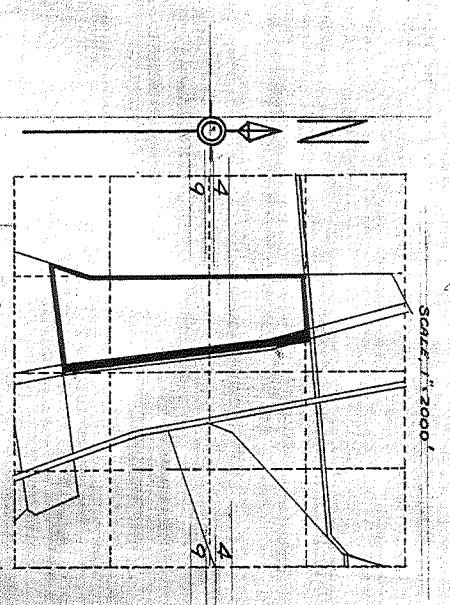
Constructed: March & Apr. 1919



Q.C.D. 3/1/38
 Rec. 6/20/38
 BK 85C 542

A. E. Pettitt, Jr.
 70 1/2 W. 5.7 ACRES.

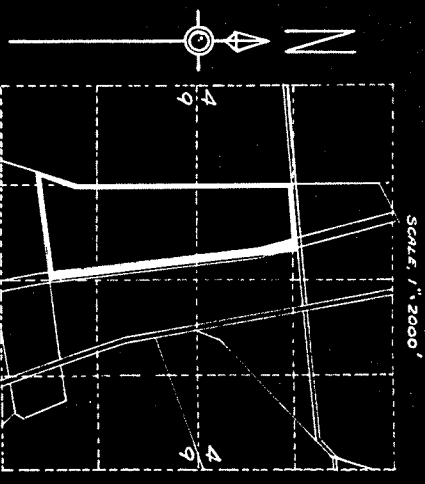
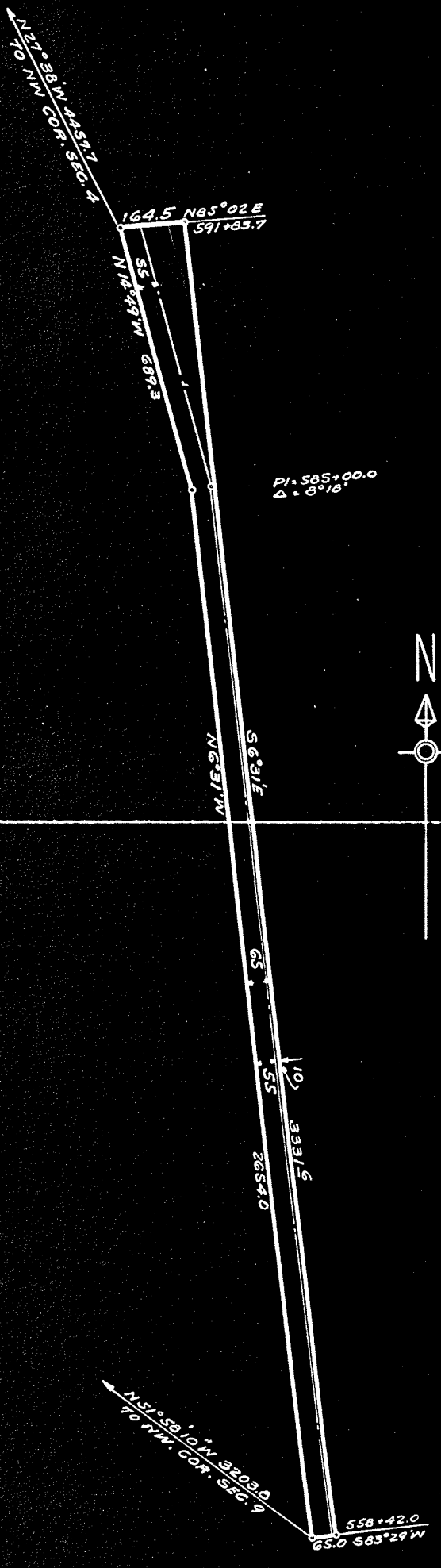
LOCATION PLAT
 S. 4-9 T. 27S R. 3E N.M.P.M.
 U.S.R.S. SURVEY
 DONA ANA COUNTY N.MEX.
 REFUGIO COLONY, GRANT
 COUNTY PLAT NO. 1507



SCALE 1" = 300 FT.	
56	
DEPARTMENT OF THE INTERIOR	
BUREAU OF RECLAMATION	
RIO GRANDE PROJECT-NEW MEXICO-TEXAS	
MESILLA - VALLEY DRAINAGE	
NEMEXAS DRAIN	
RIGHT OF WAY	
FIELD WORK, E.G.S.	CHECKED, C.W.H.
DRAWN, J.F.	APPROVED, J.F.
1108-217	EL PASO, TEX. 12/21

OK this 11/13/31

Constructed: March & Apr. 1919



LOCATION PLOT
 S 49 T 27S R 3E N.M.P.M.
 U.S.R.S. SURVEY
 DONNA ANA COUNTY N. MEX.
 REFUGIO COLONY GRANT
 COUNTY PLAT NO. 1907

Ref. W 57 ACRES.
 A. E. Pettitt, Jr.

SCALE 1" = 300 FT. **56**

DEPARTMENT OF THE INTERIOR
 BUREAU OF RECLAMATION
 RIO GRANDE PROJECT-NEW MEXICO-TEXAS
MESILLA VALLEY DRAINAGE
 NEHEXAS DRAIN
 RIGHT OF WAY

FIELD WORK CHECKED BY **C. W. H.**
 DRAWN BY **C. W. H.**
 1108-2117 EL PASO, TEX. 12/21

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas June 9, 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 March 7, 1938 from A. E. Pettit, Jr. and Jean C. Pettit conveying 5.70 acres of land, in Sec. 4, 9, Twp. 27 S, Range 3 E Dona Ana County, Plat No. 1907, Right of Way Plat No. 5b, Nemexas Drain, together with certificate of officials of the Elephant Butte Irrigation District dated March 9, 1938, under the provisions of contract dated December 20, 1929, between said District and the United States.

L. R. Fiock

Superintendent

To Superintendent

El Paso, Texas, June 11, 1938

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 Fiock

Superintendent

CC - Chief Engineer
with enclosure

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

March 9, 1938

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from
A. E. Pettit, Jr. and Jean C. Pettit

conveying 5.70 acres of land in Section 4, 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 \$ 399.00,
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:

Josiah L. Lucey
Secretary
(SEAL)

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

March 9, 1938

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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 R. [Signature]
Secretary
(SEAL)