

BROWN, CHARLES W., et. ux. Sara Etta QUITCLAIM DEED WEST DRAIN NO. 85

0023-0050-0070-00

18-(70)

# QUITCLAIM DEED

This Indenture, made the 8th day of October, in the year of our Lord, one thousand nine hundred and thirty-two, between Charles W. Brown and Sarah Etta Brown, 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 Nine Hundred Ten Dollars (\$ 910.00) 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 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 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 Southeast quarter (SE $\frac{1}{4}$ ) Section nine (9) and North half Northeast quarter (NE $\frac{1}{2}$ ) Section sixteen (16) Township twenty-five (25) South, Range two (2) East, N.M.P.M., Bureau of Reclamation Survey; being also within the J. M. S. Baca Grant and tract numbered 1307, as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point which is the most westerly corner of the land of the grantors and from which point the Northeast Corner Section nine (9) Township twenty-five (25) South, Range two (2) East, N.M.P.M., bears North thirty-eight degrees (38°) twenty-four minutes (24') forty-eight seconds (48") East four thousand two hundred forty-seven and two tenths (4247.2) feet; thence along the northerly property line of the land of the grantors North sixty-three degrees (63°) fifty-one minutes (51') East three hundred fifty-three and three tenths (353.3) feet; thence North eighty-four degrees (84°) seven minutes (07') East five hundred thirty-one and one tenth (531.1) feet; thence to the left along a curve, having a radius of five hundred twenty-eight and no tenths (528.0) feet, a distance of seventy-eight and nine tenths (78.9) feet; thence North sixty-eight degrees (68°) forty-five minutes (45') East one hundred sixty-four and five tenths (164.5) feet; thence North sixty-four degrees (64°) twenty-eight minutes (28') East, seventy-eight and nine tenths (78.9) feet; thence North sixty degrees (60°) eleven minutes (11') East three hundred seventy-one and one tenth (371.1) feet; thence North fifty-nine degrees (59°) seven minutes (07') East five and five tenths (5.5) feet; thence South twenty-three degrees (23°) thirty-nine minutes (39') East eighty-five and six tenths (85.6) feet; thence South sixty degrees (60°) eleven minutes (11') West three hundred sixty-seven and four tenths (367.4) feet; thence South sixty-four degrees (64°) twenty-eight minutes (28') West ninety-one and six tenths (91.6) feet; thence South sixty-eight degrees (68°) forty-five minutes (45') West one hundred sixty-four and five tenths (164.5) feet; thence to the right along a curve, having a radius of six hundred thirteen and no tenth (613.0) feet, a distance of ninety-one and six tenths (91.6) feet; thence South eighty-four degrees (84°) seven minutes (07') West four hundred ninety-two and eight tenths (492.8) feet; thence South seventy-three degrees (73°) fifty-nine minutes (59') West, one hundred eighty-seven and five tenths (187.5) feet; thence South sixty-three degrees (63°) fifty-one minutes (51') West fifty and two tenths (50.2) feet; thence South twenty-six degrees (26°) nine minutes (09') East one thousand eight

hundred and five tenths (1852.5) feet; thence to the left along a curve tenth (303.1) feet; thence along said southerly property line South fifty-three degrees (53°) fifty-six minutes (56') West sixteen and eight tenths (16.8) feet and South fifty-two degrees (52°) fifty-two minutes (52') West, one hundred fifty-four and eight tenths (154.8) feet; thence North seventy-seven degrees (77°) forty-seven minutes (47') West, one thousand seventy-eight and eight tenths (1078.8) feet; thence North twelve degrees (12°) thirteen minutes (13') East, five and no tenths (5.0) feet to the point of beginning of a curve, having a radius of five hundred forty-seven and five tenths (547.5) feet the tangent to the curve at said point of beginning having a bearing of South seventy-seven degrees (77°) forty-seven minutes (47') East; thence to the right along said curve a distance of four hundred ninety-three and four tenths (493.4) feet to a point on the westerly property line of the land of the grantors; thence North twenty-six degrees (26°) nine minutes (09') West along said westerly property line one thousand nine hundred twelve and six tenths (1912.6) feet to the place of beginning. Said tract containing thirteen and no tenths (13.) acres, more or less. Curve distances based on the arc. All as shown on plat attached hereto and made a part hereof.

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

On this 8th day of October, 1932, before me personally appeared  
Charles W. Brown and Sarah Etta Brown, his wife

to me known to be the person described in and who executed the foregoing instrument, 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.

Ull Lane

Notary Public in and for Dona Ana County.

My commission expires Jan. 12, 1934

### 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, (Mortgage  
or other lien) Records of Dona Ana County, New Mexico, ha released and  
do hereby release the said insofar as the same pertains to the parcel  
(Mortgage or other lien)  
or tract of land described in the above and foregoing quitclaim deed, and authorize said lien to be released and sat-  
isfied of record to that extent, provided, however, that said shall in all other  
(Mortgage or other lien)  
respects remain in full force and effect.

Witness (my, our) hand(s) and seal(s) this day of 19

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

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.

Notary Public in and for Dona Ana County.

My commission expires

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

On this day of 19, before me personally appeared

to me known to be the person described in and who executed the foregoing (Quitclaim deed or partial release of lien)  
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 certi-  
cate first above written.

Notary Public in and for Dona Ana County.

My commission expires

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

I hereby certify that this instrument was filed for record on the 29 day of Nov  
A. D. 1937, at 9 o'clock, a.m., and duly recorded in Book 85-C, Page 66, of the  
Records of Deeds and Mortgages of said County.

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

7C Lopez  
Deputy.





Co. Plat No. 1307  
N/W Plat No. 85  
West Drain

# 3 of 4

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

October 10, 1932

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Charles W. Brown and Sarah Etta Brown conveying 15.0 acres of land in Section 9 & 10 Township 25 S Range 8 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 \$ 910.00 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

[Signature]  
President.

ATTEST:

[Signature]  
Secretary.

(SEAL)

Co. Plat No. 1807  
R/W Plat No. 88  
West Drain

# 4 of 4

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

October 10, 1932

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Charles W. Brown and Sarah Etta Brown conveying 13.0 acres of land in Section 9 & 10 Township 20 S Range 2 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 \$ 910.00 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 \_\_\_\_\_

President.

ATTEST:

R. E. Kuhnley  
Secretary.

(SEAL)



DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas

7/27/33

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 10/8, 1932, from Chas W. Brown et al SE conveying 13 acres of land, in Sec. 9+16, Twp. 25S Range 2E Dona Ana County, Flat No. 1307, Right of Way Plat No. 85, West Drain, together with certificate of officials of the Elephant Butte Irrigation District dated 10/10, 1932, 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, DEC 28 1933

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. JAN 22 1934

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.