

CHAVEZ, FRANCISCO B., et. ux., Margarita H.

QUITCLAIM DEED

WEST DRAIN NO. 60

0023-0057-0026-00

430-

RIO GRANDE

ACQUISITION OF LANDS

CHAVEZ, FRANCISCO B., & CHAVEZ,  
MARGARITA H.

TRANSFER OF

430-



STAT.

QUITCLAIM DEED

This Indenture, made the Sixth day of May, in the year of our Lord, one thousand nine hundred and forty, between Francisco B. Chavez and Margarita H. Chavez, his wife part 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 Sixty-five and 10/100 Dollars (\$ 65.10) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said part 1st of the first part, and contract of August 30, 1939 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 North half (N $\frac{1}{2}$ ) of the Southeast quarter (SE $\frac{1}{4}$ ) of Section twelve (12) Township twenty-six (26) South, Range two (2) East, N.M.P.M., Bureau of Reclamation Survey; being also within tract numbered 1640 as shown on Dona County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point which is the Northeast corner of the land of the grantors and from which point the North quarter (N $\frac{1}{4}$ ) corner of Section twelve (12) Township twenty-six (26) South, Range two (2) East N.M.P.M., Bureau of Reclamation Survey bears North twenty-seven degrees (27°) forty minutes (40') fifty-eight seconds (58") West two thousand nine hundred forty-eight and one tenth (2948.1) feet; thence along the east property line of the land of the grantors South one degree (1°) fifteen minutes (15') East six hundred twenty-eight (628) feet to a point from which the Northeast corner of Section twelve (12) Township twenty-six (26) South, Range two (2) East, N.M.P.M., Bureau of Reclamation Survey bears North twenty-one degrees (21°) forty-one minutes (41') forty seconds (40") East three thousand four hundred sixty-four and five tenths (3464.5) feet; thence North twenty-three degrees (23°) thirty-five minutes (35') West six hundred eighty and two tenths (680.2) feet to the north property line of the land of the grantors; thence along said north property line North eighty-nine degrees (89°) one minute (01') East two hundred fifty-eight and five tenths (258.5) feet to the point of beginning. Said tract of land containing one and eighty-six hundredths (1.86) acres, more or less. All as shown on plat attached hereto and made a part hereof.

Correct as to Engr. Data

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 1st 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—

X Francisco B. Chavez (L. S.)  
X Margarita H. Chavez (L. S.)  
X \_\_\_\_\_ (L. S.)



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

On this 6<sup>th</sup> day of May, 1940, before me personally appeared Francisco B. Chavez and Margarita N. Chavez, his wife 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.

[Signature]  
Notary Public in and for Dona Ana County.

My commission expires My Commission Expires April 5, 1944

### PARTIAL RELEASE OF LIEN

Know all men by these presents, That the undersigned owner (s) and holder (s) of that certain mortgage (Mortgage or other lien) dated Dec. 10, 1934, and recorded at Page 311, Book 52, mortgage Records of Dona Ana County, New Mexico, ha. S. released and do. es. 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 8<sup>th</sup> day of June, 1940.

attest  
[Signature]

City Mortgage Company  
by [Signature]

STATE OF NEW MEXICO }  
COUNTY OF EL PASO } ss:

On this 8<sup>th</sup> day of June, 1940, before me appeared W. Cooley to me personally known, who being by me duly sworn did say that he is the President (Such as president or other officer) of City Mortgage Co. (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 W. Cooley acknowledges said instrument to be the free act and deed of said corporation.

My commission expires June 1, 1940

Eleanor C. Ramek  
Notary Public in and for Dona Ana County.  
El Paso Co., Texas

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.

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.....

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

I hereby certify that this instrument was filed for record on the JUL 19 1940 day of July, A. D. 19...., at 9 o'clock, 9 m., and duly recorded in Book 85-E, Page 9, of the Records of Deeds and Mortgages of said County.

M. J. Chavez  
County Clerk and Ex-Officio Recorder.

[Signature]  
Deputy.







No. 26492

Reception Recorded Compared In  
State of New Mexico, County of Dona Ana: ss  
Filed for record in my office

JUL 19 1940

at 2 o'clock P. M. and duly Recorded in  
Book No. 33 of 33 page  
records of Dona Ana County, New Mexico  
M. J. CHAVEZ, 807 Clerk Dona Ana Co., N. M.  
By [Signature] Deputy

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

On this 6<sup>th</sup> day of May, 1940, before me personally appeared  
Francisco B. Chavez and Margarita N. Chavez, 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.

[Signature]  
Notary Public in and for Dona Ana County.

My commission expires April 5, 1944

#### PARTIAL RELEASE OF LIEN

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

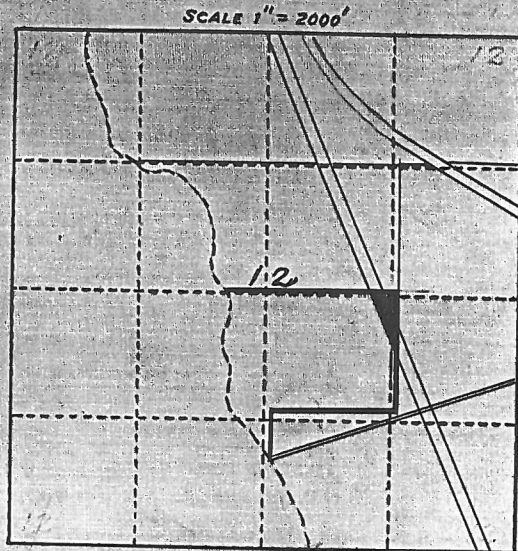
dated Dec. 10, 1934, and recorded at Page 311, Book 52,  
or other lien)

mortgage Records of Dona Ana County, New Mexico, ha. S released and

the same pertains to the parcel

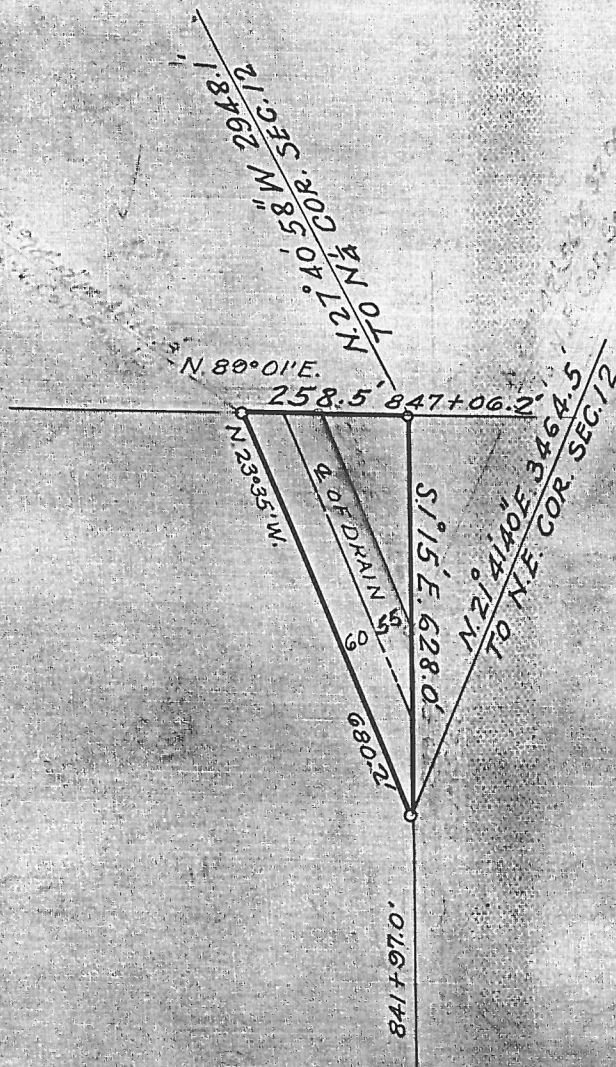


Francisco B. Chavez



LOCATION PLAT  
S. 12 "T. 26S., R. 2E." N.M.P.M.  
U.S.R.S. SURVEY  
DONA ANA COUNTY, N.M.  
Co. PLAT No. 1640  
ENT. - 12-21-09  
PAT. - 9-9-13

S.Q.D. 5/6/40  
Rec 7/19/40  
BK 85E P39  
R.W. AREA = 1.86 Ac.



Constructed Apr. 1918.

REVISED-JUNE 38  
A.O.D.

DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION  
RIO GRANDE PROJECT-NEW MEXICO-TEXAS  
ELEPHANT BUTTE DISTRICT  
WEST DRAIN  
RIGHT OF WAY

FIELD WORK J.R. CHECKED G.W.H.  
DRAWN A.M.-S.H.C. APPROVED A.W.B.  
1109-1-18 EL PASO, TEX. 11/5/30

24-12

Adjacent to Map Serial 24-11-A1

A tract of land lying and situate in Dona Ana County, New Mexico and in the South half (S-1/2) of Section twelve (12), Township twenty-six (26) South, Range two (2) East, New Mexico Principal Meridian, United States Reclamation Service survey; being also tract numbered 1640 as shown on Dona Ana County, New Mexico Plat Book; and more particularly described by metes and bounds as follows:

BEGINNING at the most northeasterly corner of the tract being herein described and from which point the North quarter (N-1/4) corner of Section twelve (12), Township twenty-six (26) South, Range two (2) East, N.M.P.M. bears North twenty-seven (27) degrees, forty (40) minutes, fifty-eight (58) seconds West two thousand nine hundred forty-eight and one tenth (2948.1) feet; thence South one (01) degree, fifteen (15) minutes East three hundred twenty-five and five tenths (325.5) feet to a point on the easterly right of way line of the United States Bureau of Reclamation's West Drain, and from which point the Northeast corner of Section twelve (12), Township twenty-six (26) South, Range two (2) East, N.M.P.M. bears North twenty-three (23) degrees, forty-eight (48) Minutes, fifty-three (53) seconds West three thousand one hundred eighty-eight and one tenth (3188.1) feet; thence following said easterly right of way line North twenty-three (23) degrees, thirty-five (35) minutes West three hundred fifty-two and five tenths (352.5) feet to the point of beginning, containing fifty hundredths (0.50) acre, more or less, all as shown on copy of Drawing No. 23-503-6553, attached hereto and made a part hereof, being also part of that tract of land deeded to the United States of America by Francisco B. Chavez and Margarita H. Chavez by that certain quitclaim deed dated the 6th of May 1940, and recorded in the records of Dona Ana County, New Mexico in Deed Book 85-E at Page 9.



DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas

430.-

RIO GRANDE

TRANSFER CASE

July 1, 1940

From Superintendent

To District Counsel

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

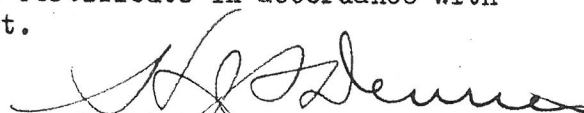
1. For your consideration, there is transmitted herewith, deed dated May 6, 1940, 19  , from Francisco B. Chavez & Margarita H. Chavez conveying 1.86 acres of land, in Sec. 12, Twp. 26 S, Range 2 E Dona Ana County, Plat No. 1640, Right of Way Plat No. 60, West    Drain, together with certificate of officials of the Elephant Butte Irrigation District dated June 13, 1940, 19  , under the provisions of contract dated December 20, 1929, between said District and the United States.

  
Superintendent

To Superintendent

El Paso, Texas, JUL 13 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

June 13, 1940CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Francisco B. Chavez and Margarita H. Chavez conveying 1.86 acres of land in Section 12, Township 26 South, Range 2 East 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 \$ 65.10, 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:

Joseph R. Lucero  
Secretary

(SEAL)



## ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

June 15, 1940CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Francisco B. Chaves and Margarita H. Chaves conveying 1.00 acres of land in Section 12, Township 25 South, Range 2 East 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 \$ 65.10, 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:

Jose R. Lucero  
Secretary

(SEAL)

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

June 13, 1940

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Francisco B. Chavez and Margarita H. Chavez conveying 1.88 acres of land in Section 12, Township 23 South, Range 2 East 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 \$ 63.10, 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, 1923 and August 20, 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:

Jose L. Lucero  
Secretary

(SEAL)