

COOPER, F. W., et. ux., MYRTLE R. QUITCLAIM DEED WEST DRAIN NO. 61 & GREEN SPUR NO. 3

240  
0023-0087-6025-00

24-(25)

430-

RIO GRANDE

ACQUISITION OF LANDS

COOPER, F. M.

430-

THE A. M. C. C.

TRANSFERT CASE



QUITCLAIM DEED

#28358

West Drain 61  
Green Spur 3  
24-7B

This Indenture, made the 21<sup>st</sup> day of Sept., in the year of our Lord, one thousand nine hundred and forty between

F. W. Cooper and Myrtle R. Cooper, his wife

part es 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 es of the first part, for and in consideration of the allowance of credits in the sum of One hundred seventy six and 05/100 Dollars (\$176.05) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said part es of the first part, pursuant to contract of December 20, 1929, and contract of August 30, 1939, 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 those certain lots, pieces, or parcels of land situated in the County of Dona Ana, and State of New Mexico, and bounded and particularly described as follows, to wit:

Two tracts of land lying and situate in Dona Ana County, New Mexico, as follows:  
Tract 1 in the Northwest quarter (NW $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section twelve (12) Township twenty-six (26) South, Range two (2) East N.M.P.M., being also within Tract numbered 1538 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 Northwest corner of Section twelve (12) Township twenty-six (26) South, Range two (2) East N.M.P.M., Bureau of Reclamation Survey bears North sixty-seven degrees (67°) thirty-five minutes (35') thirty seconds (30") West three thousand four hundred seventy-seven and eight tenths (3477.8) feet; thence North twenty-three degrees (23°) thirty-five minutes (35') West one thousand two hundred five and five tenths (1205.5) feet; thence North twenty-nine degrees (29°) eleven minutes (11') West one hundred eight and nine tenths (108.9) feet to the West property line of the land of the grantors; thence along said West property line North no degrees (0°) twenty minutes (20') West one hundred ten and nine tenths (110.9) feet to the South right of way line of a road being also the North property line of the land of the grantors; thence along said road right of way line and property line North eighty-nine degrees (89°) nine minutes (9') East seventy-five and five tenths (75.5) 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 eighty-nine degrees (89°) thirty minutes (30') fifty-five seconds (55") East two thousand five hundred eighty-eight and nine tenths (2588.9) feet; thence South twenty-nine degrees (29°) eleven minutes (11') East one hundred seventy-six feet (176); thence South twenty-three degrees (23°) thirty-five minutes (35') East one thousand two hundred sixty-one and eight tenths (1261.8) feet to the South property line of the land of the grantors; thence along said South property line South eighty-nine degrees (89°) twelve minutes (12') West one hundred thirty and one tenth (130.1) feet to the point of beginning. Said tract of land containing three and eighty-nine hundredths (3.89) acres, more or less. Shown on West Drain Plat No. 61 attached hereto and made a part hereof.

Tract 2 in the Northwest quarter (NW $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section twelve (12) Township twenty-six (26) South, Range two (2) East N.M.P.M., being also within tract numbered 1538 as shown on Dona Ana County, New Mexico, Plat Book, more particularly described as follows:

Beginning at a point on the South right of way line of a road being also the North property line of the land of the grantors, said point being on a curve of two thousand eight hundred nine and nine tenths (2809.9) feet radius and the tangent to the curve at said point bears North twenty-nine degrees (29°) thirty minutes (30') thirty-seven seconds (37") West, and from which point the Northwest corner of Section twelve (12) Township twenty-six (26) South, Range two (2) East N.M.P.M., Bureau of Reclamation Survey bears North eighty-nine degrees (89°) thirty-five minutes (35') thirty seconds (30") West three thousand one hundred four (3104) feet; thence along said road right of way line and property line North eighty-eight degrees (88°) forty-six minutes (46') East seventy-three and six tenths (73.6) feet; thence South twenty-nine degrees (29°) thirty-nine minutes (39') East fifty and eight tenths (50.8) feet; thence South thirty-two degrees (32°) fifty-four minutes (54') East one hundred eighty-nine and six tenths (189.6) feet; thence South thirty-five degrees (35°) fifty-nine minutes (59') East fifty-seven and three tenths (57.3) feet; thence South thirty-nine degrees (39°) four minutes (4') East one hundred seven and seven tenths (107.7) feet; thence South thirty-nine degrees (39°) fifty-four minutes (54') East eighty-two and one tenth (82.1) feet; thence South forty degrees (40°) forty-four minutes (44') East two hundred sixty-six and four tenths (266.4) feet; thence South forty-nine degrees (49°) sixteen minutes (16') West fifty-four and seven tenths (54.7) feet to a point on a

Correct as to Engr. Data



two thousand eight hundred nine and nine tenths (2809.9) feet, the tangent to the curve at said point has a bearing South forty-five (45°) fifty-one minutes (51') East and from which point the Southeast corner of Section one (1) Township twenty-six (26) South, Range two (2) East, N.M.P.M., Bureau of Reclamation Survey bears North seventy degrees (70°) thirty-three minutes (33') East one thousand and eight hundred fifty-seven and four tenths (1857.4) feet; thence northwesterly and to the right along said curve of two thousand eight hundred nine and nine tenths (2809.9) feet radius, a distance on the arc of eight hundred one and three tenths (801.3) feet to the point of beginning. Said tract of land containing one and fourteen hundredths (1.14) acres, more or less. Shown on Greene Spur Drain Plat No. 3 attached hereto and made a part hereof.

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 125 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 F. W. Cooper (L.S.)  
X Myrtle R. Cooper (L.S.)  
Wife

Texas  
STATE OF ~~NEW MEXICO~~  
COUNTY OF ~~DONA ANA~~ ss

On this 21 day of September 1940, before me personally appeared F. W. Cooper and Myrtle R. Cooper 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.

Mary Louise Carey  
Notary Public in and for ~~Dona Ana~~ County

My commission expires June 1, 1941

#### PARTIAL RELEASE OF LIEN

Know All Men By These Presents, That the undersigned owner (s) and holder(s) of that certain mortgage dated March 30th 1938, and recorded at Page 435, Book 58 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 12th day of December 1940

Attest:  
J. A. Carrico  
J. A. Carrico, Ass't. Secretary  
STATE OF ~~NEW MEXICO~~ KANSAS  
COUNTY OF ~~DONA ANA~~ Sedgwick ss

THE FEDERAL LAND BANK OF WICHITA, Wichita, Kansas  
By R. H. Jones, Vice President

On this 12th day of December 1940, 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, Wichita, Kansas, 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.

Detlev L. Oster  
Notary Public in and for ~~Dona Ana~~ County  
Sedgwick

My commission expires November 23, 1944



STATE OF NEW MEXICO )  
COUNTY OF DONA ANA ) ss

On this \_\_\_\_\_ 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.

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

Notary Public in and for Dona Ana County

STATE OF NEW MEXICO )

COUNTY OF DONA ANA ) ss

I hereby certify that this instrument was filed for record on the 9<sup>th</sup>  
day of January A.D. 1941, at 2:55 o'clock, P. m., and duly  
recorded in Book 85E, Page 111, of the Records of Deeds and  
Mortgages of said County.

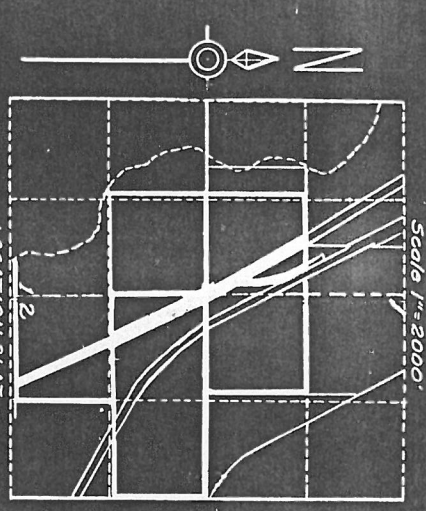
M. J. Chavez

County Clerk and Ex-Officio Recorder

By: Walter Gonzalez  
Deputy







SCALE 1" = 300' 6  
 DEPARTMENT OF THE INTERIOR  
 BUREAU OF RECLAMATION  
 NO GRANDE PROJECT-NEW MEXICO TEXA  
 ELEPHANT BUTTE AND RICH  
 WEST SPOIL DRAIN AND  
 NEALE SPOIL DRAIN  
 RIGHT OF WAY  
 FIELD WORK *A.R.* CHECKED *G.W.H.*  
 DRAWN *S.D.G.* & *M.* APPROVED *A.M.B.*  
 1103-L-16 EL PASO, TEX. 11/16/30







DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas Jan. 2, 1941

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 Sept. 21, 1940, from F. W. Cooper and Myrtle R. Cooper conveying 5.03 acres of land, in Sec. 12, Twp 26 S, Range 2 West Dona Ana County, Plat No. 1536, 1538, 1980, 1537, Right of Way Plat No. 61 & 3, West & Greene Drain, together with certificate of officials of the Elephant Butte Irrigation District dated December 18, 1940, under the provisions of contract dated December 20, 1929, between said District and the United States.

[Signature]  
Superintendent

To Superintendent

El Paso, Texas 1/2/41

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.

[Signature]  
District Counsel

To The Commissioner

El Paso, Texas JUN 2 1941

The deed above described has been accepted and recorded. The original executed deed and certificate are transmitted herewith to the Washington office for filing.

[Signature]  
Superintendent

CC- Chief Engineer  
with enclosure

## ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

December 18, 1940CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from F. W. Cooper and Myrtle R. Cooper, his wife conveying 5.03 acres of land in Section 12, Township 26 South, Range 2 West, 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 \$ 176.05, 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:

H. A. Lowery  
Secretary

(SEAL)



## ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

December 18, 1940CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from P. V. Cooper and Myrtle R. Cooper, his wife conveying 5.03 acres of land in Section 12, Township 25 South, Range 2 West 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 \$ 176.03, 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 J. Carr  
President

ATTEST:

W. A. Lowery  
Secretary

(SEAL)

## ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

December 18, 1940CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from

F. W. Cooper and Myrtle A. Cooper, his wife  
conveying 5.05 acres of land in Section 12, Township 20 South,  
Range 2 West 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 \$ 175.05,  
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 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:

D. A. Lowry  
Secretary

(SEAL)