

DYKES, J. C., et. ux., Gertie

QUITCLAIM DEED

WEST DRAIN NO. 33

246

0023-00~~24~~<sup>61</sup>-0037-00

28-374

780

QUITCLAIM DEED

THIS INDENTURE, made the 13th day of September, in the year of our Lord, one thousand nine hundred and thirty-seven, between J.C. Dykewand Bertie Dyke, his wife part in 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 in of the first part, for and in consideration of the allowance of credits in the sum of One Hundred five & no/100 Dollars (\$ 105.00) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said part in 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 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 (SW $\frac{1}{4}$ ) Section eight (8), 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 1920 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 Southeast Corner Section eight (8), Township twenty-seven (27) South, Range three (3) East, N.M.P.M., bears South seventy-three degrees (73°) forty-four minutes (44') thirty-two seconds (32") East, three thousand five hundred seventy-five and no tenths (3575.0) feet; thence South eighty-nine degrees (89°) forty-eight minutes (48') West, one hundred twenty-six and six-tenths (126.6) feet; thence North nine degrees (9°) nineteen minutes (19') West, five hundred fifteen and four-tenths (515.4) feet to a point on the north property line of the land of the grantors and from which point the Southwest Corner Section eight (8), Township twenty-seven (27) South, Range three (3) East, N.M.P.M., bears South forty-seven degrees (47°) fourteen minutes (14') West, two thousand two hundred forty-seven and one tenth (2247.1) feet; thence North eighty-nine degrees (89°) fifty-one minutes (51') East, along said north property line one hundred twenty-six and six tenths (126.6) feet; thence South nine degrees (9°) nineteen minutes (19') East, five hundred fifteen and two-tenths (515.2) feet to the place of beginning. Said tract containing one and five tenths (1.5) acres, more or less. All as shown on plat 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 in 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—

J.C. Dykewand [L. s.] X  
Bertie Dyke [L. s.] X  
 [L. s.]



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

On this 13<sup>th</sup> day of September, 1937, before me personally appeared J.C. Dykes & Bertie Dykes, 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 \_\_\_\_\_  
My Commission Expires April 7, 1940  
Notary Public in and for Dona Ana County.

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain \_\_\_\_\_ (Mortgage or other lien) dated \_\_\_\_\_, 19\_\_\_\_, and recorded at Page \_\_\_\_\_, Book \_\_\_\_\_, Records of Dona Ana County, New Mexico, ha\_\_\_\_\_ released and do\_\_\_\_\_ hereby release the said \_\_\_\_\_ (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 or other lien) shall in all other respects remain in full force and effect.

WITNESS (my, our) hand(s) and seal(s) this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

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 \_\_\_\_\_ 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 certificate first above written.

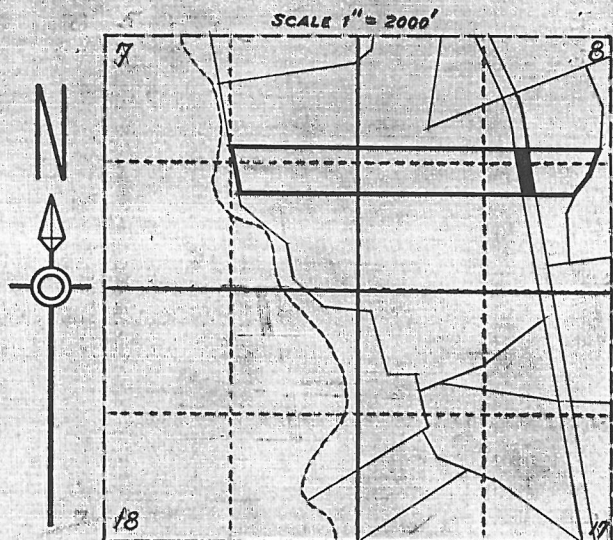
My commission expires \_\_\_\_\_  
Notary Public in and for Dona Ana County.

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

I hereby certify that this instrument was filed for record on the 26 day of Jan., A. D. 1938, at 11 o'clock, 9 m., and duly recorded in Book 165, Page 168, of the Records of Deeds and Mortgages of said County.

S. L. Apodaca  
County Clerk and Ex-officio Recorder.  
A  
Deputy.





LOCATION PLAT  
S. 8, T. 275, R. 3E, N.M.P.M.  
U.S.R.S. SURVEY  
DONA ANA COUNTY, N.M.  
REFUGIO COLONY GRANT  
COUNTY PLAT No. 1920

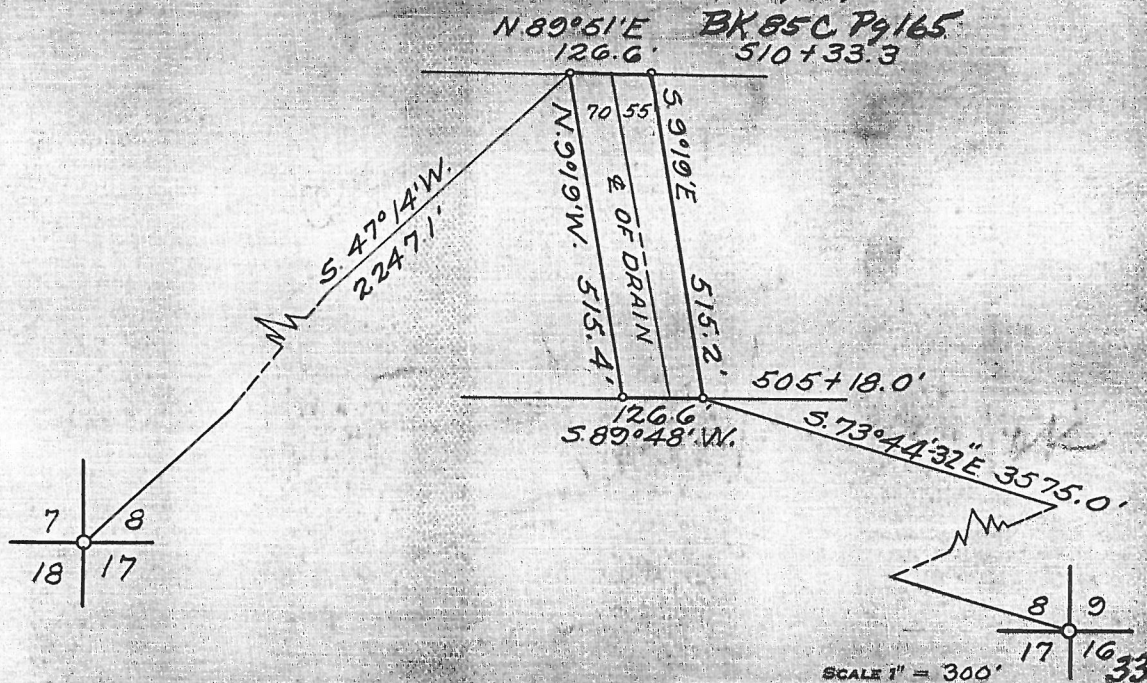
J. C. & Gertie Dykes

R.W. AREA = 1.5A.

Q.C.D. 9/13/37

Rec 1/26/38

BK 85C Pg 165  
510 + 33.3



SCALE 1" = 300'

DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION RIO GRANDE PROJECT-NEW MEXICO-TEXAS ELEPHANT BUTTE DISTRICT <b>WEST DRAIN</b> RIGHT OF WAY	
FIELD WORK <u>J.R.</u>	CHECKED <u>G.W.H.</u>
DRAWN <u>S.H.C.</u>	APPROVED <u>A.W.B.</u>
1103-L-18	EL PASO, TEX. 9/30/30

Constructed Dec. 1919

33

3-31-32

28-34A



430-7

## DEPARTMENT OF THE INTERIOR

RIO GRANDE

## Bureau of Reclamation

El Paso, Texas Jan. 19, 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 Sept. 13, 1937, from J. C. Dykes and Gertie Dykes conveying 1.5 acres of land, in Sec. 8, Twp. 27S, Range 3 E Dona Ana County, Plat No. 1920, Right of Way Plat No. 33, West Drain, together with certificate of officials of the Elephant Butte Irrigation District dated Dec. 9, 1937, under the provisions of contract dated December 20, 1929, between said District and the United States.

Correct as to  
Engineering Data

To Superintendent

Superintendent

El Paso, Texas. JAN 20 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.

District Counsel

To the Commissioner

El Paso, Texas. FEB 21 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.

Superintendent

CC - Chief Engineer  
with enclosure.



28-34

no. 1 of 4

401

Co. Plat No. \_\_\_\_\_

W. Plat No. \_\_\_\_\_

West \_\_\_\_\_ Drain \_\_\_\_\_

Drain Plat No. 33.

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

December 9, 1937

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

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

J. C. Dykes & Gertie Dykes conveying 1.5

acres of land in Section 8 Township 27 S Range 3 E 1

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 \$105.00 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:

James R. Lusk  
Secretary.

(SEAL)