

EMERSON, J. R., et. ux., Berna

QUITCLAIM DEED

WEST DRAIN NO. 82

240

0023-00⁵⁰ - 0073-00

~~18 (73)~~

780

Land Records
Rio Grande Project
(23)

Emerson, J. R.,
et. al., Buna

0023-0050-007301

QUITCLAIM DEED

THIS INDENTURE, made the 28th day of April, in the year of our Lord, one thousand nine hundred and thirty-two, between J. R. Emerson and Bera Emerson, 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. 368), and acts amendatory thereof and supplementary thereto.

WITNESSETH: That the part of the first part, for and in consideration of the allowance of credits in the sum of Two hundred forty-five and no/100 Dollars (\$ 245.00) 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 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 West half Northwest quarter (31/4) Section fifteen (15), Township twenty-five (25) South, Range two (2) East, N.M.P.M., Bureau of Reclamation Survey; being also within the J.M.S. Bacon Grant and tract numbered 1319, as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point on the southerly property line of the land of the grantors which point is also on the boundary line of the J.M.S. Bacon Grant and from which point the Northeast Corner Section fifteen (15), Township twenty-five (25) South, Range two (2) East, N.M.P.M. bears North seventy degrees (70°) fifty-one minutes (51') four seconds (04") East four thousand six hundred sixty-seven and no tenths (4667.0) feet; thence North eighty-nine degrees (89°) fifty-seven minutes (57') West along said property and Grant line ninety-nine and two tenths (99.2) feet to a point which is a corner of the land of the grantors; thence South fifty-five degrees (55°) no minutes (00') West along the said southerly property line, thirty-six and three tenths (36.3) feet; thence North fourteen degrees (14°) twenty minutes (20') West six hundred forty-one and one tenth (641.1) feet; thence North twenty-five degrees (25°) thirty-seven minutes (37') West, three hundred fifty and three tenths (350.3) feet; thence North sixty-four degrees (64°) twenty-three minutes (23') East five and no tenths (5.0) feet to a point which is the beginning of a curve, having a radius of three hundred thirty-four and three tenths (334.3) feet, the tangent to the curve at said point having a bearing of South twenty-five degrees (25°) thirty-seven minutes (37') East; thence to the left along said curve, a distance of one hundred fifty-five and three tenths (155.3) feet to a point on the northerly property line of the land of the grantors, the tangent to the curve at said point having a bearing of North fifty-two degrees (52°) fourteen minutes (14') West; thence along said northerly property line, North fifty-three degrees (53°) thirty-three minutes (33') East sixty-eight and eight tenths (68.8) feet and North fifty-four degrees (54°) ten minutes (10') East sixty-four and nine tenths (64.9) feet to a point on a curve having a radius of four hundred sixty-four and three tenths (464.3) feet the tangent to the curve at said point having a bearing of North forty-seven degrees (47°) thirty-nine minutes (39') West and from which point the Northwest Corner Section fifteen (15), Township twenty-five (25) South, Range two (2) East, N.M.P.M. bears North forty-seven degrees (47°) fifty-four minutes (54') fifty-three seconds (53") West six hundred seventeen and no tenths (617.0) feet; thence to the right along said last mentioned curve a distance of one hundred seventy-eight and six tenths (178.6) feet to a point at which the tangent to the curve has a bearing of South twenty-five degrees (25°) thirty-seven minutes (37') East; thence South sixty-four degrees (64°) twenty-three minutes (23') West, five and no tenths (5.0) feet; thence South twenty-five degrees (25°) thirty-seven minutes (37') East three hundred sixty-three and one tenth (363.1) feet; thence South fourteen degrees (14°) twenty minutes (20') East six hundred sixty-six and one tenth (666.1) feet to the place of beginning. Said tract containing three and five tenths (3.5) acres, more or less. Curve distances based on the arc. 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 parties of the first part have hereunto set their hand and seal the day and year first above written.

Signed, sealed, and delivered in the presence of—

Bera Emerson [L. S.]

J. R. Emerson [L. S.]

[L. S.]

Correct as to Engr. Data

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

On this 28th day of April, 1932, before me personally appeared Bera Emerson and J. R. Emerson

to me known to be the person 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.

(SEAL OF NOTARY)
My commission expires

June 1, 1933

E. B. Donaldson
Notary Public in and for Dona Ana County, Texas

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain (Mortgage) dated , 19 , and recorded at Page , Book , or other lien) 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.

Notary Public in and for Dona Ana County.

My commission expires

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.

Notary Public in and for Dona Ana County.

My commission expires

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

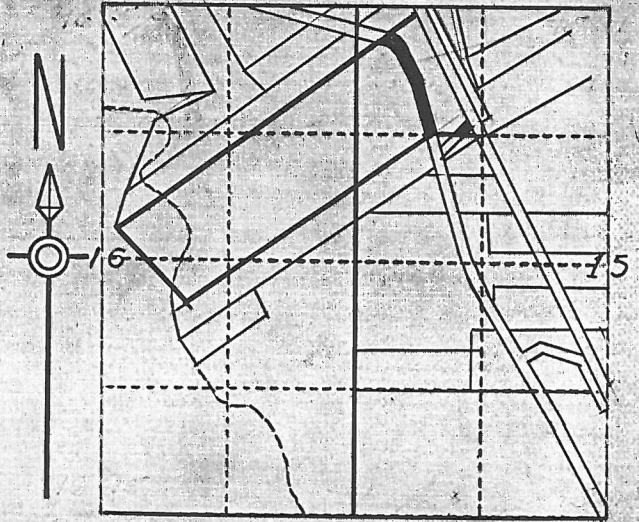
I hereby certify that this instrument was filed for record on the 3rd day of November A. D. 1932, at 3:30 o'clock, P. m., and duly recorded in Book 85A, Page 115, of the Records of Deeds and Mortgages of said County.

M. N. Hernandez
County Clerk and Ex-officio Recorder.

Deputy.

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SCALE 1" = 2000'



LOCATION PLAT
S. 15., T. 25S., R. 2E., N.M.P.M.
U.S.R.S. SURVEY
DONA ANA COUNTY, N.M.
COUNTY PLAT No. 1319
J.M.S. BACA GRANT

Top N. 47° 54' 53" W. 617.0
To N.W. Cor. Sec. 15
N. 53° 33' E. 68.0
R = 334.3
N. 64° 23' E. 5.0
N. 54° 10' E. 64.9
1166+12.1
PI = 1166+42.1
Δ = 52° 10'
D = 14°
T = 200.4
L = 372.6
R = 409.3

Tan Bears
52° 53' 37" E

J.R. Emerson
R.W. AREA

TRACT 1 WEST DRAIN = 3.5 A
TRACT 2 WALLACE SPUR = 0.3 A
TOTAL = 3.8 A

Eq. 1160+83.5 And. TOTAL
= 1160+20.7 Back. Q.C.D. 4/28/32

Rec 11/3/32

BK 85A-Pg 115

TRACT 1

1153+72.5

S. 55° 00' W. 36.3'

N. 89° 57' W. 99.2'

TRACT 2

N.B. Phillips
0.3 Ac.

Q.C.D. 4/13/38
Rec 5/11/38
BK 85C-Pg 312

West Drain Const. Nov. 1918
Wallace Spur " Aug. 1926

770° 51' 4" E 4667.0'
To HE. Cor. Sec. 15
N. 72° 41' E 2134'
526° 10' E 93.7'
547° 41' W 88.7'

WALLACE SPUR

J.M.S. BACA GRANT LINE

N. 89° 57' W. 133.6'

To Ed. Sec. 15
570° 29' E 4281.5'

SCALE 1" = 300'

82

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	S.H.C.-A.M. APPROVED A.W.B.
1109-L-18	EL PASO, TEX. 10/24/30

DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

El Paso, Texas 9/14/32

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 4/28, 1932, from J. R. Emerson, et al Bena conveying 35 acres of land, in Sec. 15, Twp. 25S Range 2E Dona Ana County, Plat No. 1319, Right of Way Plat No. 82, West Drain, together with certificate of officials of the Elephant Butte Irrigation District dated 4/29 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 9/14/32

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, DEC 7 1937
NOV 18 1937

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.

Co. Plat No. 1319
R/W Plat No. 82
West Drain

472

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

April 29, 1932

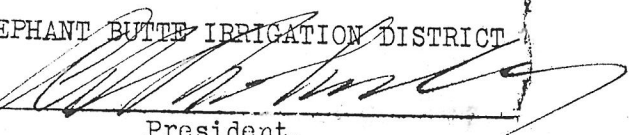
CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from
J. R. Emerson & Berna Emerson conveying 3.5
acres of land in Section 15 Township 25 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 \$ 245.00 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

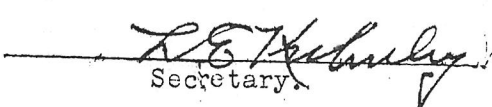
2. It is certified from investigation made, that the grantor(s)
named in the said deed appear(s) to be the owner(s) and in possession
of the land described in said deed and that said land was at the time
of said conveyance free from tax liens and other recorded liens and
encumbrances.

ELEPHANT BUTTE IRRIGATION DISTRICT

By


President.

ATTEST:


Secretary.

(SEAL)

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