

50.

FLEMING, A., B., et. ux., Mrs. A. B. QUITCLAIM DEED WEST DRAIN NO. 56 (240)

0023-0057-0030.00

788.

Land Records
Rio Grande Project
(23)

Fleming, A., B.,
et. al., Mrs. A.B.

0023-0057-0030-00

(STAT.)

24-25
H. B. Fleming
Chamberino NM

#3136

Form 100

West 56

QUITCLAIM DEED

This Indenture, made the 26th day of December, in the year of our Lord, one thousand nine hundred and forty me, between A. B. Fleming and Mrs. A. B. Fleming, 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 Sixteen and 45/100 Dollars (\$ 16.45) 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, in the Southwest quarter (SW $\frac{1}{4}$) of the Northwest quarter (NW $\frac{1}{4}$) of Section eighteen (18) Township twenty-six (26) South, Range three (3) East N.M.P.M., Bureau of Reclamation Survey being also within Private Claim No. 44, Tract 1, shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point the northwest property corner of the land of the grantors; thence North sixty-five degrees (65°) ten minutes (10') East along the north property line of the land of the grantors fifty-six and five-tenths (56.5) feet to a point from which the Northeast corner of Section eighteen (18) Township twenty-six (26) South, Range three (3) East N.M.P.M., Bureau of Reclamation Survey bears North seventy-one degrees (71°) eight minutes (8') twelve seconds (12") East five thousand one hundred fifteen and two-tenths (5115.2) feet; thence South eleven degrees (11°) forty minutes (40') East six hundred one (601) feet to a point on the south property line of the land of the grantors, from which point the Northwest corner of Section eighteen (18) Township twenty-six (26) South, Range three (3) East N.M.P.M., Bureau of Reclamation Survey bears North twelve degrees (12°) twenty-two minutes (22') thirty-nine seconds (39") West two thousand two hundred ninety-seven and three tenths (2297.3) feet; thence South sixty-five degrees (65°) five minutes (05') West along the south property line of the land of the grantors fourteen (14) feet to a point the Southwest property corner of the land of the grantors; thence North fifteen degrees (15°) forty minutes (40') West along the west property line of the land of the grantors five hundred ninety-three and five tenths (593.5) feet to the point of beginning. Said tract of land containing forty-seven hundredths (0.47) of an acre, 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 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 seal the day and year first above written.

Signed, sealed and delivered in the presence of—

..... X A. B. Fleming (L. S.)
..... X Mrs. A. B. Fleming (L. S.)
..... (L. S.)

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

On this 26 day of December, 1941, before me personally appeared A. B. Fleming & Mrs. A. B. Fleming 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.

J. P. Milner
Notary Public in and for Dona Ana County.

My commission expires Oct. 31, 1943.

PARTIAL RELEASE OF LIEN

Know all men by these presents, That the undersigned owner (s) and holder (s) of that certain mortgage dated Jan. 20, 1940, and recorded at Page 595, Book 61, Records of Dona Ana County, New Mexico, ha. S. released and do. S. 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 23 day of January, 1942.

Attest
J. W. Smith
Notary Public

X Mortgage Investment Co.
of El Paso Texas
Pete Murreff
V.P.

Texas
STATE OF NEW MEXICO }
El Paso
COUNTY OF DONA ANA } SS:

On this 23 day of January, 1942, before me appeared PETE MURREFF to me personally known, who being by me duly sworn did say that he is the Vice-President of MORTGAGE INVESTMENT COMPANY OF EL PASO, TEXAS 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 PETE MURREFF acknowledges said instrument to be the free act and deed of said corporation.

Hortense M. Over
Notary Public in and for Dona Ana County, Texas
EL Paso

My commission expires 5-31-43.

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.

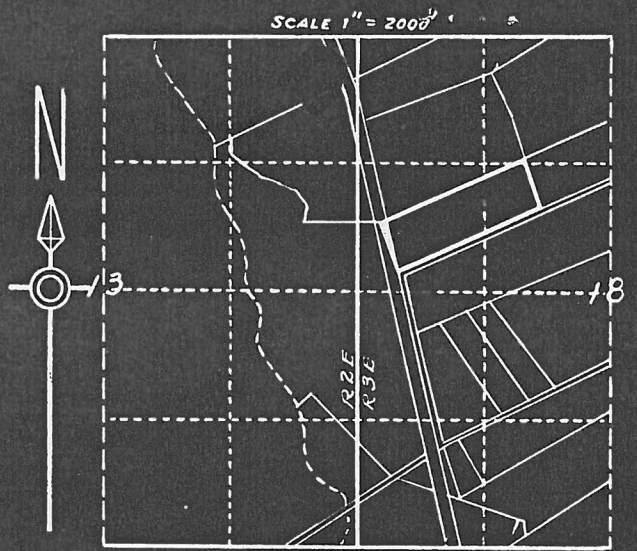
Notary Public in and for Dona Ana County.

My commission expires

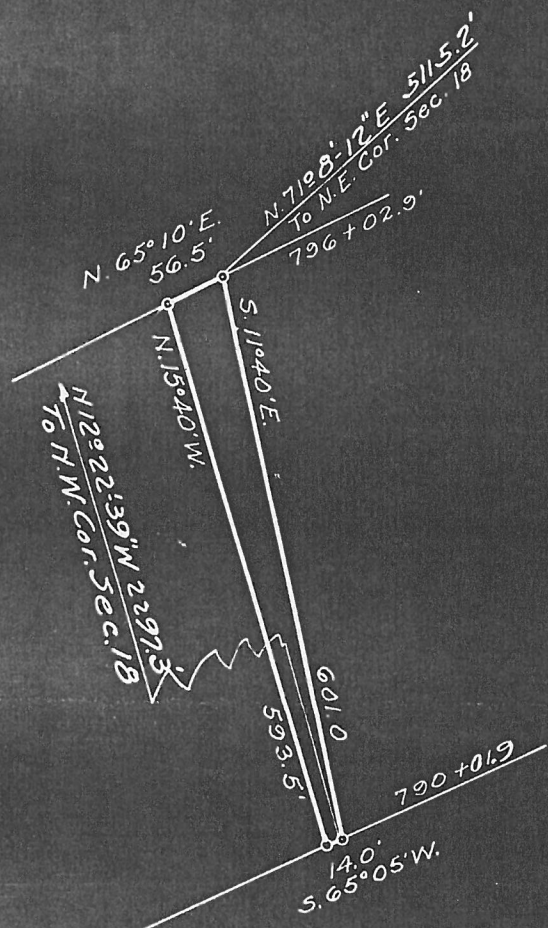
STATE OF NEW MEXICO }
COUNTY OF DONA ANA } SS:

I hereby certify that this instrument was filed for record on the 18 day of February, A. D. 1942, at 8:15 o'clock, A. M., and duly recorded in Book 85E, Page 217, of the Records of Deeds and Mortgages of said County.

M. J. Chavez
County Clerk and Ex-Officio Recorder.
By Adela Gonzalez Deputy.



LOCATION PLAT
 S. 18., T. 26S., R. 3E., N.M.P.M.
 U.S.R.S. SURVEY
 DONA ANA COUNTY, N.M.
 Co. PLAT No. 2824
 RE. REFUGIO GRANT
 PC. # 44 TR. 1
 ENT. 2-28-17
 PAT. 3-17-20



R.W. AREA = 0.47A.

Constructed March 1918

SCALE 1" = 200' 56

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. 11/5/30

24-25

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

TRANSFER CASE
730

RIO GRANDE

El Paso, Texas Feb. 5, 1942

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 Dec. 26, 1941, from A. B. and Mrs. A. B. Fleming conveying .47 acres of land, in Sec. 18, Twp. 26 S Range 3 E Dona Ana County, Plat No. 2824, Right of way plat No. 56 West Drain, together with certificate of officials of the Elephant Butte Irrigation District dated Feb. 4, 1942, under the provisions of contract dated December 20, 1929, between said District and the United States.


Superintendent

Amarillo, Texas FEB 13 1942

To Superintendent

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.

SPENCER L. BAIRD

District Counsel Acting

To the Commissioner

El Paso, Texas NOV 24 1942

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 copy of above

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

February 4, 1942

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from
A. B. Fleming and Mrs. A. B. Fleming, his wife
conveying 0.47 acres of land in Section 18, Township 26 S,
Range 3 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 \$ 16.45,
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

W. T. Cassin
President

ATTEST:

E. A. Lowery
Secretary

(SEAL)