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FOSTER, J. F., et. ux., Edith

QUITCLAIM DEED

240
WEST DRAIN NO. 35

0023-00~~5~~⁶¹-0036-00

3780

Land Records
Rio Grande Project
(23)

Foster, J. F. et.

W., Edith

0023-0061-0036-00

QUITCLAIM DEED

THIS INDENTURE, made the 20th day of May, in the year of our Lord, one thousand nine hundred and thirty-seven, between J. F. Foster and Edith Foster, 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... of the first part, for and in consideration of the allowance of credits in the sum of Three hundred ninety nine & no/100 Dollars (\$ 399.00) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said part... 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 (W¹/₂) 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 1917 as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point on southeasterly 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 sixty degrees (60°) one minute (01') East, four thousand two hundred forty-three and one tenth (4243.1) feet; thence South sixty-eight degrees (68°) forty-six minutes (46') West along said southeasterly property line one hundred twenty-five and one tenth (125.1) feet; thence North twenty-three degrees (23°) thirty-four minutes (34') West, six hundred forty-two and one tenth (642.1) feet to a point on the southwesterly property line of the land of the grantors; thence along said southwesterly property line, North sixty-eight degrees (68°) forty-seven minutes (47') East, one and two tenths (1.2) feet and North twenty-two degrees (22°) twenty-eight minutes (28') West, one thousand five hundred twenty-nine and seven tenths (1529.7) feet to a point, said point being a corner of the land of the grantors; thence North eighty-two degrees (82°) nineteen minutes (19') East along the northwesterly property line of the land of the grantors, ninety-eight and two tenths (98.2) feet to a point and from which point the Northeast Corner Section eight (8), Township twenty-seven (27) South, Range three (3) East, N.M.P.M., bears North seventy-five degrees (75°) nineteen minutes (19') East, four thousand six hundred eighty-seven and eight tenths (4687.8) feet; thence South twenty-three degrees (23°) thirty-four minutes (34') East, two thousand one hundred forty-nine and seven tenths (2149.7) feet to the place of beginning. Said tract containing five and seven tenths (5.7) 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... of the first part ha hereunto set their hand and seal the day and year first above written.

Signed, sealed, and delivered in the presence of—

J. F. Foster [L. S.]

Edith Foster [L. S.]

[L. S.]

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

N. B. Phillips

April 7, 1940

Notary Public in and for Dona Ana County.

My commission expires

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain mortgage dated May 22, 1935, and recorded at Page 365, Book 27, or other lien) mortgage Records of Dona Ana County, New Mexico, have released and do 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. (Mortgage or other lien)

Attorney IN WITNESS (my, our) hand(s) and seal(s) this 7th day of December, 1932

Guy Fogelberg, Asst. Secy.

THE FEDERAL LAND BANK OF WICHITA
By - W E PEPPERELL, Vice-President

STATE OF NEW MEXICO
COUNTY OF DONA ANA

ss:

On this 7 day of December, 1932, before me appeared W. E. Pepperell Vice President to me personally known, who being by me duly sworn did say that he is the THE FEDERAL LAND BANK OF WICHITA (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 W E Pepperell acknowledges said instrument to be the free act and deed of said corporation.

Fern Allburn

Notary Public in and for Dona Ana County.
Sedgwick

My commission expires

Nov. 26, 1935.

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:

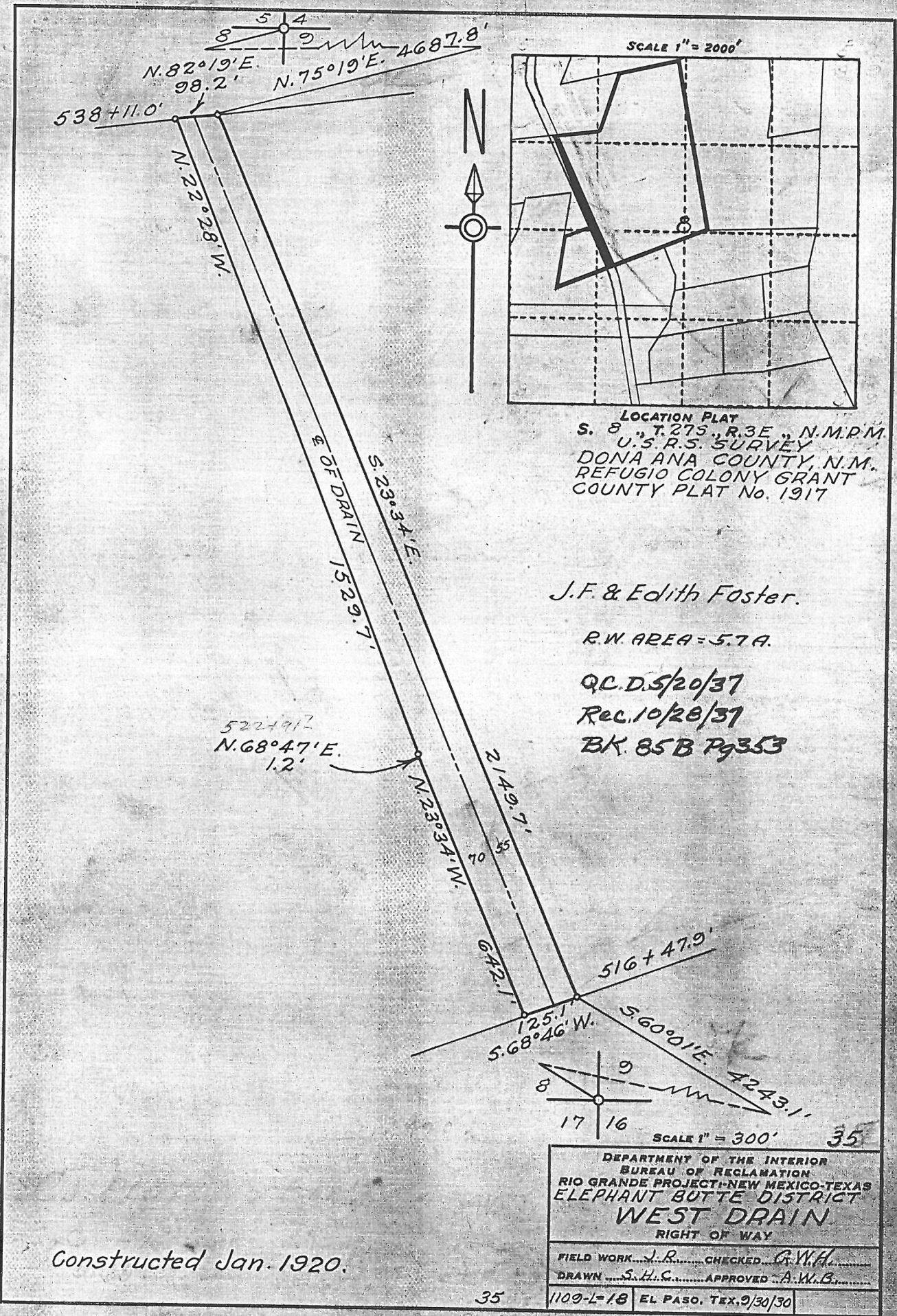
I hereby certify that this instrument was filed for record on the 28th day of October A. D. 1937, at 9 o'clock, A. M., and duly recorded in Book 85-B, Page 353, of the Records of Deeds and Mortgages of said County.

#2452

S L Apodaca
County Clerk and Ex-officio Recorder.

F C Lopez

Deputy.



DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas Sept. 11, 1937

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 May 20, 1937, from J. F. Foster and Edith Foster, his wife conveying 5.7 acres of land, in Sec. 6, Twp. 27 N, Range 3 E Dona Ana County, Plat No. 1917, Right of Way Plat No. 35, West Drain, together with certificate of officials of the Elephant Butte Irrigation District dated August 30, 1937, 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, OCT -7 1937

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.

E J O DEVLIN

District Counsel

To The Commissioner

El Paso, Texas, JAN 22 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.

L. R. Fiock

Superintendent

CC - Chief Engineer
with enclosure

County Plat No. 1917
West Drain No. 35

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

~~August 30, 1927~~

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from
~~J. F. Foster and Edith Foster~~
conveying 4.7 acres of land in Section 8, Township 27 N,
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 \$ 300.00,
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 30, 1927~~.

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. Lucey
Secretary
(SEAL)