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GARY, W. H., et. ux., Sallie Owens

QUITCLAIM DEED

240  
WEST DRAIN NO. 66

0023-0055-0050

22-50-

5-80  
280

QUITCLAIM DEED

This Indenture, made the 20th day of January, in the year of our Lord, one thousand nine hundred and thirty-seven, between W. H. GARY & SALLIE OWENS GARY, 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. 369), and acts amendatory thereof and supplementary thereto.

WITNESSETH; That the parties of the first part, for and in consideration of the allowance of credits in the sum of THREE HUNDRED THIRTY-SIX AND NO/100 Dollars (\$336.00) 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 Southeast corner Section Thirty-five (35), Township twenty-five (25) South, Range two (2) East, N.M.P.M., Bureau of Reclamation Survey; being also within tract numbered 1521, as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point which is the Southeast corner of the land of the grantors and which point is also the Southeast Corner Section thirty-five (35), Township twenty-five (25) South, Range two (2) East, N.M.P.M., Bureau of Reclamation Survey; thence South eighty-nine degrees (89°) fifty-eight minutes (58') West, along the south property line of the land of the grantors, fourteen and two tenths (14.2) feet; thence North twenty-seven degrees (27°) thirty-eight minutes (38') West, one thousand seven hundred twelve and six tenths (1712.6) feet to a point on the northerly property line of the land of the grantors; thence North fifty-nine degrees (59°) thirty-eight minutes (38') East, along said northerly property line one hundred thirty and two tenths (130.2) feet to a point from which the Northeast Corner Section thirty-five, Township twenty-five (25) South, Range two (2) East, N.M.P.M., bears North eleven degrees (11°) fifty-two minutes (52') forty-four seconds (44") East, three thousand eight hundred thirty-four and three tenths (3834.3) feet; thence South twenty-seven degrees (27°) thirty-eight minutes (38') East one thousand five hundred ten and two tenths (1510.2) feet to a point on the east property line of the land of the grantors; thence South one degree (1°) no minutes (00') West, along said east property line, two hundred forty-five and one tenth (245.1) feet to the place of beginning. Said tract containing four and eight tenths (4.8) 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 parties 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--

Correct as to Engr. Data *GWH*

W. H. Gary (L.S.)

Sallie Owens Gary (L.S.)

STATE OF NEW MEXICO |  
COUNTY OF DONA ANA | ss.

On this 26th day of January, 1937, before me personally appeared W. H. GARY & SALLIE OWENS GARY, his wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that he & she 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) N. B. PHILLIPS  
Notary Public in and for Dona Ana County

My commission expires April 7, 1940.

**PARTIAL RELEASE OF LIEN**

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain mortgage dated October 1, 1934, and recorded at Page 125, Book 52, 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 6th day of May, 1937.

(SEAL)

ATTEST:

W. E. Fisher, Secretary

THE FEDERAL LAND BANK OF WICHITA

By R. H. JONES, Vice-President

STATE OF KANSAS |  
COUNTY OF SEDGWICK | ss.

On this 6th day of May, 1937, 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, 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.

(SEAL)

My commission expires November 23, 1940.

BETHELY PORTER

Notary Public in and for Sedgwick County

**PARTIAL RELEASE OF LIEN**

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain mortgage dated October 1, 1934, and recorded at Page 161, Book 52, 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 6th day of May, 1937.

(SEAL)

ATTEST:

W. E. Fisher, Secretary

Federal Farm Mortgage Corporation, a corporation and Land Bank Commissioner, acting pursuant to Part 3 of the Emergency Farm Mortgage Act of 1933, as amended.

By THE FEDERAL LAND BANK OF WICHITA, their Agent and Attorney in Fact.

By R. H. JONES, Vice-President

STATE OF KANSAS |  
COUNTY OF SEDGWICK | ss.

On this 6th day of May, 1937, 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, 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.

(SEAL)

My commission expires November 23, 1940.

BETHELY PORTER

Notary Public in and for Sedgwick County

STATE OF NEW MEXICO |  
COUNTY OF DONA ANA | ss.

I hereby certify that this instrument was filed for record on the 11th day of

August A.D. 19 37 at 4 o'clock, P. M., and duly recorded in Book 65-B

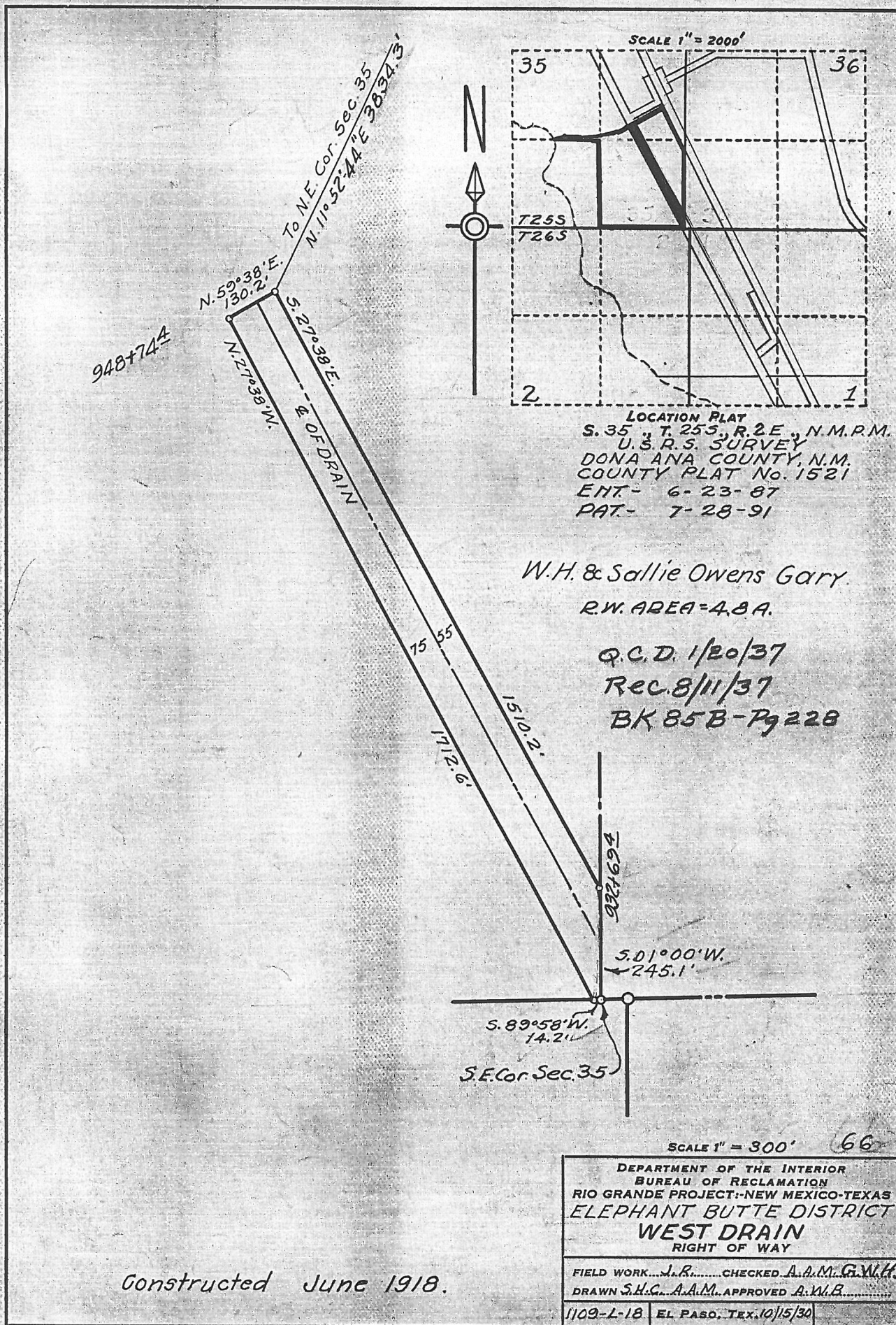
Page 225 of the Records of Deeds and Mortgages of said County.

S. L. Apodaca

County Clerk and Ex-officio Recorder

S.

Deputy



948+74.4

N. 59° 38' E.  
130.2'

To NE Cor. Sec. 35  
N. 11° 52' 44" E. 38.34'

N. 11° 52' 44" W.

S. 27° 38' E.

1510.2'

75 55

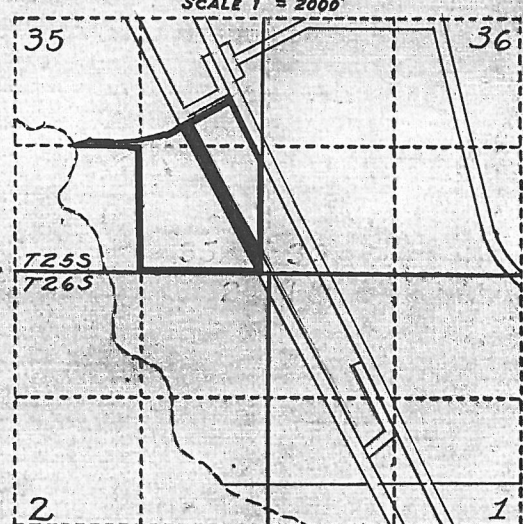
S. 89° 58' W.  
14.2'

S.E. Cor. Sec. 35

932+69.4

S. 01° 00' W.  
245.1'

SCALE 1" = 2000'



LOCATION PLAT  
S. 35 T. 25S, R. 2E, N.M.P.M.  
U. S. R. S. SURVEY  
DONA ANA COUNTY, N.M.  
COUNTY PLAT No. 1521  
ENT- 6-23-87  
PAT- 7-28-91

W.H. & Sallie Owens Gary

R.W. AREA=4.8 A.

Q.C.D. 1/20/37

REC. 8/11/37

BK 85B-Pg 228

SCALE 1" = 300'

66

|                                     |                               |
|-------------------------------------|-------------------------------|
| 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 A.A.M. G.W.H.    |
| DRAWN                               | S.H.C. A.A.M. APPROVED A.W.B. |
| 1109-L-18                           | EL PASO, TEX. 10/15/30        |

Constructed June 1918.

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas 6/7/37

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 1-20-37, 1932, from W. H. Gary and Sallie Owens Gary, conveying 4.6 acres of land, in Sec. 35, Twp. 25 S Range 2 E Dona Ana County, Plat No. 1521, Right of Way Plat No. 66, West Drain Drain, together with certificate of officials of the Elephant Butte Irrigation District dated May 23, 1937, under the provisions of contract dated December 20, 1929, between said District and the United States.

L. R. Plock

Superintendent

To Superintendent

El Paso, Texas, JUL 21 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.

H. J. S. Devries

District Counsel

To The Commissioner

El Paso, Texas, APR 11 1940

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. Plock

Superintendent.

CC - Chief Engineer  
with enclosure.

359  
ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

May 22, 1937

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quitclaim deed from  
**W. H. Gary and Sallie Owens Gary, his wife** Conveying **1122 4.80**  
acres of land in Section **35** Township **25 S** Range **2 E**  
Dona Ana County Plat No. **1521**, Right of Way Plat No. **66**,  
~~West~~ Drain 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 \$ **336.00**  
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.

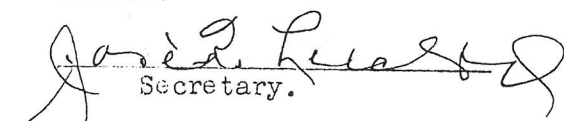
2. It is certified from investigation made, that the grantor(s)  
named in the said deed appear(s) to be the owner(s) and in possession  
of the land described in said deed and that said land was at the time  
of said conveyance free from tax liens and other recorded liens and  
encumbrances.

ELEPHANT BUTTE IRRIGATION DISTRICT

By 

President.

ATTEST:

  
Secretary.

(SEAL)