

KAHN, SIMON, et. ux., Ida QUITCLAIM DEED WEST DRAIN NO. 48 **240**

0023-0059-0033-00

QUITCLAIM DEED

THIS INDENTURE, made the 9th day of March, in the year of our Lord, one thousand nine hundred and thirty-eight, between Simon Kahn and Ida Kahn, 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 ies of the first part, for and in consideration of the allowance of credits in the sum of One Hundred Seventy-five and no/100 Dollars (\$ 175.00) 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 the 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 quarter (SE $\frac{1}{4}$) Section thirty (30) and the Northeast quarter (NE $\frac{1}{4}$) Section thirty-one (31), Township twenty-six (26) South, Range three (3) East, N.M.P.M., Bureau of Reclamation Survey; being also within the Refugio Colony Grant and tract numbered 1834 as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point, being the most westerly corner of the land of the grantors and from which point the Southeast Corner Section thirty (30), Township twenty-six (26) South, Range three (3) East, N.M.P.M. bears South seventy-four degrees (74°) thirty-nine minutes (39') thirty seconds (30") East two thousand three hundred eighty and four tenths (2380.4) feet; thence North sixty-five degrees (65°) forty-one minutes (41') East along the northerly property line of the land of the grantors, forty and six tenths (40.6) feet; thence South twenty-six degrees (26°) thirty minutes (30') East three hundred two and one tenth (302.1) feet; thence to the right along a curve having a radius of two thousand nine hundred twenty-four and eight tenths (2924.8) feet, a distance of five hundred forty-four and five tenths (544.5) feet; thence South fifteen degrees (15°) fifty minutes (50') East one hundred fifty-seven and five tenths (157.5) feet; thence North seventy-four degrees (74°) ten minutes (10') East, five and no tenths (5.0) feet; thence South fifteen degrees (15°) fifty minutes (50') East two hundred seventy-seven and eight tenths (277.8) feet to a point on the southerly property line of the land of the grantors; thence South sixty-three degrees (63°) four minutes (04') West, along said southerly property line, eighty-three and seven tenths (83.7) feet to a point being the most southerly corner of the land of the grantors and from which point the Northwest Corner Section thirty-one (31), Township twenty-six (26) South, Range three (3) East, N.M.P.M. bears North seventy-seven degrees (77°) twenty-four minutes (24') West three thousand four hundred twenty-nine and eight tenths (3429.8) feet; thence along the westerly property line of the land of the grantors, North eighteen degrees (18°) twenty-seven minutes (27') West six hundred sixty-four and four tenths (664.4) feet, North nineteen degrees (19°) nine minutes (09') West, two hundred sixty-nine and four tenths (269.4) feet and North nineteen degrees (19°) forty minutes (40') West three hundred fifty-one and nine tenths (351.9) feet to the place of beginning. Said tract containing two and five tenths (2.5) 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 part ies 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—

Simon Kahn

Ida Kahn

[L. S.]

[L. S.]

[L. S.]

Correct as to Engr. Data

STATE OF NEW MEXICO }
COUNTY ON DONA ANA }

ss:

On this 9th day of March, 1938, before me personally appeared Simon Kahn and Ida Kahn, his wife

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.

H. 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 25, 1938, and recorded at Page 241, Book 40, (Mortgage or other lien)

Records of Dona Ana County, New Mexico, has released and do hereby release the said mortgage insofar as the same pertains to the parcel (Mortgage or other lien) 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)

WITNESS (my, our) hand(s) and seal(s) this 4th day of May, 1938

Attest: Guy Fogelberg, Secretary

THE FEDERAL LAND BANK OF WICHITA
By R H Jones, Vice - President

KANSAS
STATE OF NEW MEXICO }
COUNTY OF DONA ANA }

ss:

On this 4th day of May, 1938 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 (Such as president or other officer)

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.

Bethany Porter

Notary Public in and for Dona Ana County.

My commission expires Nov. 23, 1940

SEIDONICK

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

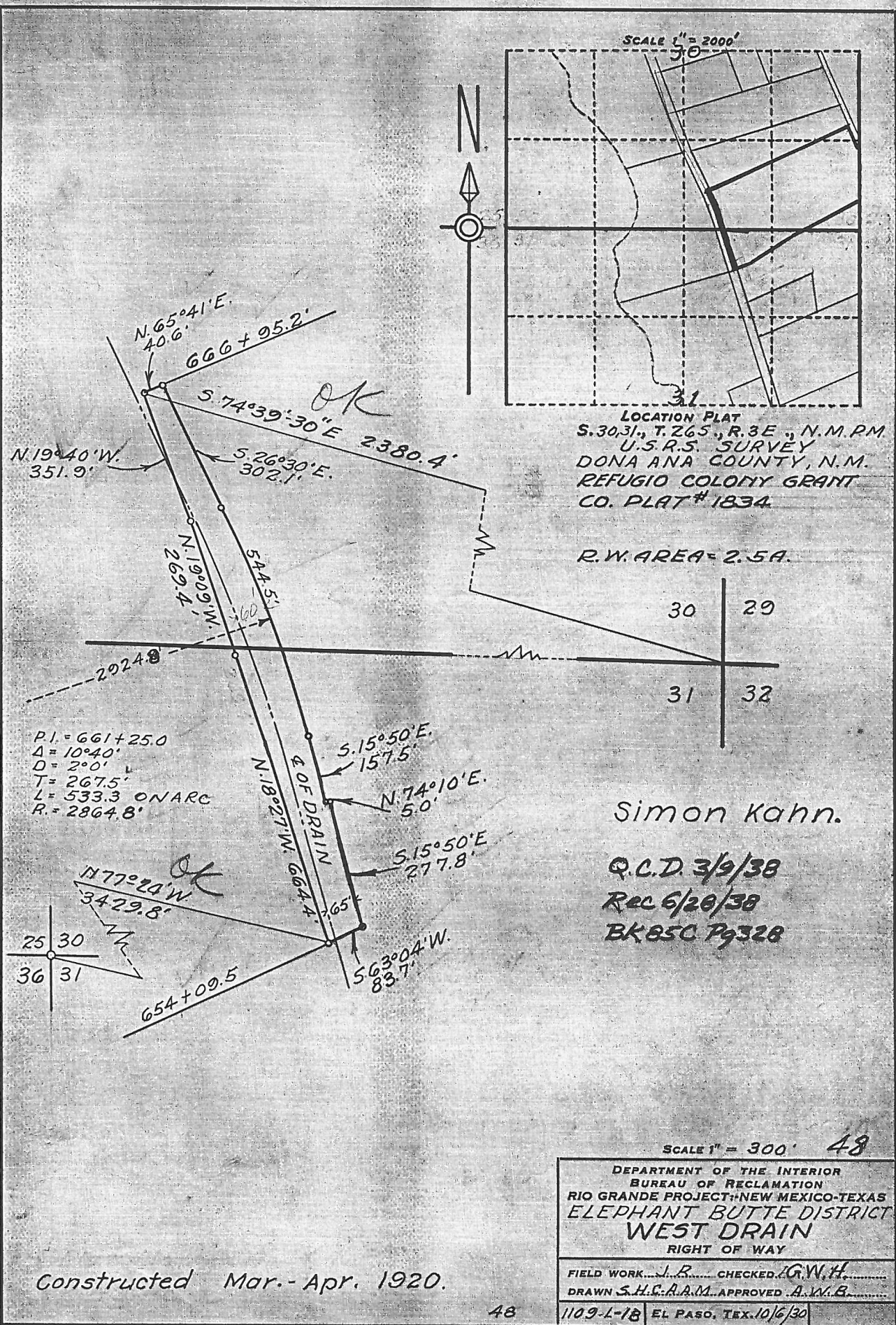
STATE OF NEW MEXICO }
COUNTY OF DONA ANA }

ss:

I hereby certify that this instrument was filed for record on the 28 day of June A. D. 1938, at 9 o'clock, a.m., and duly recorded in Book 85-C, Page 328, of the Records of Deeds and Mortgages of said County.

County Clerk and Ex-officio Recorder.

Deputy.



DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas June 9, 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 March 9, 1938, from Simon Kahn and Ida Kahn conveying 2.50 acres of land, in Sec. 30, 31 Twp. 26 S, Range 3 E Dona Ana County, Plat No. 1834, Right of Way Plat No. 48, West Drain, together with certificate of officials of the Elephant Butte Irrigation District dated May 19, 1938, under the provisions of contract dated December 20, 1929, between said District and the United States.

L R Flock

Superintendent

To Superintendent

El Paso, Texas, June 11, 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.

H. J. S. Devries

District Counsel

To The Commissioner

El Paso, Texas, AUG 23 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 Flock

Superintendent

CC - Chief Engineer
with enclosure

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

May 19, 1938

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Simon Kahn and Ida Kahn conveying 2.50 acres of land in Section 30, 31, Township 22 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 \$ 175.00, 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:

Joseph R. Lucas
Secretary
(SEAL)