

LAZAREVICK, MARKO K. QUITCLAIM DEED WEST DRAIN NO. 43 (240)

0023-0059-0037-00

QUITCLAIM DEED

This Indenture, made the 28th day of September in the year of our Lord, one thousand nine hundred and thirty-seven between Marko K. Lazarevich, a single man party 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 party of the first part, for and in consideration of the allowance of credits in the sum of One Hundred thirty-three and no/100 Dollars (\$133.00) upon the construction charge assessments of the Elephant Butte Irrigation District against lands of the said party 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 th 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 East half (E½) 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 1839 as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point on the southeasterly property line of the land of the grantors and from which point the south quarter (S¼) Corner Section thirty-one (31) Township twenty-six South, Range three (3) East, N.M.P.M., bears South thirty-six degrees (36°) sixteen minutes (16') twenty-five seconds (25") West, two thousand four hundred sixty-six and nine tenths (2466.9) feet; thence North fifteen degrees (15°) fifty minutes (50') West six hundred twenty and nine tenths (620.9) feet to a point on the northwesterly property line of the land of the grantors; thence North sixty-six degrees (66°) fourteen minutes (14') East along said northwesterly property line, one hundred thirty-one and two tenths (131.2) feet to a point from which the Northeast Corner, Section thirty-one (31) Township twenty-six (26) South, Range three (3) East, N.M.P.M., bears North twenty-four degrees (24°) forty-three minutes (43') East, two thousand nine hundred fifteen and one tenth (2915.1) feet; thence South fifteen degrees (15°) fifty minutes (50') East, six hundred twenty and seven tenths (620.7) feet to a point on the southeasterly property line of the land of the grantors; thence South sixty-six degrees (66°) ten minutes (10') West along said southeasterly property line, one hundred thirty-one and three tenths (131.3) feet to the place of beginning. Said tract containing one and nine tenth (1.9) 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, remainders 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 party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed, and delivered in the presence of -

Marko K. Lazarevich (L.S)

STATE OF TEXAS)
COUNTY OF EL PASO) ss

On this 28th day of September, 1937, before me personally appeared Marko K. Lazarevich, a single man to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his 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.

James G. White

My commission expires May 31, 1939.

Notary Public in and for El Paso Co. Tex.

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain mortgage dated Feb. 27, 1937 and recorded at Page 525, Book 55, 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) hand and seal this 20th day of October, 1937.

Josephine Lang

Correct as to Engr. Data GWH

STATE OF TEXAS)
COUNTY OF EL PASO) ss

On this 20th day of October, 1937, before me personally appeared Josephine Lang to me known to be the person described in and who executed the foregoing partial release of lien and acknowledged that she executed the same as her 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.

My commission expires June 1, 1939 Ruth West
Notary Public in and for El Paso Co. Texas

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, 1927, and recorded at Page 536, Book 37, 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 10th day of January, 1938.

THE FEDERAL LAND BANK OF WICHITA, Wichita, Kansas,
a corporation.

W E Fisher, Secretary.

By - R. H. Jones, Vice-President

STATE OF KANSAS)
COUNTY OF SEDGWICK) ss

On this 10th day of January, 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 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.

My commission expires Nov. 23, 1940 Bethry Porter
Notary Public in and for Sedgwick County

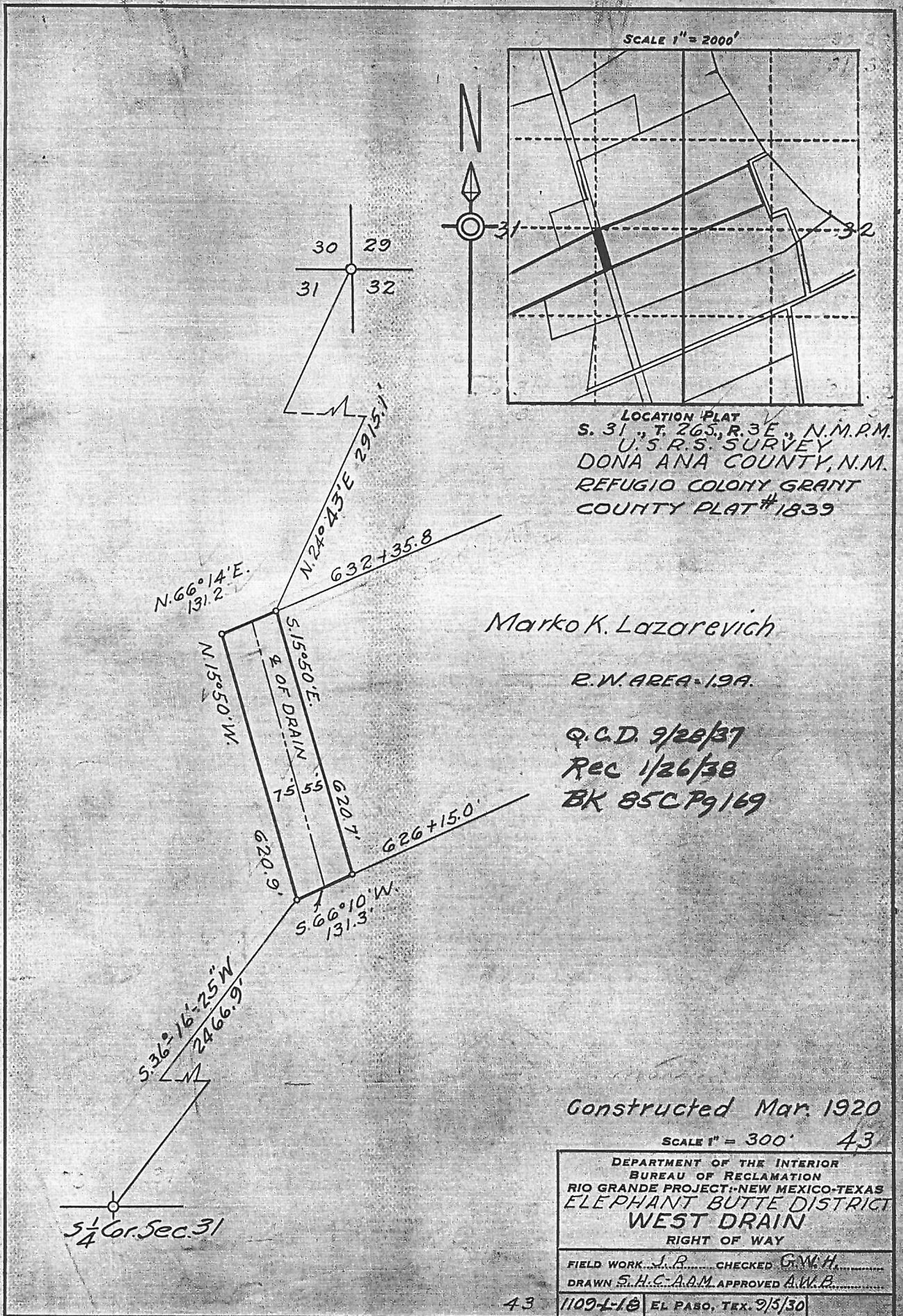
STATE OF NEW MEXICO)
COUNTY OF DONA ANA) ss

I hereby certify that this instrument was filed for record on the 26th day of January, A. D. 19 38, at 11 o'clock, a m., and duly recorded in Book 85-C, Page 169, of the Records of Deeds and Mortgages of said County.

S. L. Apodaca
County Clerk and ex-officio
Recorder

No. 4390

A
Deputy



DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas Jan. 19, 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 Sept. 28, 1937, from Marko K. Lazarevich conveying 1.90 acres of land, in Sec. 31, TWP. 28 S Range 3 E Dona Ana County, Plat No. 1886, Right of Way Plat No. 48, West Drain, together with certificate of officials of the Elephant Butte Irrigation District dated October 6, 1937, 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. JAN 20 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. Devries

District Counsel

To the Commissioner

El Paso, Texas. FEB 21 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.

Co. Plat No. _____

West No. 43

Drain

H. & W. Plat No. _____

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

October 5, 1937

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Marko K. Lazarevich conveying 1.90 acres of land in Section 31 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 \$ 133.00 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:

Jose R. Luezo
Secretary.
(SEAL)

E.O. Elden

A tract of land lying and situate in Dona Ana County, New Mexico and in the E $\frac{1}{2}$ Sec. 31, T26S, R3E, N.M.P.M., Bureau of Reclamation Survey, being also within the Refugio Colony Grant and tract numbered 1839 as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point on the southeasterly property line of the land of the grantors and from which point the S $\frac{1}{4}$ Cor. Sec. 31, T26S, R3E, N.M.P.M., bears S $36^{\circ}16'25''$ W 2466 $\frac{2}{3}$ ft. thence N $15^{\circ}50'$ W 620 $\frac{2}{3}$ ft to a point on the northwesterly property line of the land of the grantors; thence N $66^{\circ}14'E$ along said northwesterly property line, 131 $\frac{2}{3}$ ft to a point from which the N.E. Cor. Sec. 31, T26S, R3E, N.M.P.M., bears N $24^{\circ}43'E$ 2915 $\frac{1}{2}$ ft. thence S $15^{\circ}50'E$ 620 $\frac{2}{3}$ ft to a point on the southeasterly property line of the land of the grantors; thence S $66^{\circ}10'W$ along said southeasterly property line, 131 $\frac{2}{3}$ ft to the place of beginning. Said tract containing 19 acres, more or less, all as shown on plat attached hereto and made a part hereof.