

0
MARTIN, GEORGIA E., et. al.

QUITCLAIM DEED

WEST DRAIN NO. 92 (240)

0023-0050-0065-00

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION

RIO GRANDE PROJECT, TEXAS

QUITCLAIM DEED

THIS INDENTURE, made pursuant to authority contained in the Federal Property and Administrative Services Act of 1949, Public Law 152, 81st Congress, approved June 30, 1949 (63 Stat. 377, 40 U.S.C.A. 471 et seq.), as amended, between the UNITED STATES OF AMERICA, party of the first part, acting by and through the Regional Director, Region 5, Bureau of Reclamation, and JESSICA F. LEWIS, Lamesa, New Mexico, party of the second part.

WITNESSETH:

THAT, the said party of the first part for consideration paid, quitclaims to the said party of the second part, the following described real estate situated in the County of Dona Ana, State of New Mexico, to-wit:

A tract of land lying and situate in Dona Ana County, New Mexico, and in the Southwest Quarter (SW-1/4) of Section four (4), Township Twenty-five (25) South, Range two (2) East, New Mexico Principal Meridian, Bureau of Reclamation Survey, being also within tract numbered 1252 as shown on Dona Ana County, New Mexico, Plat Book; and more particularly described by metes and bounds as follows, to wit:

BEGINNING at the most easterly corner of the tract being herein described, being also a point on the westerly right of way line of the Bureau of Reclamation's West Side Canal and from which point the southwest corner of Section four (4), Township twenty-five (25) South, Range Two (2) East, N.M.P.M. bears South fifty-four (54) degrees ten (10) minutes forty (40) seconds West two thousand nine hundred seven and one tenth (2907.1) feet;

THENCE South sixty-eight (68) degrees thirty-seven (37) minutes West nine hundred twenty-two and four tenths (922.4) feet;

THENCE to the left along a curve of five hundred seventy-three and no tenths (573.0) feet radius a distance of fifty-eight and eight tenths (58.8) feet along the arc to a point on the easterly right of way line of the Bureau of Reclamation's West Drain;

THENCE following the aforesaid easterly right of way line of the West Drain, North twenty-one (21) degrees twelve (12) minutes West one hundred thirteen and no tenths (113.0) feet;

THENCE leaving the aforesaid easterly right of way line of the West Drain, North sixty-eight (68) degrees thirty-seven (37) minutes East nine hundred seventy-one and seven tenths (971.7) feet to a point on the westerly right of way line of the West Side Canal;

THENCE following the aforesaid right of way line, South twenty-six (26) degrees six (06) minutes East one hundred ten and six tenths (110.6) feet to the point of beginning.

Said tract of land containing two and forty-seven hundredths (2.47) acres, more or less.

19 67. WITNESS MY HAND AND SEAL this 13 day of November

UNITED STATES OF AMERICA

By /s/ John C. Thompson
Acting Regional Director, Region 5
Bureau of Reclamation

ACKNOWLEDGMENT

STATE OF TEXAS)
) ss
COUNTY OF POTTER)

I, Patsy R. Shewood, a Notary Public in
and for said County and State, do hereby certify that ~~Dean W. Hill~~, John C. Thompson
Acting Regional Director, Region 5, Bureau of Reclamation, personally known
to me to be the same person and official who executed the above and
foregoing instrument, appeared before me this day in person and
acknowledged that as such official, he executed the above instrument
as his free and voluntary act on behalf of the United States of
America, pursuant to authority conferred by law.

Given under my hand and notary seal this 13 day of
November, 19 67.

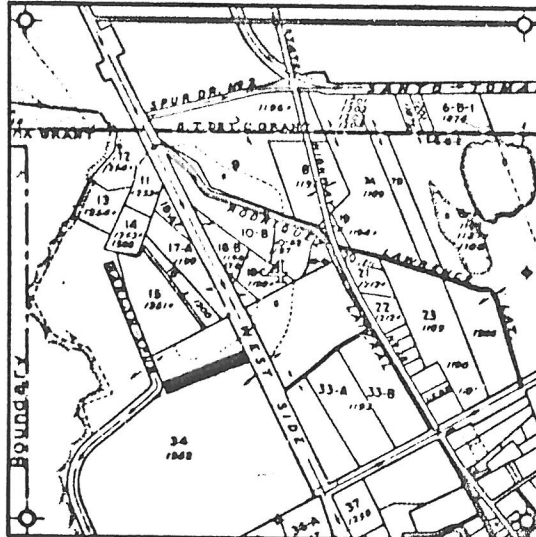
(Seal) Patsy R. Shewood

Notary Public

(SEAL)

My Commission Expires:

June 1, 1969

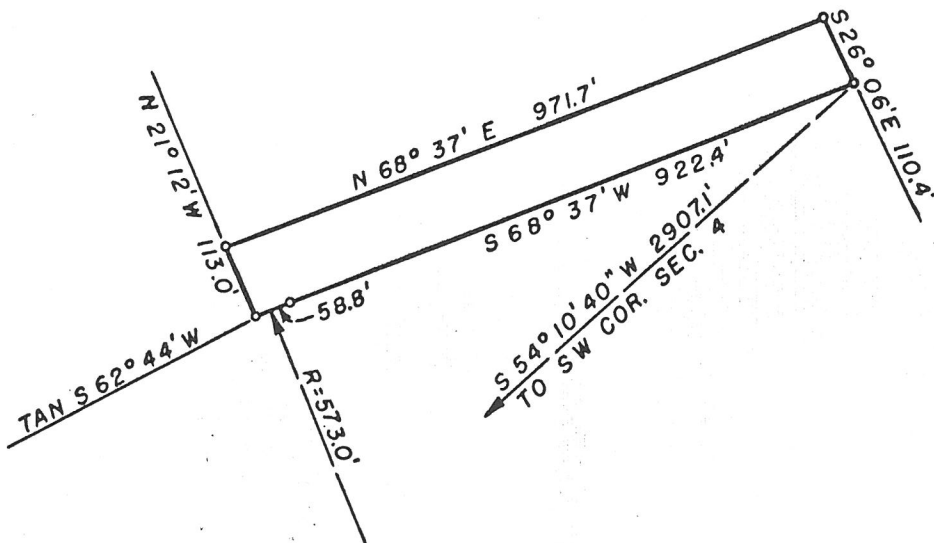


LOCATION MAP

1000 0 3000

SCALE OF FEET
S 4, T25S, R2E, N.M.P.M.
USRS. SURVEY
DONA ANA COUNTY, N. M.
COUNTY PLAT NO. 1252

2.47 Acres



100 0 500
SCALE OF FEET

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF RECLAMATION
RIO GRANDE PROJECT-N.M.-TEX.

WEST DRAIN
EXCESS RIGHT OF WAY

DRAWN S.P. SUBMITTED *W. L. B. B. B.*
TRACED RECOMMENDED *W. L. B. B. B.*
CHECKED *W. L. B. B. B.* ... APPROVED *James W. B. B. B.*

EL PASO, TEX.

6-3-63

23-503-6967

This Indenture, made the 18th day of January, in the year of our Lord, one thousand nine hundred and thirty-seven, between Georgia E. Martin, a feme sole; Eva E. Martin, a feme sole; Grace Bell, a feme sole; Elvira Bell, a feme sole; Frank Bell and Bertha L. Bell, husband and wife; Core Bell Byers and John M. Byers, wife and husband, Blanche Petree and Frank Petree, wife and husband; Thomas Oaks and Ida Oaks, husband and wife; Ruth McClurg and A. V. McClurg, wife and husband; Mary J. Waggoner and O. A. Waggoner, wife and husband, 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 parties of the first part, for and in consideration of the allowance of credits in the sum of Eight Hundred Sixty-One Dollars (\$861.00) 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 Northwest quarter Northwest quarter (NW¹/₄ NW¹/₄) Section nine (9), Southwest quarter Northwest quarter (SW¹/₄ NW¹/₄) and Southwest quarter (SW¹/₄) Section four (4), Township twenty-five (25) South, Range two (2) East, N.M.P.M., Bureau of Reclamation Survey; being also within the J.M.S. Baca Grant and tract numbered 1282, as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point on the southerly property line of the land of the grantors, and from which point the Northeast Corner Section nine (9), Township twenty-five (25) South, Range two (2) East, N.M.P.M., bears North seventy-nine degrees (79°) thirty-two minutes (32') thirty-five seconds (35'') East, four thousand one hundred eighty-four and one tenth (4184.1) feet; thence South sixty-one degrees (61°) fifty-six minutes (56') West, along said southerly property line, one hundred twenty-seven and five tenths (127.5) feet; thence North thirty-nine degrees (39°) twenty-four minutes (24') West, five hundred twenty-three and six tenths (523.6) feet; thence to the right along a curve having a radius of six hundred forty-three and no tenths (643.0) feet, a distance of one hundred ninety-four and no tenths (194.0) feet; thence North twenty-two degrees (22°) seven minutes (07') West, three hundred ninety-seven and no tenths (397.0) feet; thence to the right along a curve having a radius of six hundred forty-three and no tenths (643.0) feet, a distance of eight hundred eleven and nine tenths (811.9) feet to a point at which the tangent to the curve has a bearing of North fifty degrees (50°) fourteen minutes (14') East, thence South thirty-nine degrees (39°) forty-six minutes (46') East, ten and no tenths (10.0) feet; thence North fifty degrees (50°) fourteen minutes (14') East, eight hundred fifty and one tenth (850.1) feet; thence North twenty-one degrees (21°) twelve minutes (12') West, one thousand three hundred eighty-eight and three tenths (1388.3) feet; thence North sixty-eight degrees (68°) forty-eight minutes (48') East, one hundred and no tenths (100.0) feet; thence South twenty-one degrees (21°) twelve minutes (12') East, two hundred fourteen and three tenths (214.3) feet to a point on an easterly property line of the land of the grantors; thence along said property line, South twelve degrees (12°) thirty-three minutes (33') East, five hundred eighty-seven and nine tenths (587.9) feet, and South twenty-nine degrees (29°) thirty-three minutes (33') East, two hundred ninety-nine and no tenths (299.0) feet to a corner of the land of the grantors; thence North sixty-three degrees (63°) fifty-seven minutes (57') East, along a northerly property line of the land of the grantors, forty-five and two tenths (45.2) feet; thence South twenty-one degrees (21°) twelve minutes (12') East, two hundred eighty-one and nine tenths (281.9) feet; thence North sixty-eight degrees (68°) thirty-seven minutes (37') East, nine hundred seventy-one and seven tenths (971.7) feet to a point on the westerly right of way line of the West Side Canal; thence South twenty-six degrees (26°) six minutes (06') East, along said right of way line, one hundred ten and four tenths (110.4) feet to a point from which the Southwest Corner, Section four (4), Township twenty-five (25) South, Range two (2) East, N.M.P.M., bears South fifty-four degrees (54°) ten minutes (10') forty seconds (40'') West, two thousand nine hundred seven and one tenth (2907.1) feet; thence South sixty-eight degrees (68°) thirty-seven minutes (37') West, nine hundred twenty-two and four tenths (922.4) feet; thence to the left along a curve having a radius of five hundred twenty-three and no tenths (523.0) feet, a distance of one hundred sixty-seven and eight tenths (167.8) feet; thence South fifty degrees (50°) fourteen minutes (14') West (14'W), five hundred twelve and nine tenths (512.9) feet; thence South thirty-nine degrees (39°) forty-six minutes (46') East, five and no tenths (5.0) feet; thence South fifty degrees (50°) fourteen minutes (14') West, two hundred ninety-three and eight tenths (293.8) feet; thence to the left along a curve having a radius of five hundred eighteen and no tenths (518.0) feet, a distance of six hundred fifty-four and one tenth (654.1) feet; thence South twenty-two degrees (22°) seven minutes (07') East, three hundred ninety-seven and no tenths (397.0) feet; thence to the left along a curve having a radius of five hundred eighteen and no tenths (518.0) feet, a distance of one hundred fifty-six and three tenths (156.3) feet; thence South thirty-nine degrees (39°) twenty-four minutes (24') East, five hundred forty-eight and six tenths (548.6) feet to the place of beginning. Said tract containing twelve and three tenths (12.3) acres, more or less. Curve distances based on the

are. All as shown on Plat attached hereto and made a part hereof, together with all and singular the tenements, hereditaments and appurtenances therunto 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.

ELVIRA BELL (L.S.)

CORA BELL BYERS (L.S.)

BERTHA L. BELL (L.S.)

JOHN M. BYERS (L.S.)

IDA OAKS (L.S.)

MARY J. WAGGONER (L.S.)

O. A. WAGGONER (L.S.)

A. W. MCCLURG (L.S.)

BLANCHETTE PETREE (L.S.)

FRANK PETREE (L.S.)

EVA E. MARTIN (L.S.)

GEORGIA E. MARTIN (L.S.)

FRANK BELL (L.S.)

GRACE BELL (L.S.)

THOMAS OAKS (L.S.)

RUTH MCCLURG (L.S.)

STATE OF IDAHO | ss.
TWIN FALLS COUNTY

On this 22nd day of January 1937, before me personally appeared Eva E. Martin, a feme sole; Georgia E. Martin, a feme sole; Grace Bell, a feme sole; Elvira Bell, a feme sole; Frank Bell and Bertha L. Bell, his wife; Cora Bell Byers, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free and voluntary 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)

My commission expires April 26th, 1938.

STATE OF IOWA, | ss.

VAN BUREN COUNTY

G. A. BAILEY
Notary Public for Idaho,
Residing at Twin Falls, Idaho

On this 29 day of January 1937, before me a Notary Public appeared John M. Byers husband of Cora Bell Byers, 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 and voluntary 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)

My commission expires July 4, 1938.

STATE OF OKLAHOMA | ss.

JACKSON COUNTY

M. D. HOPE
Notary Public of Iowa, in and for Van Buren County

On this 18th day of January, 1937, before me personally appeared Blanche Petree and her husband Frank Petree, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free and voluntary 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)

My commission expires June 15, 1938.

STATE OF WISCONSIN | ss.

MILWAUKEE COUNTY

J. D. DURHAM
Notary Public

On this 2nd day of Feb., 1937, before me personally appeared Thomas Oaks and his wife, Ida Oaks, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free and voluntary 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)

My commission expires May 9th, 1937.

STATE OF TEXAS | ss.

LIFSCOMB COUNTY

ANTHONY BASTILE
Notary Public

On this 6 day of Feb. 1937, before me personally appeared Ruth McClurg and her husband, A. W. McClurg, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free and voluntary 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)

My commission expires 6-1-37

A. H. MONTGOMERY
Notary Public

STATE OF CALIFORNIA | ss.
COUNTY OF LOS ANGELES |

On this 13 day of Feb., 1937, before me personally appeared Mary J. Waggoner and her husband, O. A. Waggoner, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary 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)

GEORGE W. VAN DYKE
Notary Public

My commission expires Nov. 25, 1940.

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain Mortgage dated January 29, 1929, and recorded at Page 65, Book 42, 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 5th day of May, 1937.

(SEAL)

ATTEST:

THE FEDERAL LAND BANK OF WICHITA

W. E. Fisher, Secretary

By: R. H. JONES, Vice President

STATE OF KANSAS | ss.
COUNTY OF SEDGWICK |

On this 5th 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)

BETHRY PORTER

Notary Public in and for Sedgwick County

My commission expires November 23, 1940.

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

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

August A.D. 19 37, at 4 o'clock, P m., and duly recorded in Book 85-B

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

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

S.

Deputy

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas, June 28, 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 Jan. 18, 1937, 1932, from conveying 12.30 acres of land Dona Ana County, Flat No. 1252 Drain, together with certificate of acquisition District dated June 14, 1929, contract dated December 20, 1929

Georgia E. Martin, Eva E. Martin, Grace Bell, Elvira Bell, Frank Bell, Bertha L. Bell, Cora Bell Byers, John M. Byers, Blanche Petree, Frank Petree, Thomas Oaks, Ida Oaks, Hugh McClurg, A. W. McClurg, Mary J. Waggoner, O. A. Waggoner

L. R. Flock
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, NOV 18 1937

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

June 14, 1937

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quitclaim deed from Georgia E. Martin, Eva E. Martin, Grace Bell, Elvira Bell, Frank Bell, Bertha L. Bell, Cora Bell Myers, John M. Myers, Conveying 12.30 Blanche Petree, Frank Petree, Thomas Oaks, Ida Oaks, Ruth McClurg, A. W. McClurg, Mary J. Waggoner, O. A. Waggoner, Section 9 and 4 Township 23 S Range 2 E

Dona Ana County Plat No. 1252, Right of Way Plat No. 93,

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 \$61.00 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:

Joseph R. Lucas
Secretary.
(SEAL)