

MARTIN, WM. W., et. al.

QUITCLAIM DEED WEST DRAIN NO. 62 (240)

0023-0055-0052-00

(STAT.)

QUITCLAIM DEED

This Indenture, made the 20th day of April in the year of our Lord, one thousand nine hundred and forty, between Wm. W. Martin, Era Martin, his wife, and M. L. Thomas, a single man 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 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 parties of the first part, pursuant to contract of Dec. 20, 1929 and contract of August 30, 1939, 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, in the North half (N $\frac{1}{2}$) of the Southwest quarter (SW $\frac{1}{4}$) of Section one (1), Township twenty-six (26) South, Range two (2) East N.M.P.M., Bureau of Reclamation Survey and within tract numbered 1534 as shown on Dona Ana County, New Mexico, Plat Book; more particularly described as follows:

Beginning at a point on the south property line of the land of the grantors and from which point the Southeast corner of Section one (1) Township twenty-six (26) South, Range two (2) East N.M.P.M., Bureau of Reclamation Survey bears South sixty-seven degrees (67°) forty-three minutes (43') thirteen seconds (13") East three thousand six hundred ten and seven tenths (3610.7) feet; thence North eighty-nine degrees (89°) forty-four minutes (44') West one hundred twenty-six and three tenths (126.3) feet; thence North twenty-nine degrees (29°) eleven minutes (11') West one thousand two hundred fifty-five and seven tenths (1255.7) feet; thence North twenty-seven degrees (27°) thirty-eight minutes (38') West two hundred fifty-three and five tenths (253.5) feet to a point on the north property line of the land of the grantors; from which the Southwest corner of Section one (1) Township twenty-six (26) South, Range two (2) East, N.M.P.M., Bureau of Reclamation Survey bears South twenty-three degrees (23°) twenty-one minutes (21') ten seconds (10") West two thousand eight hundred ninety-one and five tenths (2891.5) feet; thence North eighty-nine degrees (89°) fifty-nine minutes (59') East along the north property line of the land of the grantors one hundred twenty-four and one tenth (124.1) feet; thence South twenty-seven degrees (27°) thirty-eight minutes (38') East one hundred ninety-four and five tenths (194.5) feet; thence South twenty-nine degrees (29°) eleven minutes (11') East one thousand three hundred sixteen and three tenths (1316.3) feet to the point of beginning. Said tract of land containing three and eight tenths (3.8) 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

Wm. W. Martin (L.S.)
Era Martin (L.S.)
M. L. Thomas (L.S.)

STATE OF TEXAS)
COUNTY OF EL PASO) ss

On this 20th day of April, 1940, before me personally appeared Wm. W. Martin and M. L. Thomas 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 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.

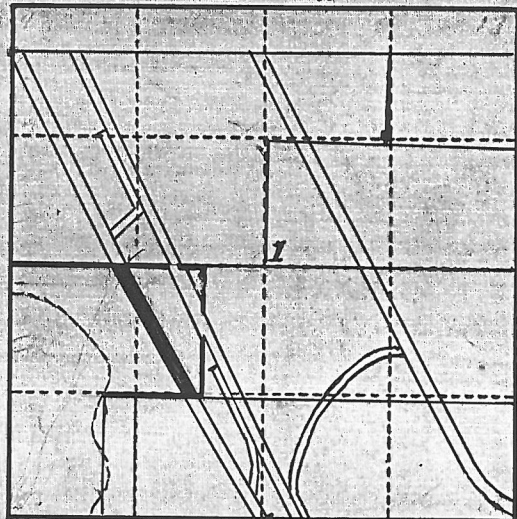
(SEAL)

Albert A. Bursey

Notary Public in and for El Paso County

My commission expires May 31, 1941

SCALE 1" = 2000'



LOCATION PLAT
S. 1, T. 265, R. 2E, N.M.P.M.
U.S.R.S. SURVEY
DONA ANA COUNTY, N.M.
Co. PLAT No. 1534
ENT. - 9-18-89
PAT. - 11-10-03

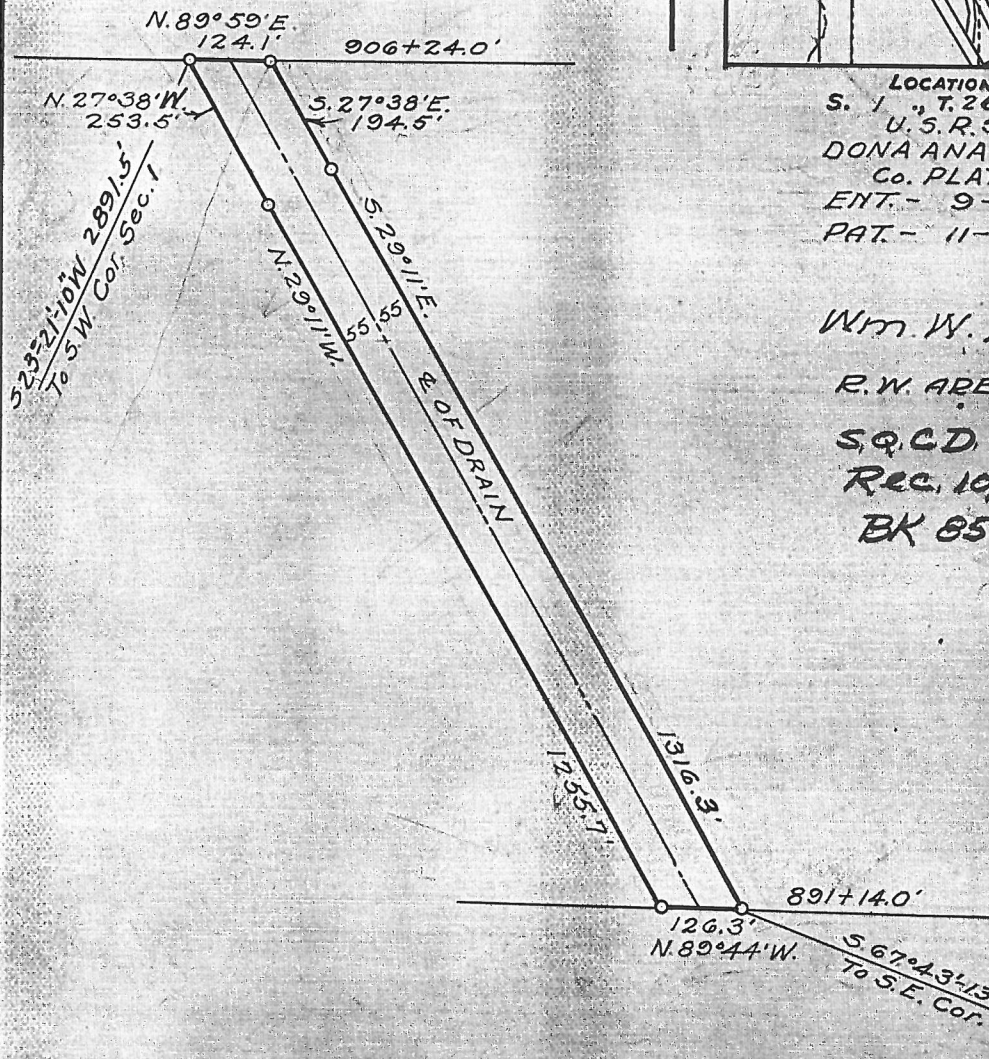
Wm. W. Martin

R.W. AREA = 3.8 A.

S.Q.C.D. 4/20/40

REC. 10/8/40

BK 85E Pg 59



SCALE 1" = 300'

62

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... G. W. H.

DRAWN... S. H. C. ... A. M. ... APPROVED... A. W. B.

1109-L-18 EL PASO, TEX. 11/5/30

Constructed May 1918.

22-44

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

739

El Paso, Texas Sept. 19, 1940

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 April 20, 1940, from Wm. V. Martin, et al conveying 5.8 acres of land, in Sec. 1, Twp 26 S, Range 3 E Dona Ana County, Plat No. 1534, Right of Way Plat No. 62, West Drain, together with certificate of officials of the Elephant Butte Irrigation District dated Sept. 7, 1940, 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 SEP 23 1940

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 JUN 2 1941

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

No. 3 of 4

Serial 22-44

File _____

West Drain

Plat No. 62

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

September 7, 1940

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Wm. W. Martin, Eva Martin, his wife, and H. L. Thomas, a single man conveying 3.8 acres of land in Section 1, Township 26 S, Range 2 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 \$ 135.00, 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 and August 30, 1939

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:

D. A. Loney
Secretary

(SEAL)