

PRESCOTT, E. P. QUITCLAIM DEED WEST DRAIN NO. 90 (240)

0023-0050-0066-00

18-(66)

280

# QUITCLAIM DEED

THIS INDENTURE, made the 26th day of July, in the year of our Lord, one thousand nine hundred and thirty-two, between E. F. Prescott, a bachelor

part. ~~of~~ 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..... of the first part, for and in consideration of the allowance of credits in the sum of **Seventy**..... Dollars (\$ **70.00**.....) 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 East half Northwest quarter (E 1/2 NW 1/4) Section nine (9), 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 1314 and 1315 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 sixty-six degrees (66°) forty-one minutes (41') sixteen seconds (16") East three thousand eight hundred eighty-five and two tenths (3885.2) feet; thence South sixty-two degrees (62°) forty-nine minutes (49') West along said southerly property line one hundred twenty-seven and five tenths (127.5) feet to a point which is the Southwest corner of the land of the grantors; thence along the westerly property line of the land of the grantors, North sixteen degrees (16°) forty-four minutes (44') West three hundred sixty-six and one tenth (366.1) feet and North twenty-one degrees (21°) nineteen minutes (19') West, one hundred seventy-seven and two tenths (177.2) feet to a point from which the Northwest Corner Section nine (9), Township twenty-five (25) South, Range two (2) East, N.M.P.M. bears North fifty-two degrees (52°) fifty-six minutes (56') thirty seconds (30") West one thousand seven hundred ninety-one and no tenths (1791.0) feet thence South thirty-nine degrees (39°) twenty-four minutes (24') East, two hundred thirty-eight and four tenths (238.4) feet; thence to the right along a curve having a radius of six hundred twenty-eight and no tenths (628.0) feet a distance of two hundred fifty-eight and three tenths (258.3) feet; thence South fifteen degrees (15°) fifty minutes (50') East forty-seven and eight tenths (47.8) feet to the place of beginning. Said tract containing one and no tenths (1.0) 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 y of the first part ha s hereunto set his hand and seal the day and year first above written.

Signed, sealed, and delivered in the presence of—

E. P. Prescott [L. S.]

[L. S.]

[L. S.]

STATE OF NEW MEXICO }  
COUNTY OF DONA ANA } ss:

On this 26th day of July, 1932, before me personally appeared

**E. P. Prosscott**

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.

(SEAL)

**N. E. Phillips**

Notary Public in and for Dona Ana County.

My commission expires April 4, 1936.

**PARTIAL RELEASE OF LIEN**

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain mortgage dated March 23, 1935, and recorded at Page 607, Book 51,

(Mortgage or other lien)

Records of Dona Ana County, New Mexico, have

do 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 21st day of September, 1932

(SEAL)

**THE FEDERAL LAND BANK OF WICHITA**

BY **W. E. Pepperell**, Vice President.

STATE OF KANSAS }  
COUNTY OF SEDGWICK } ss:

On this 21st day of September, 1932, before me appeared **W. E. Pepperell** 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 **W. E. Pepperell** acknowledges said instrument to be the free act and deed of said corporation.

(SEAL)

**Minnie B. Hume**

Notary Public in and for Dona Ana County.

My commission expires April 24, 1933

**Sedgwick**

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 \_\_\_\_\_ and acknowledged that \_\_\_\_\_ executed the same as \_\_\_\_\_ free act and deed.

(Quitclaim deed or partial release of lien)

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 18 day of May A. D. 1937, at 9 o'clock, a.m., and duly recorded in Book 85-B, Page 23, of the Records of Deeds and Mortgages of said County.

**S. L. Apodaca**

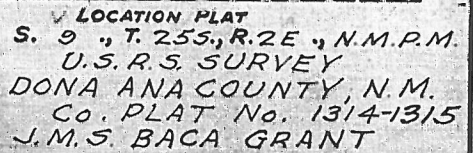
County Clerk and Ex-officio Recorder.

**F. C. Lopez**

Deputy.

(SEAL)

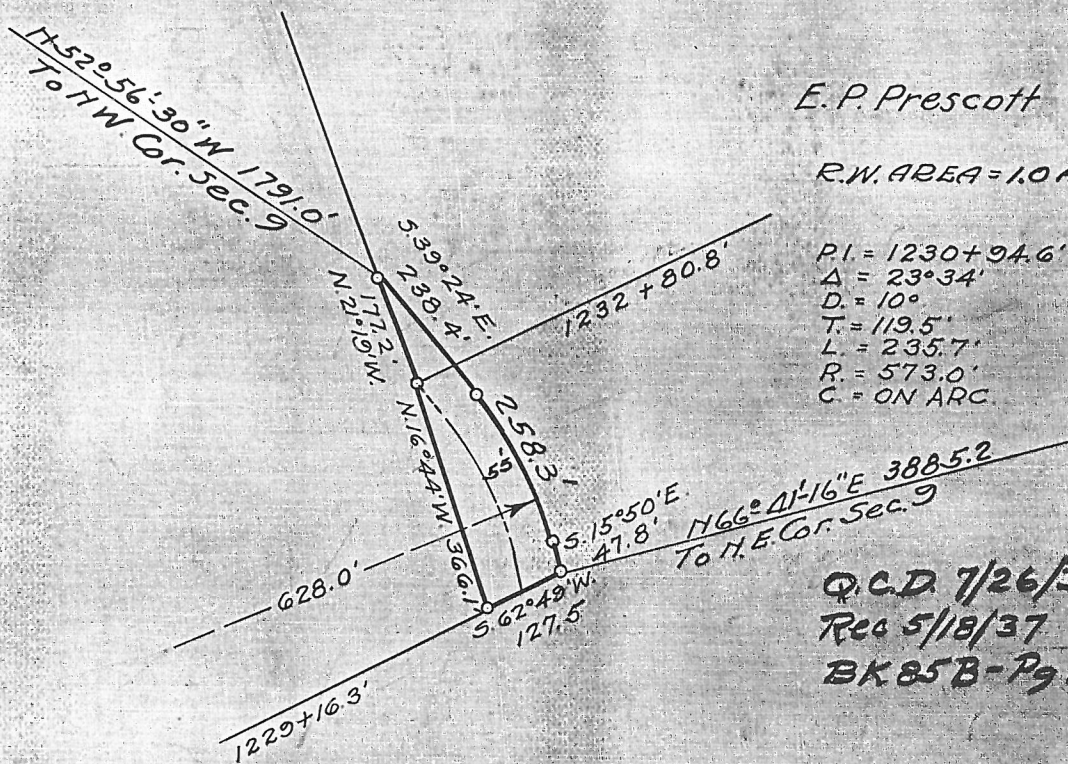




$P1 = 1230 + 94.6'$   
 $\Delta = 23^\circ 34'$   
 $D = 10^\circ$   
 $T = 119.5'$   
 $L = 235.7'$   
 $R = 573.0'$   
 $C = \text{ON ARC.}$

Q.C.D. 7/26/32  
Rec 5/18/37  
BK 85B-Pg 23

Constructed Jan. 1919.



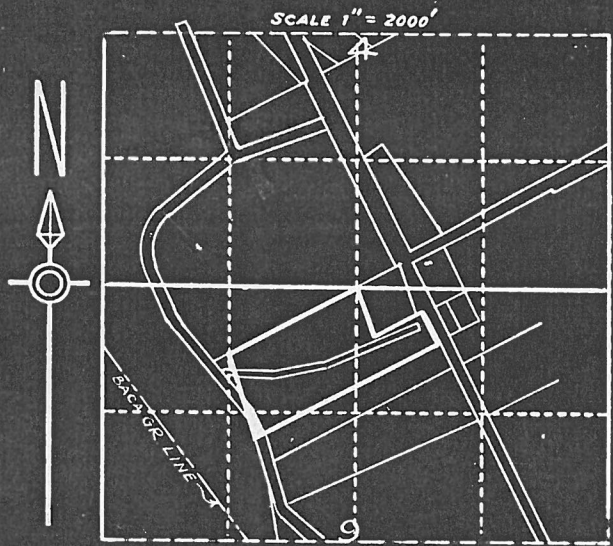
SCALE 1" = 300' 90

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.V.H.  
DRAWN S.H.C.-A.M. APPROVED \_\_\_\_\_

1109-L-18	EL PASO, TEX. 10/28/30
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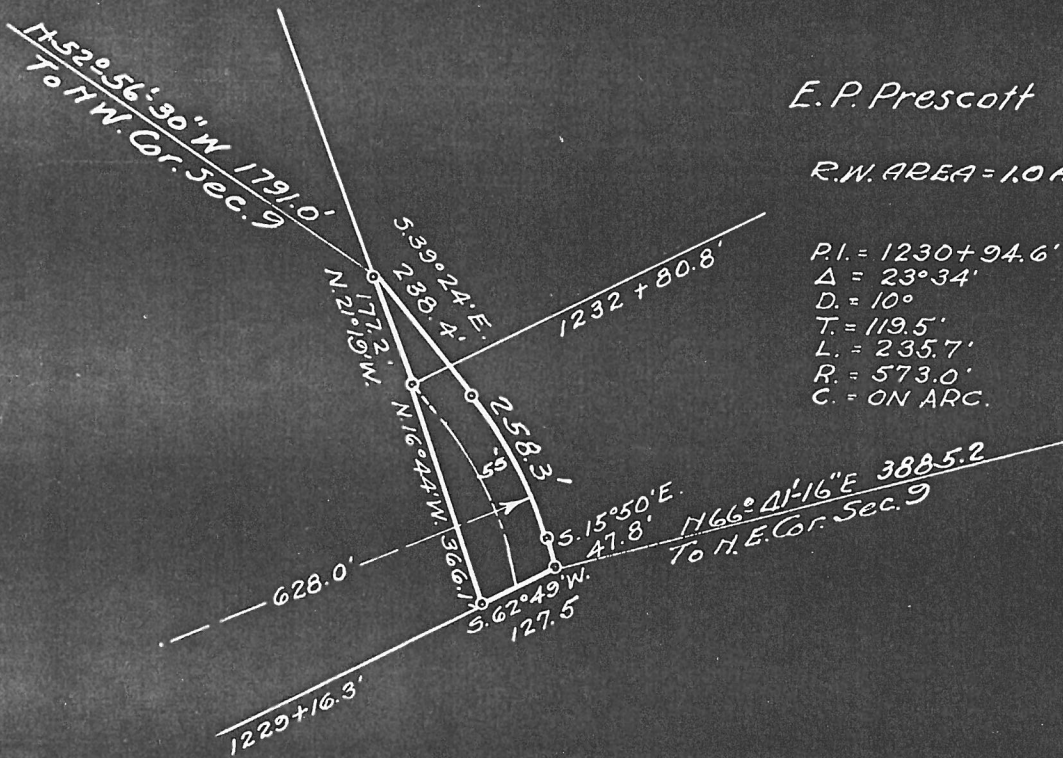


LOCATION PLAT  
S. 9., T. 25S., R. 2E., N.M.P.M.  
U.S.R.S. SURVEY  
DONA ANA COUNTY, N.M.  
Co. PLAT No. 13/4-13/5  
J.M.S. BACA GRANT

E. P. Prescott

R.W. AREA = 10 A.

P.I. = 1230 + 94.6'  
 $\Delta = 23^\circ 34'$   
D = 10°  
T = 119.5'  
L = 235.7'  
R = 573.0'  
C = ON ARC.



Constructed Jan. 1919.

Scale 1" = 300'

90

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 ...

1109-L-18 EL PASO, TEX. 10/28/30

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas

7/26/33

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 7/26, 1932, from E. P. Prescott, conveying 12 acres of land, in Sec. 9, Twp. 25S Range 2E Dona Ana County, Plat No. 1314, Right of Way Plat No. 90, West Drain, together with certificate of officials of the Elephant Butte Irrigation District dated 9/26, 1932, 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, JAN 15 1934

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. Fiock

Superintendent.

CC - Chief Engineer  
with enclosure.

Co. Plat No. 1314-1315  
R/W Plat No. 90  
West Drain

#3 of 4

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

Sept. 20, 1932

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from  
E. P. Prescott conveying 1.0  
acres of land in Section 9 Township 25 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 \$ 70.00 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

[Signature]  
President.

ATTEST:

[Signature]  
Secretary.

(SEAL)



Co. Plat No. 1314-1315  
N/S Plat No. 90  
West Drain

# 4 of 4

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

Sept. 25, 1932

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from  
E. F. Prescott conveying 1.0  
acres of land in Section 9 Township 13 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 \$ 70.00 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

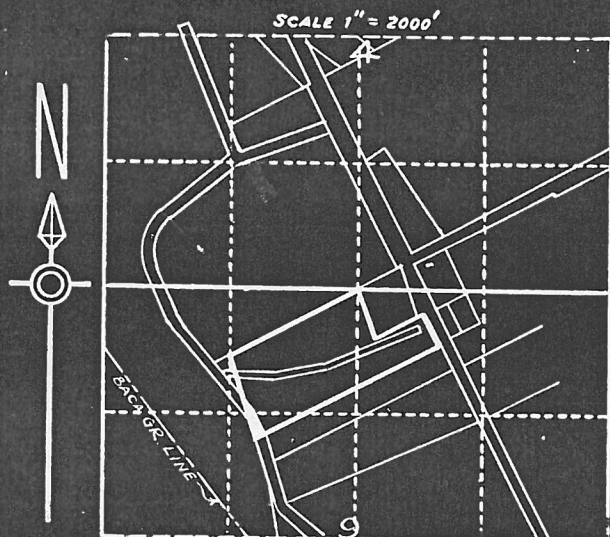
By

[Signature]  
President.

ATTEST:

[Signature]  
Secretary.

(SEAL)

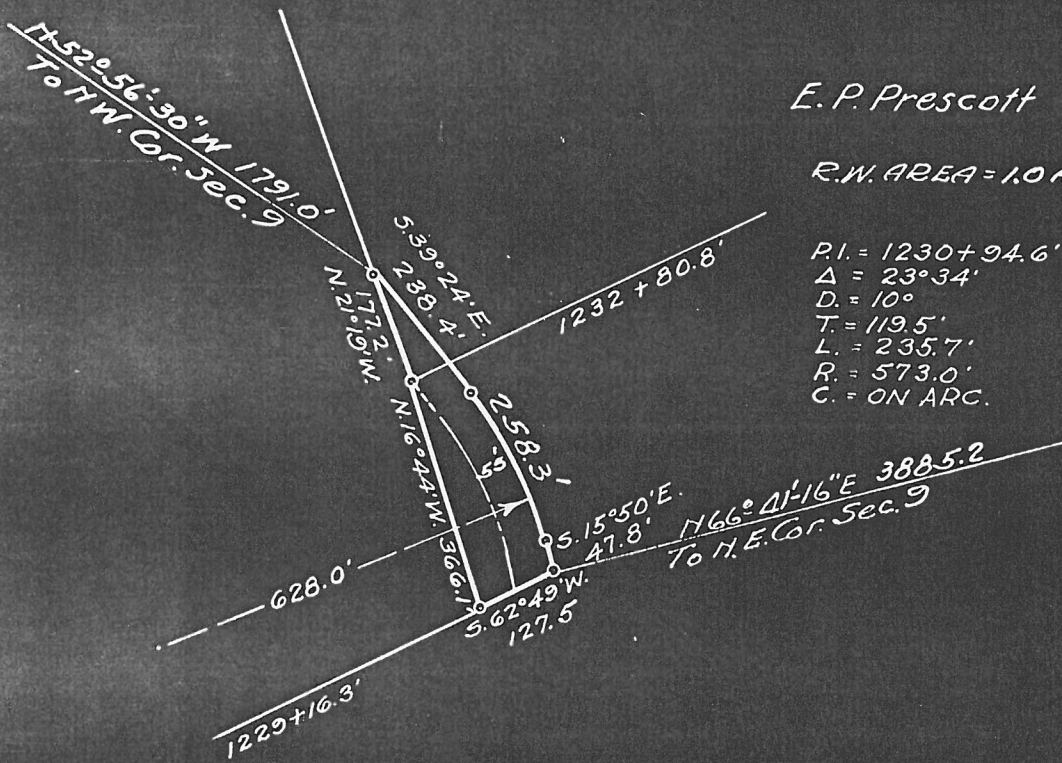


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DONA ANA COUNTY, N.M.  
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Constructed Jan. 1919.

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DEPARTMENT OF THE INTERIOR	
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