

SELBY, E. L., et. ux., Lela C. QUITCLAIM DEED WEST DRAIN NO. 40 (240)

0023-0061-0031-PA

28-(31)

780369

QUITCLAIM DEED

THIS INDENTURE, made the 29th day of April, in the year of our Lord, one thousand nine hundred and thirty three, between E. L. Selby and Lela C. Selby, 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 parties of the first part, for and in consideration of the allowance of credits in the sum of One hundred sixty one & no/100 Dollars (\$161.00) 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 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 Southeast quarter Southeast quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) Section thirty-one (31), Township twenty-six (26) South, Range three (3) East, N.M.P.M. and the Northeast quarter Northeast quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) Section six (6), Township twenty-seven (27) South, Range three (3) East, N.M.P.M. Bureau of Reclamation Survey; being also within the Refugio Colony Grant and tract numbered 1843 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 Northeast Corner Section six (6), Township twenty-seven (27) South, Range three (3) East, N.M.P.M. bears North fifty-seven degrees (57°) fifty minutes (50') seventeen seconds (17") East four hundred eighty-four and four tenths (484.4) feet; thence South sixty-five degrees (65°) thirty-two minutes (32') West along said southeasterly property line, one hundred twenty-six and four tenths (126.4) feet; thence North fifteen degrees (15°) fifty minutes (50') West seven hundred eighty-nine and nine tenths (789.9) feet to a point on the northwesterly property line of the land of the grantors, which point is also on the southeasterly right of way line of a county road and from which point the North quarter (N $\frac{1}{4}$ ) Corner Section six (6), Township twenty-seven (27) South, Range three (3) East, N.M.P.M. bears South seventy-six degrees (76°) thirty-nine minutes (39') twenty-six seconds (26") West one thousand nine hundred fifty-two and no tenths (1952.0) feet; thence North sixty-six degrees (66°) six minutes (06') East along said property and right of way line one hundred twenty-six and two tenths (126.2) feet; thence South fifteen degrees (15°) fifty minutes (50') East seven hundred eighty-eight and six tenths (788.6) feet to the place of beginning. Said tract containing two and three tenths (2.3) 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 hand and seal the day and year first above written.

Signed, sealed, and delivered in the presence of—

E. L. Selby [L. s.]

Lela C. Selby [L. s.]

Correct as to Engr. Data



TEXAS  
STATE OF ~~NEW MEXICO~~ }  
COUNTY OF ~~DONANA~~ EL PASO } ss:  
On this 29th day of April, 1933, before me personally appeared  
E. L. Selby and Lela C. Selby  
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.  
My commission expires May 31st, 1933  
Eleanor L. Gnauck  
Notary Public in and for ~~DONANA~~ El Paso County.

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain  
mortgage dated October 11, 1924, and recorded at Page 289, Book 30,  
(Mortgage or other lien)  
mortgage Records of Dona Ana County, New Mexico, ha 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 satis-  
fied of record to that extent, provided, however, that said mortgage shall in all other  
(Mortgage or other lien)  
respects remain in full force and effect.

WITNESS (my, our) hand(s) and seal(s) this 25 day of June, 1937

ATTEST

John W. Coleman Asst. Secretary

THE FEDERAL LAND BANK OF WICHITA

BY - R. H. Jones, Vice-President

KANSAS  
STATE OF ~~NEW MEXICO~~ }  
COUNTY OF ~~DONANA~~ SEDGWICK } ss:  
On this 25th day of June, 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  
(Such as president or other officer)  
of THE FEDERAL LAND BANK OF WICHITA  
(Here describe the corporation)  
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.  
Bethry Porter  
Notary Public in and for ~~DONANA~~ Sedgwick County.

My commission expires November 23, 1940

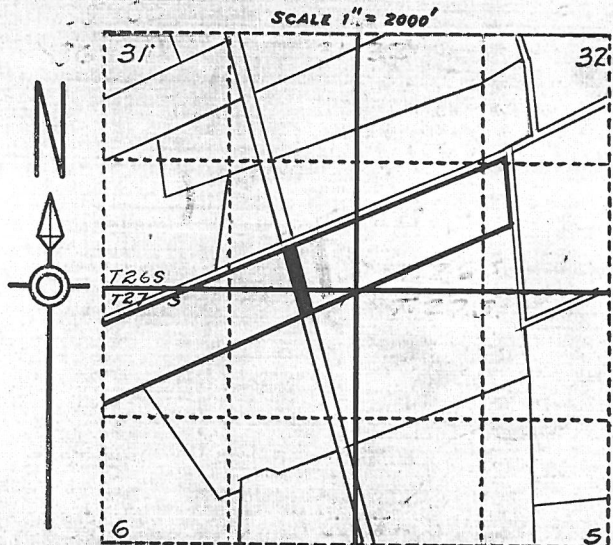
STATE OF NEW MEXICO }  
COUNTY OF DONA ANA } ss:  
On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me personally appeared \_\_\_\_\_  
to me known to be the person described in and who executed the foregoing \_\_\_\_\_  
(Quitclaim deed or partial release of lien)  
and acknowledged that \_\_\_\_\_ 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.

My commission expires \_\_\_\_\_

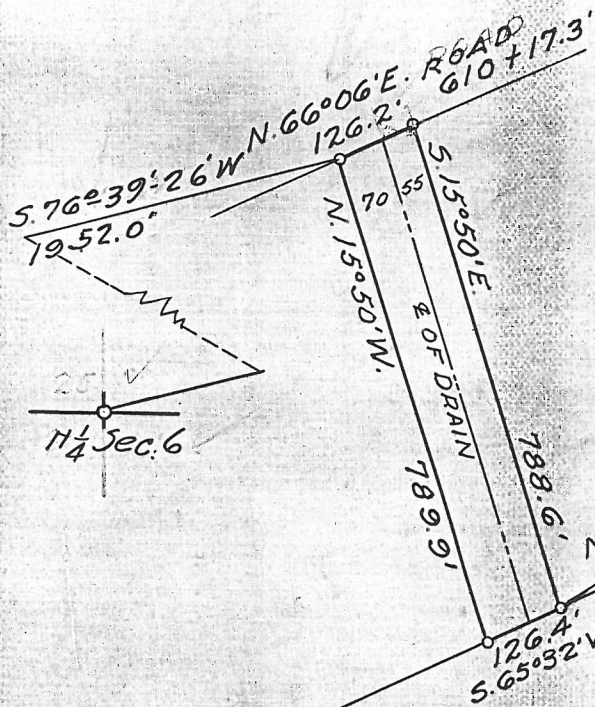
Notary Public in and for Dona Ana County.

STATE OF NEW MEXICO }  
COUNTY OF DONA ANA } ss:  
I hereby certify that this instrument was filed for record on the 28th day of October  
A. D. 1937, at 9 o'clock, A. m., and duly recorded in Book 85- B, Page 279, of the  
Records of Deeds and Mortgages of said County. #2416  
S L Zpodaca  
County Clerk and Ex-officio Recorder.  
F C Lopez  
Deputy.





LOCATION PLAT  
S. 6, 31, T. 26, 27 S, R. 3 E, N. M. R. M.  
U. S. R. S. SURVEY  
DONA ANA COUNTY, N. M.  
REFUGIO COLONY GRANT,  
COUNTY PLAT No. 1843



E. L. & Lela C. Selby

R. W. AREA = 2.3 A.

Q. C. D. 4/29/33

Rec 10/28/37

BK 85B-29 279

Constructed Feb. 1920.

SCALE 1" = 300'

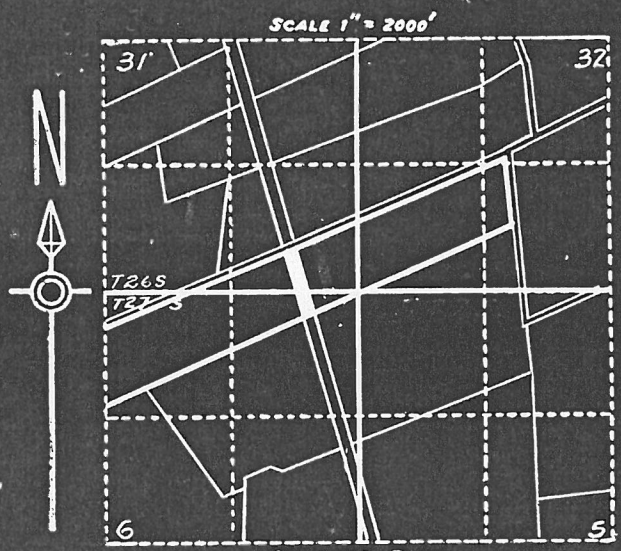
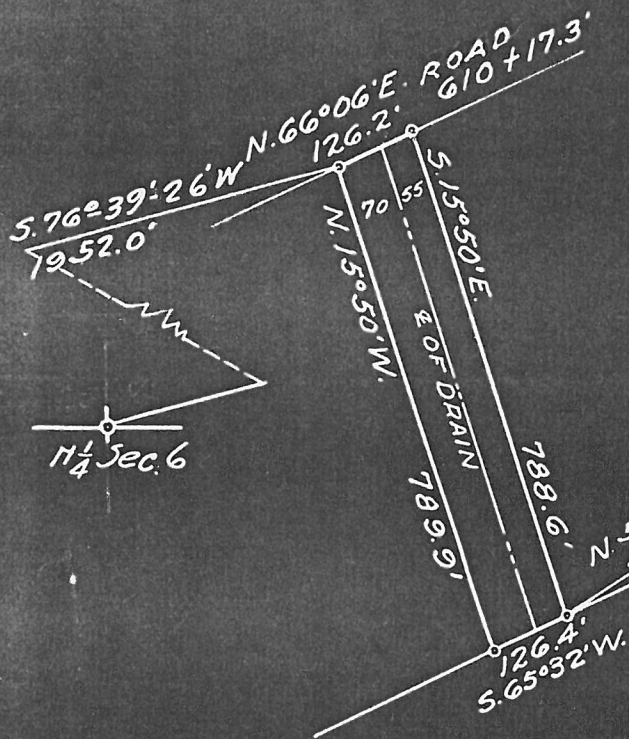
DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION  
RIO GRANDE PROJECT-NEW MEXICO-TEXAS  
ELEPHANT BUTTE DISTRICT  
WEST DRAIN  
RIGHT OF WAY

FIELD WORK... J. R. ... CHECKED... C. W. H. ...  
DRAWN... S. H. C. ... APPROVED... A. W. B. ...

40

1109-L-18 EL PASO, TEX. 9/30/30





LOCATION PLAT  
S. 6, 31, T. 26 N, R. 3 E, N.M.P.M.  
U.S.R.S. SURVEY  
DONA ANA COUNTY, N.M.  
REFUGIO COLONY GRANT  
COUNTY PLAT No. 1843



E.L. & Lela C. Selby  
R.W. AREA = 2.3 A.

Constructed Feb. 1920.

SCALE 1" = 300'

40

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.....	APPROVED.....A.W.B.....
1109-L-18	EL PASO, TEX. 9/30/20

40

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain mortgage dated February 8, 1936, and recorded at Page 335, Book 54, 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 13th day of September, 1937.

Mrs. L. F. Pratt

-----  
STATE OF NEW MEXICO)  
COUNTY OF DONA ANA ) ss:

On this 13th day of September, 1937, before me personally appeared Mrs. L. F. Pratt to me known to be the person described in and who executed the foregoing partial release 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.

N. B. Phillips

My commission expires April 7, 1940.

Notary Public in and for Dona Ana County  
-----

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain mortgage dated July 1, 1934, and recorded at Page 392, Book 51, 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 25th day of June, 1937.

ATTEST

FEDERAL FARM MORTGAGE CORPORATION, a corporation, and  
LAND BANK COMMISSIONER, acting pursuant to Part 3 of the  
Emergency Farm Mortgage Act of 1933, as amended.  
BY THE FEDERAL LAND BANK OF WICHITA, their Agent and  
Attorney-in-Fact.

John W. Coleman, Asst. Sec'y.

By- R. H. Jones, Vice -President



PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain mortgage dated February 8, 1936, and recorded at Page 335, Book 54, 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 13th day of September, 1937.

Mrs. L. F. Pratt

STATE OF NEW MEXICO)  
COUNTY OF DONA ANA ) ss;

On this 13th day of September, 1937, before me personally appeared Mrs. L. F. Pratt to me known to be the person described in and who executed the foregoing partial release 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.

N. B. Phillips

My commission expires April 7, 1940.

Notary Public in and for Dona Ana County

PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain mortgage dated July 1, 1934, and recorded at Page 392, Book 51, 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 25th day of June, 1937.

FEDERAL FARM MORTGAGE CORPORATION, a corporation, and  
LAND BANK COMMISSIONER, acting pursuant to Part 3 of the  
Emergency Farm Mortgage Act of 1933, as amended.  
BY THE FEDERAL LAND BANK OF WICHITA, their Agent and  
Attorney-in-Fact.

ATTEST

John W. Coleman, Asst. Sec'y.

By- R. H. Jones, Vice -President

STATE OF KANSAS        )  
COUNTY OF SEDGWICK ) ss:

On this 25th day of June, 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.

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



STATE OF KANSAS        )  
COUNTY OF SEDGWICK ) ss:

On this 25th day of June, 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.

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

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas Sept. 27, 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 April 29, 1933, from B. L. Selby and Lola C. Selby, his wife conveying 2.30 acres of land, in Sec. 6.31, Twp. 27 S, Range 3 E Dona Ana County, Plat No. 1843, Right of Way Plat No. 40, West Drain, together with certificate of officials of the Elephant Butte Irrigation District dated September 15, 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, OCT - 7 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, JAN 22 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



DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

El Paso, Texas Sept. 27, 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 April 29, 1935, from E. L. Selby and Lela C. Selby, his wife conveying 2.50 acres of land, in Sec. 6, 31, Twp. 37 S, Range 3 E Dona Ana County, Plat No. 1043, Right of Way Plat No. 40, West Drain, together with certificate of officials of the Elephant Butte Irrigation District dated September 10, 1937, under the provisions of contract dated December 20, 1929, between said District and the United States.

L. A. Flock

Superintendent

To Superintendent

El Paso, Texas, OCT - 7 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.

R. J. B. Davies

District Counsel

To The Commissioner

El Paso, Texas, \_\_\_\_\_

The deed above described has been accepted and recorded. The original executed deed and certificate are transmitted herewith to the Washington office for filing.

Superintendent

CC - Chief Engineer  
with enclosure

Co. Plat No. \_\_\_\_\_

E. Plat No. \_\_\_\_\_

70.394  
West Drain \_\_\_\_\_ Drain  
R/W Plat No. 40

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

September 15, 1937

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from  
E. L. Selby and Lela C. Selby conveying 2.30  
acres of land in Sections 6, 31 Township 27 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 \$ 161.00 of which amount a credit  
of \$ 161.00 has already been allowed by the  
District to the said landowner on assessments for the year 1936  
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  
v-President.

ATTEST:

Joseph R. Lueders  
Secretary.  
(SEAL)



Co. Plat No. \_\_\_\_\_

N.E. Plat No. \_\_\_\_\_

70.4 of 4  
West Drain \_\_\_\_\_ Dra. in  
R/W Plat No. 40

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

September 15, 1937

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from  
E. L. Selby and Lela C. Selby conveying 2.30  
acres of land in Section 6, 31 Township 27 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 \$ 161.00 of which amount a credit  
of \$ 161.00 has already been allowed by the  
District to the said landowner on assessments for the year 1936  
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  
V-President.

ATTEST:

David R. Lucas  
Secretary.

(SEAL)

Plat # 40

W. B. Carroll

A tract of land lying and situate in Dona Ana County, New Mexico and in  $SE\frac{1}{4}SE\frac{1}{4}$  Sec. 31, T. 26S, R. 3E, N. 7th P.M., and the  $NE\frac{1}{4}NE\frac{1}{4}$  Sec. 6, T. 27S, R. 3E, N. 7th P.M., Bureau of Reclamation Survey, being also within the Refugee Colony Grant and tract numbered 1843 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 N.E. Cor. Sec. 6, T. 27S, R. 3E, N. 7th P.M., bears  $N57^{\circ}50'17''E$  484<sup>±</sup> ft. thence  $S65^{\circ}32'W$  along said southeasterly property line, 126<sup>±</sup> ft; thence  $N15^{\circ}50'W$  789<sup>±</sup> ft to a point on the northwesterly property line of the land of the grantors, which point is also on the southeasterly R.W. line of a county road and from which point the N $\frac{1}{4}$  Cor. Sec. 6, T. 27S, R. 3E, N. 7th P.M. bears  $S76^{\circ}39'26''W$  1952<sup>±</sup> ft. thence  $N66^{\circ}06'E$  along said property and R.W. line 126<sup>±</sup> ft; thence  $S15^{\circ}50'E$  788<sup>±</sup> ft to the place of beginning. Said tract containing  $2\frac{3}{4}$  acres, more or less, all as shown on plat attached hereto and made a part hereof.