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SHERRELL, ARTHUR, et. ux., Pearl D. QUITCLAIM DEED WEST DRAIN NO. 88 (240)

0023-0050-0068-00

# QUITCLAIM DEED

THIS INDENTURE, made the second day of April, in the year of our Lord, one thousand nine hundred and thirty-two, between Arthur G. Sherrell and Pearl D. Sherrell

part 1st 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 1st of the first part, for and in consideration of the allowance of credits in the sum of Ninety-one and no/100-- Dollars (\$ 91.00) 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 th at 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 South east quarter Northwest quarter (SE 1/4 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 1310 as shown on Dona Ana County, New Mexico Flat 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 fifty-five degrees (55°) fifty-six minutes (56') four seconds (04") East, four thousand no hundred thirty-one and seven tenths (4031.7) feet; thence South sixty-five degrees (65°) forty minutes (40') West along said south property line one hundred forty-nine and three tenths (149.3) feet to a point which is the Southwest corner of the land of the grantors; thence North thirteen degrees (13°) thirty-six minutes (36') West along the westerly line of the land of the grantors four hundred seventy-four and two tenths (474.2) feet to a point which is the Northwest corner of the land of the grantors and from which point the Northwest Corner Section nine (9), Township twenty-five (25) South, Range two (2) East, N.M.P.M. bears North forty-two degrees (42°) twenty minutes (20') ten seconds (10") West two thousand five hundred thirteen and eight tenths (213.8) feet; thence North sixty-two degrees (62°) forty-nine minutes (49') East along the northerly property line of the land of the grantors, one hundred eight and six tenths (108.6) feet; thence South fifteen degrees (15°) fifty minutes (50') East three hundred ninety-three and five tenths (393.5) feet; thence South thirty-one degrees (31°) forty-five minutes (45') East eighty-two and eight tenths (82.8) feet to the place of beginning. Said tract containing one and three tenths (1.3) 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 part 1st of the first part ha ve hereunto set their hand and seal the day and year first above written.

Signed, sealed, and delivered in the presence of—

Arthur G. Sherrell [L. s.]

Pearl D. Sherrell [L. s.]

[L. s.]

Correct as to Engr. Data



STATE OF ~~NEW MEXICO~~ } ss:  
COUNTY OF ~~DONA ANA~~  
OF EL PASO

On this 2nd day of April, 1932, before me personally appeared  
Arthur C. Sherrell and Pearl D. Sherrell

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.

Zolma Williams

Notary Public in and for Dona Ana County.

My commission expires June 1, 1933

El Paso

Texas

### PARTIAL RELEASE OF LIEN

KNOW ALL MEN BY THESE PRESENTS, That the undersigned owner(s) and holder(s) of that certain  
mortgage dated July 27, 1926, and recorded at Page 697, Book 55,  
(Mortgage or other lien)  
mortgage Records of Dona Ana County, New Mexico, have 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 3 day of May, 1932

Attest:

THE FEDERAL LAND BANK OF WICHITA  
By W E Pepperrell Vice-President

Guy Fogelberg, Asst. Sec'y

KANSAS  
STATE OF ~~NEW MEXICO~~ } ss:  
COUNTY OF ~~DONA ANA~~  
SEDGWICK

On this 3 day of May, 1932 before me appeared W E Pepperrell

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)  
(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 W E Pepperrell  
Vice-President acknowledges said instrument to be the free act and deed of said corporation.

Fern all burn

Notary Public in and for Dona Ana County.  
Sedgwick

My commission expires November 26, 1935

STATE OF NEW MEXICO } ss:  
COUNTY OF DONA ANA

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.

Notary Public in and for Dona Ana County.

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

STATE OF NEW MEXICO } ss:  
COUNTY OF DONA ANA

I hereby certify that this instrument was filed for record on the 16th day of Dec.  
32 at 2:40 o'clock, P m., and duly recorded in Book 85 A, Page 203, of the

Records of Deeds and Mortgages of said County.

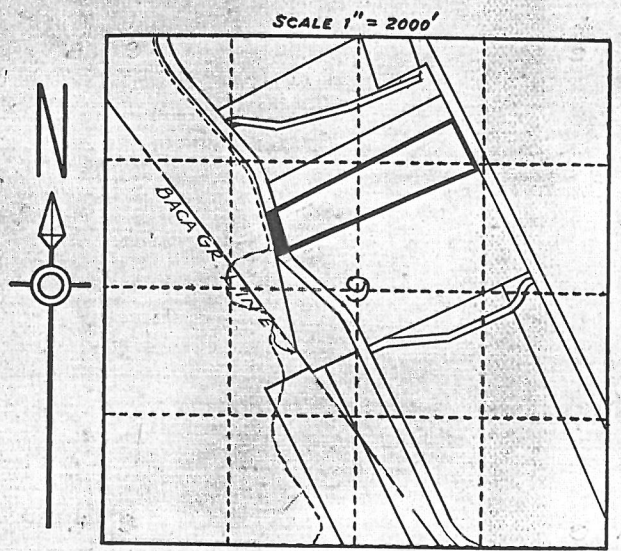
7107239

M. N. Nevaroz

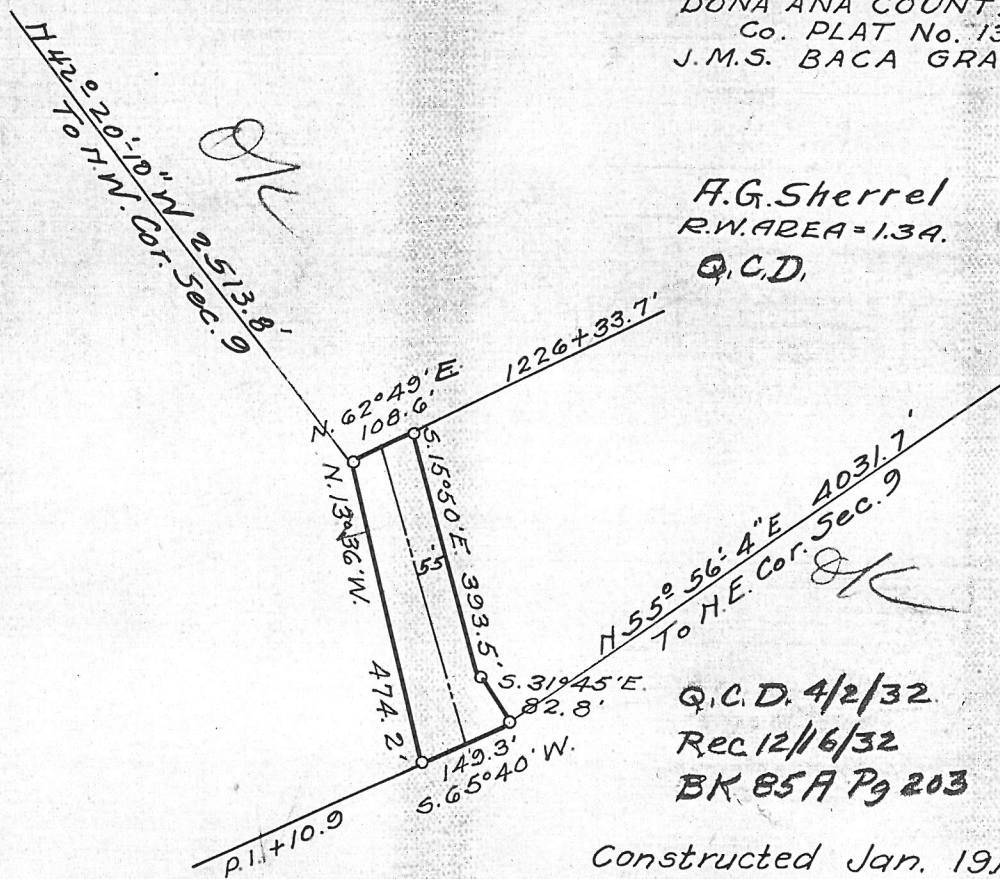
County Clerk and Ex-officio Recorder.  
Nellie E. Chavez

Deputy.





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. 1310  
J.M.S. BACA GRANT



A.G. Sherrel  
R.W. AREA = 1.3A.  
Q.C.D.

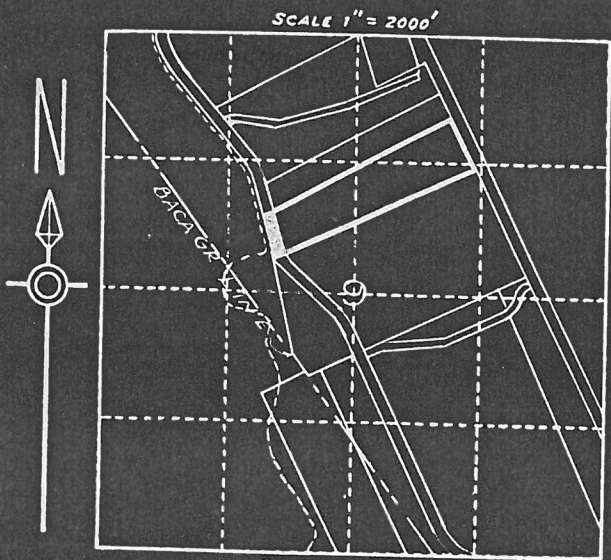
Q.C.D. 4/2/32  
Rec 12/16/32  
BK 85A Pg 203

Constructed Jan. 1919.

SCALE 1" = 300' 88

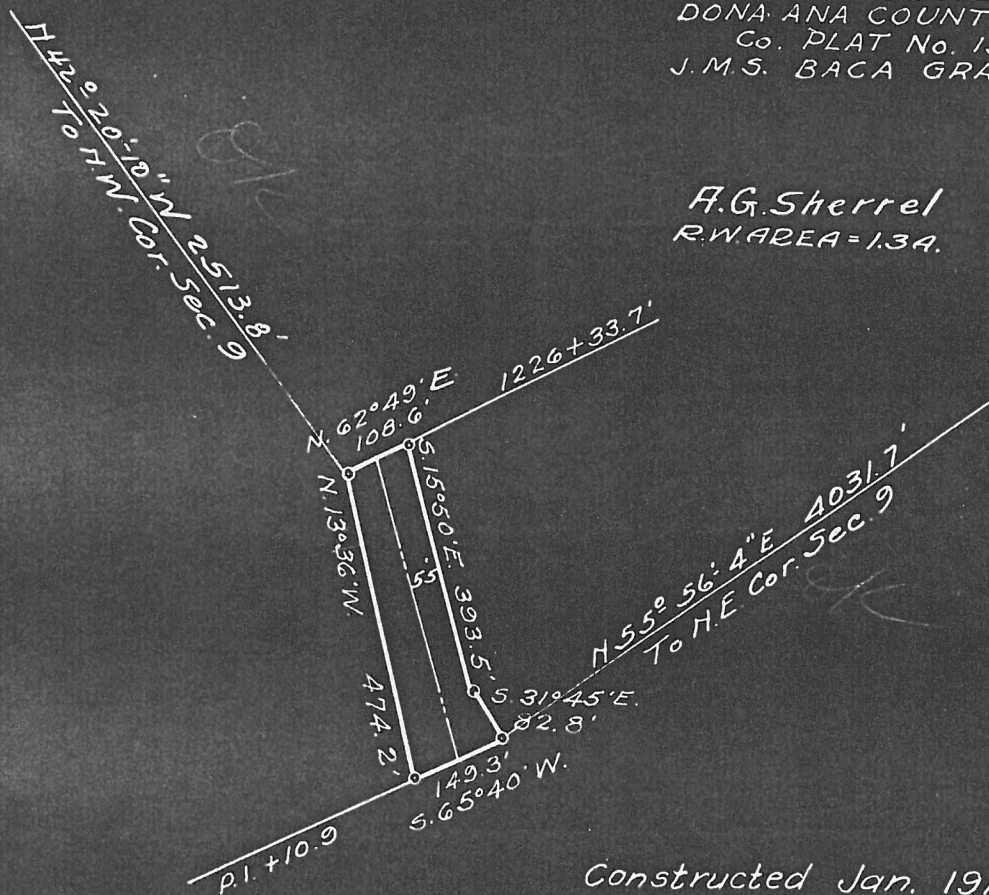
DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION RIO GRANDE PROJECT-NEW MEXICO-TEXAS ELEPHANT BUTTE DISTRICT WEST DRAIN RIGHT OF WAY	
FIELD WORK <u>J.R.</u>	CHECKED <u>G.W.H.</u>
DRAWN <u>S.H.C.-A.M.</u> APPROVED _____	
1109-L-18	EL PASO, TEX. 10/30/30





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. 1310  
J.M.S. BACA GRANT

A.G. Sherrel  
R.W. AREA = 1.34.



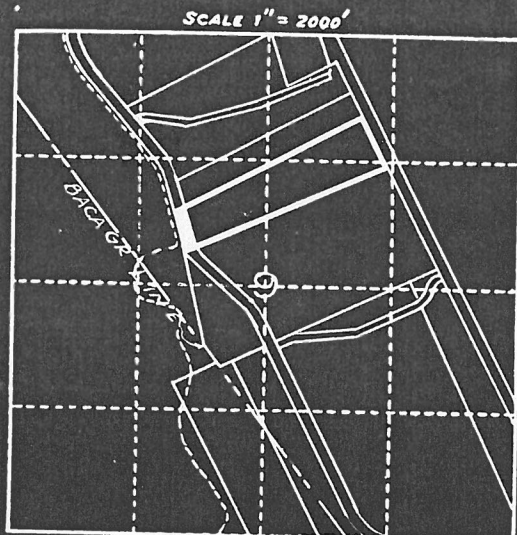
Constructed Jan. 1919.

SCALE 1" = 300' 88

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

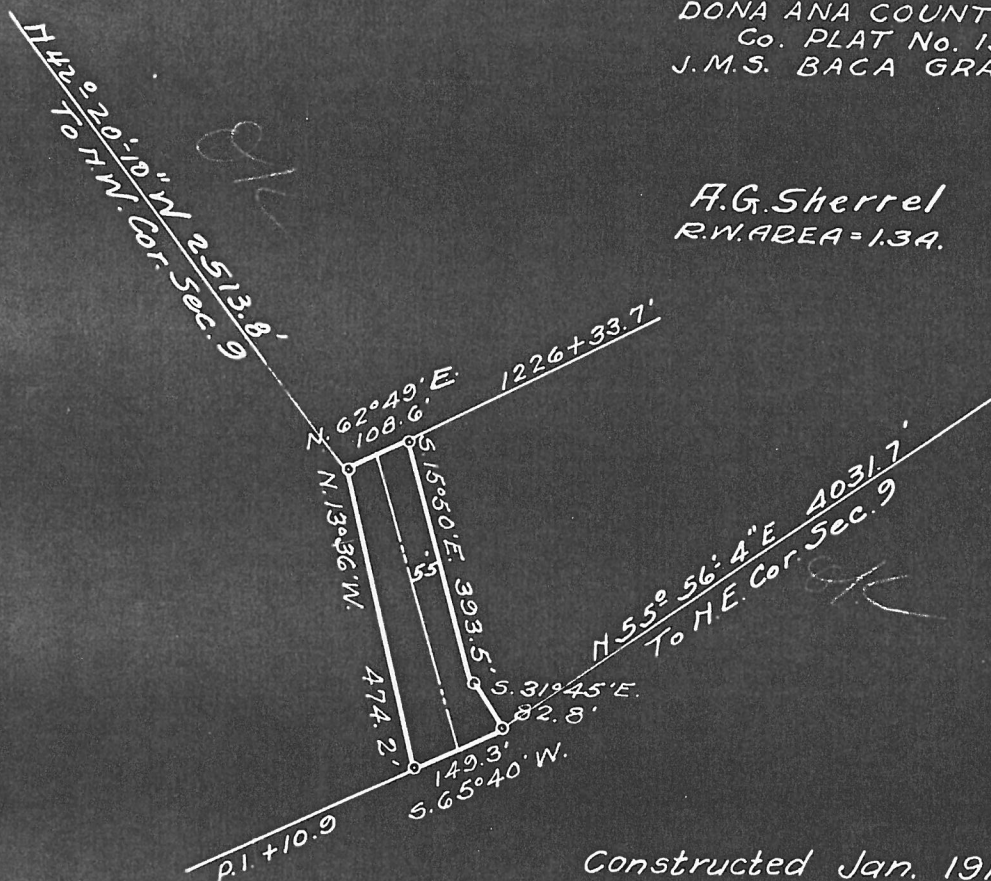
FIELD WORK... J.R. ... CHECKED... G.W.H. ...  
DRAWN... S.H.C. - A.M. ... APPROVED ...

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



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. 1310  
J.M.S. BACA GRANT

A.G. Sherrel  
R.W. AREA = 1.34.



Constructed Jan. 1919.

SCALE 1" = 300'

88

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. 10/30/30



Know all men by these presents, That the undersigned owner(s) and holder(s) of that certain mortgage dated Sept. 30 1926, and recorded at Page 453, Book 36, (Mortgage or other lien) mortgage Records of Dona Ana County, New Mexico, ha..... released and do..... hereby release the said mortgage (Mortgage or other lien) 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 (Mortgage or other lien) shall in all other respects remain in full force and effect.

Witness (my, our) hand(s) and seal(s) this 5th day of April, 19 32  
Attest City Mortgage Company  
R G Kemp, Secy W Cooley, President

STATE OF ~~NEW MEXICO~~ TEXAS } ss:  
COUNTY OF ~~DONA ANA~~ EL PASO

On this 5th day of April, 19 32, before me appeared W. Cooley to me personally known, who being by me duly sworn did say that he is the President (Such as president or other officer) of City Mortgage Company (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 W. Cooley acknowledges said instrument to be the free act and deed of said corporation.

My commission expires May 31, 1933 Eleanor C. Ranck  
Notary Public in and for ~~Dona Ana~~ El Paso Tex

PARTIAL RELEASE OF LIEN

Know all men by these presents, That the undersigned owner(s) and holder(s) of that certain mortgage dated Oct. 1st 19 26, and recorded at Page 451, Book 36, (Mortgage or other lien) mortgage Records of Dona Ana County, New Mexico, ha..... released and do..... hereby release the said mortgage (notes 1,3,5,7,9) (Mortgage or other lien) 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 (notes 1,3,5,7,9) (Mortgage or other lien) shall in all other respects remain in full force and effect.

Witness (my, our) hand(s) and seal(s) this 5th day of April, 19 32  
H. T. Ponsford and Sons  
By H. T. Ponsford

STATE OF NEW MEXICO } ss:  
COUNTY OF DONA ANA

On this ..... day of ....., 19....., before me appeared ..... to me personally known, who being by me duly sworn did say that he is the ..... (Such as president or other officer) of ..... (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 ..... acknowledges said instrument to be the free act and deed of said corporation.

My commission expires ..... Notary Public in and for Dona Ana County.

STATE OF ~~NEW MEXICO~~ TEXAS } ss:  
COUNTY OF ~~DONA ANA~~ EL PASO

On this 5th day of April, 19 32, before me personally appeared H. T. Ponsford, of the firm H. T. Ponsford and Sons

to me known to be the person described in and who executed the foregoing partial release of lien (Quitclaim deed or partial release of lien) 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.  
Eleanor C. Ranck  
Notary Public in and for ~~Dona Ana~~ El Paso Tex

PARTIAL RELEASE OF LIEN

Know all men by these presents, That the undersigned owner(s) and holder(s) of that certain mortgage dated Oct. 1 1926 and recorded at Page 472, Book 36,  
(Mortgage or other lien)  
mortgage Records of Dona Ana County, New Mexico, ha..... released and  
do..... hereby release the said mortgage (Notes 2,4,6,8,10) 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 sat-  
isfied of record to that extent, provided, however, that said mortgage (2,4,6,8,10) shall in all other  
(Mortgage or other lien)  
respects remain in full force and effect.

Witness (my, our) hand(s) and seal(s) this 5th day of April, 1932

J. B. Cole

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

On this ..... day of ....., 19....., before me appeared .....  
to me personally known, who being by me duly sworn did say that he is the .....  
(Such as president or other officer)  
of .....  
(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 .....  
..... acknowledges said instrument to be the free act and deed of said corporation.

Notary Public in and for Dona Ana County.

My commission expires .....

STATE OF ~~NEW MEXICO~~ <sup>TEXAS</sup> }  
COUNTY OF ~~DONA ANA~~ <sup>EL PASO</sup> } ss:

On this 5th day of April, 1932, before me personally appeared .....  
J. B. Cole

to me known to be the person described in and who executed the foregoing partial release of lien  
(Quitclaim deed or partial release of lien)  
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 certifi-  
cate first above written.

Eleanor C. Ranck

Notary Public in and for Dona Ana County.

My commission expires May 31, 1933

El Paso Tx



PARTIAL RELEASE OF LIEN

Know all men by these presents, That the undersigned owner(s) and holder(s) of that certain mortgage dated Oct. 1 1926 and recorded at Page 472, Book 36, (Mortgage or other lien) mortgage Records of Dona Ana County, New Mexico, ha..... released and do..... hereby release the said mortgage (Notes 2,4,6,8,10) 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 satisfied of record to that extent, provided, however, that said mortgage (2,4,6,8,10) shall in all other (Mortgage or other lien) respects remain in full force and effect.

Witness (my, our) hand(s) and seal(s) this 5th day of April, 1932

J. B. Cole

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

On this ..... day of ....., 19...., before me appeared ..... to me personally known, who being by me duly sworn did say that he is the ..... (Such as president or other officer) of ..... (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 ..... acknowledges said instrument to be the free act and deed of said corporation.

Notary Public in and for Dona Ana County.

My commission expires .....

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

On this 5th day of April, 1932, before me personally appeared J. B. Cole

to me known to be the person described in and who executed the foregoing partial release of lien and acknowledged that he executed the same as his 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.

Eleanor C. Ranck

Notary Public in and for ~~Dona~~ Ana County.

My commission expires May 31, 1933

PARTIAL RELEASE OF LIEN

Know all men by these presents, That the undersigned owner(s) and holder(s) of that certain  
mortgage dated Sept. 30 1926, and recorded at Page 453, Book 36, (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 sat-  
isfied 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 5th day of April, 1932

Attest

City Mortgage Company

H. Cooley, President

R G Kemp, Secy

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

On this 5th day of April, 1932, before me appeared H. Cooley  
to me personally known, who being by me duly sworn did say that he is the President  
(Such as president or other officer)  
of City Mortgage Company  
(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 H. Cooley  
acknowledges said instrument to be the free act and deed of said corporation.

Eleanor C. Ranck

Notary Public in and for Dona Ana County.  
El Paso Tex

My commission expires May 31, 1933



PARTIAL RELEASE OF LIEN

Know all men by these presents, That the undersigned owner(s) and holder(s) of that certain mortgage dated Oct. 1st 1926, and recorded at Page 451, Book 36, (Mortgage or other lien) mortgage Records of Dona Ana County, New Mexico, ha..... released and do..... hereby release the said mortgage (notes 1,3,5,7,9) 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 satisfied of record to that extent, provided, however, that said mortgage (notes 1,3,5,7,9) shall in all other (Mortgage or other lien) respects remain in full force and effect.

Witness (my, our) hand(s) and seal(s) this 5th day of April, 1932

H. T. Ponsford and sons

By H. T. Ponsford

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

On this ..... day of ....., 19....., before me appeared .....  
to me personally known, who being by me duly sworn did say that he is the .....  
of ..... (Such as president or other officer)  
(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 .....  
..... acknowledges said instrument to be the free act and deed of said corporation.

My commission expires .....

Notary Public in and for Dona Ana County.

STATE OF ~~NEW MEXICO~~ }  
COUNTY OF ~~DONA ANA~~ } ss:  
~~EL PASO~~

On this 5th day of April, 1932, before me personally appeared  
H. T. Ponsford, of the firm H. T. Ponsford and Sons

to me known to be the person described in and who executed the foregoing partial release of lien  
and acknowledged that he executed the same as his (Quitclaim deed or partial release of lien) 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.

Eleanor C. Ranck

Notary Public in and for ~~Dona Ana~~ County.

My commission expires May 31, 1933

El Paso Texas

DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION

El Paso, Texas

10/3/32

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 4/4, 1932, from Arthur G. Sherroll et al Pearl D. conveying 13 acres of land, in Sec. 9, Twp. 25S Range 2E. Dona Ana County, Plat No. 1310, Right of Way Plat No. 88, West Drain, together with certificate of officials of the Elephant Butte Irrigation District dated 5/7 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

OCT 15 1932

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. 1510  
N/W Plat No. 68  
West Drain

# 3074

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

May 7, 1938

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from Arthur G. Sherrell & Pearl D. Sherrell conveying 1.5 acres of land in Section 9 Township 23 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 \$ 91.00 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:

W. B. Humphrey  
Secretary.

(SEAL)

Co. Plat No. 1310  
R/S Plat No. 88  
West Drain

#4 of 4

ELEPHANT BUTTE IRRIGATION DISTRICT

Las Cruces, New Mexico

May 7, 1933

CERTIFICATE TO ACCOMPANY QUIT CLAIM DEED

1. Reference is made to the accompanying quit claim deed from  
Arthur G. Sharrell & Pearl D. Sharrell conveying 1.5  
acres of land in Section 9 Township 23 N 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 \$ \$1.00 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 30, 1932

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:

R. E. Kuhley  
Secretary.

(SEAL)