

DEED AND BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS: That H. D. FULWILER AND J. C. READ, hereinafter called the grantors, for and in consideration of the sum of One and no/100 (\$1.00) Dollars and other valuable considerations, to them paid by the Village of Cloudcroft, New Mexico, a Municipal Corporation, hereinafter called the Grantee, at or before the sealing and delivering of these presents, receipt whereof is hereby acknowledged, have granted, bargained, sold, aliened, enfeoffed, remised, released, transferred, conveyed and delivered, and do by these presents grant, bargain, sell, alien, enfeoff, remise, release, transfer, convey and deliver unto the Grantee, its successors and assigns, the following described property, situate, lying and being in the County of Otero, State of New Mexico:

PARCEL NO. 1

That certain 220.03 acre parcel of land described in deed dated April 14, 1936, Cloudcroft Company to Alamogordo and Sacramento Mountain Railway Company, recorded April 24, 1936 in Book 107, pages 356-64 of Records of Otero County, New Mexico and more particularly described therein as follows:

That portion of Lots 5, 11, 12, 13, 14 and 19 of Section 3, Township 16 South, Range 12 East, New Mexico Principal Meridian, described as follows:

Commencing at the intersection of the west line of said Section 3 and the Third Standard Parallel South, which is the northwest corner of Lot 4 of said Section 3; thence South 0 degrees 2 minutes East, along the west line of said Lot 4, Section 3, a distance of 420.70 feet to the point of beginning; thence East along the north line of said Lot 5, a distance of 1320.00 feet to the northeast corner of said Lot 5; thence South 0 degrees 2 minutes East, along the east line of said Lots 5 and 12, a distance of 1980.00 feet, to a point; thence East along the center of said Lot 11 a distance of 1320.00 feet to a point; thence South 0 degrees 2 minutes East along the east line of said Lots 11, 14, and 19, a distance of 3300.00 feet to the southeast corner of said Lot 19; thence West along the south line of said Lot 19, a distance 1320.00 feet to the southwest corner of said Lot 19; thence North 0 degrees 2 minutes West along the west line of said Lot 19, a distance of 1320.00 feet to the northwest corner of said Lot 19; thence West along the south line of said Lot 13, a distance of 1320.00 feet to the southwest corner of said

Lot 13; thence North 0 degrees 2 minutes West, along the west line of said Lots 13, 12 and 5, a distance of 3960.00 feet to the point of beginning, containing 220.03 acres, more or less.

PARCEL NO. 2

That certain 2.20 acre strip of land described in deed dated April 14, 1936, Cloudercroft Company to Alamogordo and Sacramento Mountain Railway Company, recorded April 24, 1936 in Book 107, pages 356-64 of Records of Otero County, New Mexico, and more particularly described therein as follows:

A strip of land 20 feet in width, being 10 feet in width on each side of a center line hereinafter described, over Sections 4 and 5, Township 16 South, Range 12 East, New Mexico Principal Meridian, said center line being described as follows:

Commencing at the northwest corner of Lot 17, Section 5, Township 16 South, Range 12 East, New Mexico Principal Meridian; thence East, a distance of 660.00 feet to a point; thence South 0 degrees 2 minutes East, 512.00 feet, more or less, to an intersection with a 4 inch Water Main, the point of beginning; thence South 76 degrees 18 minutes East, a distance of 40.00 feet to a point; thence North 78 degrees 43 minutes East a distance of 650.00 feet to a point; thence North 80 degrees 05 minutes East, a distance of 436.00 feet to a point; thence South 89 degrees 18 minutes East a distance of 419.00 feet to a point; thence South 71 degrees 57 minutes East, a distance of 276.00 feet to a point; thence South 66 degrees 37 minutes East, a distance of 400.00 feet to a point; thence South 86 degrees 13 minutes East a distance of 446.00 feet to a point; thence North 70 degrees 02 minutes East, a distance of 202.00 feet to a point; thence North 52 degrees 49 minutes East, a distance of 541.00 feet to a point; thence North 74 degrees 33 minutes East, a distance of 282.00 feet to a point; thence North 75 degrees 51 minutes East, a distance of 529.00 feet to a point; thence North 74 degrees 56 minutes East, a distance of 161.00 feet to a point; thence North 76 degrees 44 minutes East, a distance of 192.00 feet to a point; thence North 75 degrees 45 minutes East, a distance of 155.00 feet to a point; thence North 78 degrees 45 minutes East, a distance of 50.00 feet to an intersection with the west line of Lot 16, Section 4, Township 16 South, Range 12 East, New Mexico Principal Meridian, containing 2.20 acres, more or less.

PARCEL NO. 3

That certain 10.00 acre parcel of land described in deed dated April 14, 1936, Cloudecroft Company to Alamogordo and Sacramento Mountain Railway Company, recorded April 24, 1936 in Book 107, pages 356-64 of Records of Otero County, New Mexico, and more particularly described therein as follows:

That portion of Lot 17, Section 5, Township 16 South, Range 12 East, New Mexico Principal Meridian, described as follows:

Beginning at the northwest corner of said Lot 17; thence East along the north line of Lot 17, Section 5, a distance of 660.00 feet to a point; thence South 0 degrees 2 minutes East, a distance of 660.00 feet to a point; thence West, a distance of 660.00 feet to a point; thence North 0 degrees 2 minutes West, along the west line of Lot 17, Section 5, Township 16 South, Range 12 East, a distance of 660.00 feet to the point of beginning, containing 10.00 acres, more or less.

PARCEL NO. 4

That certain 3.17 acre strip of land described in deed dated April 14, 1936, Cloudecroft Company to Alamogordo and Sacramento Mountain Railway Company, recorded April 24, 1936 in Book 107, pages 356-64 of Records of Otero County, New Mexico, and more particularly described therein as follows:

A strip of land 20 feet in width, being 10 feet in width on each side of a center line hereinafter described over Section 5, Township 16 South, Range 12 East, New Mexico Principal Meridian, said center line being described as follows:

Commencing at the intersection of the west line of said Section 5 with the Third Standard Parallel South, Township 16 South, Range 12 East, New Mexico Principal Meridian; thence South 16 degrees 20 minutes East, a distance of 1428.80 feet to a point at the intersection of Chipmunk Avenue and Curlew Place and the point of beginning; thence South 88 degrees 13 minutes East along Chipmunk Avenue, a distance of 1499.90 feet to a point in Grand Boulevard; thence North 86 degrees 21 minutes East along Grand Boulevard, a distance of 455.00 feet to a point; thence North 82 degrees 51 minutes East, a distance of 444.90 feet to a point in Grand Boulevard; thence South 87 degrees 15 minutes East, a distance of 339.80 feet to a point in Grand Boulevard; thence South 30 degrees 59 minutes East, a distance of 60.20 feet to a point; thence South 3 degrees 32 minutes East, a distance of 500.00 feet to a point; thence South 1 degree

13 minutes West, a distance of 100.00 feet to a point; thence South 6 degrees 58 minutes West, a distance of 100.00 feet to a point; thence South 9 degrees 39 minutes West, a distance of 400.00 feet to a point; thence South 11 degrees 09 minutes West, a distance of 250.00 feet to a point; thence South 11 degrees 57 minutes West, a distance of 354.00 feet to a point; thence South 12 degrees 06 minutes West, a distance of 245.00 feet to a point; thence South 9 degrees 26 minutes West, a distance of 240.00 feet to a point; thence South 0 degrees 53 minutes East, a distance of 299.00 feet to a point; thence South 15 degrees 53 minutes East, a distance of 280.00 feet to a point; thence South 31 degrees 47 minutes East, a distance of 173.00 feet to a point; thence South 48 degrees 29 minutes East, a distance of 375.00 feet to a point; thence South 61 degrees 47 minutes East, a distance of 337.00 feet to a point; thence South 63 degrees 05 minutes East, a distance of 117.00 feet to a point; thence South 52 degrees 22 minutes East, a distance of 170.00 feet to a point; thence South 79 degrees 39 minutes East to an intersection with the west line of Lot 17, Section 5, Township 16 South, Range 12 East, New Mexico Principal Meridian, a distance of 160.00 feet, containing 3.17 acres, more or less.

PARCEL NO. 5

That certain 1.94 acre strip of land described in deed dated April 14, 1936, Cloudercroft Company to Alamogordo and Sacramento Mountain Railway Company, recorded April 24, 1936 in Book 107, pages 356-64 of Records of Otero County, New Mexico and more particularly described therein as follows:

A strip of land 20 feet in width, being 10 feet in width on each side of a center line hereinafter described over Section 5, Township 16 South, Range 12 East, New Mexico Principal Meridian, said center line being described as follows:

Commencing at the intersection of the west line of said Section 5 with the Third Standard Parallel South, Township 16 South, Range 12 East, New Mexico Principal Meridian; thence South 16 degrees 20 minutes East, a distance of 1428.80, to a point at the intersection of Chipmunk Avenue and Curlew Place, the point of beginning; thence South 25 degrees 32 minutes West, a distance of 265.30 feet to a point; thence South 9 degrees 50 minutes West, a distance of 277.00 feet to a point; thence South 9 degrees 20 minutes East, a distance of 173.30 feet to a point; thence South 7 degrees 16 minutes East, a distance 231.70 feet to a point; thence South 0 degrees 03 minutes East, a distance of 135.30 feet

to a point; thence South 10 degrees 33 minutes West, a distance of 167.00 feet to a point; thence South 22 degrees 26 minutes West, a distance of 106.60 feet to a point; thence South 87 degrees 20 minutes East, a distance of 133.20 feet to a point; thence South 73 degrees 12 minutes East, a distance of 81.00 feet to a point; thence South 34 degrees 21 minutes East, a distance of 174.60 feet to a point; thence South 31 degrees 57 minutes East, a distance of 96.10 feet to a point; thence South 65 degrees 16 minutes East, a distance of 107.60 feet to a point; thence South 86 degrees 09 minutes East, a distance of 277.10 feet to a point; thence South 87 degrees 17 minutes East, a distance of 205.60 feet to a point; thence North 86 degrees 27 minutes East, a distance of 888.20 feet to a point; thence South 85 degrees 02 minutes East, a distance of 192.30 feet to a point; thence South 82 degrees 03 minutes East, a distance of 348.40 feet to a point; thence South 84 degrees 48 minutes East, a distance of 189.80 feet to a point; thence South 79 degrees 13 minutes East, a distance of 91.50 feet to a point; thence South 83 degrees 42 minutes East, a distance of 80.00 feet to an intersection with a north and south 4 inch water main in Lot 10, Section 5, Township 16 South, Range 12 East, New Mexico Principal Meridian, containing 1.94 acres, more or less.

PARCEL NO. 6

That certain 0.03 of acre strip of land described in deed dated April 14, 1936, Cloudcroft Company to Alamogordo and Sacramento Mountain Railway Company, recorded April 24, 1936 in Book 107, pages 356-64 of Records of Otero County, New Mexico, and more particularly described therein as follows:

A strip of land 20 feet in width, being 10 feet in width on each side of a center line hereinafter described over Section 5, Township 16 South, Range 12 East, New Mexico Principal Meridian, said center line being described as follows:

Commencing at the intersection of the west line of Section 5, with the Third Standard Parallel South, Township 16 South, Range 12 East, New Mexico Principal Meridian, County of Otero, State of New Mexico; thence South 16 degrees 20 minutes East, a distance of 1428.80 feet to a point at the intersection of Chipmunk Avenue and Curlew Place; thence South 25 degrees 32 minutes West along a 4 inch Water Main, a distance of 265.30 feet to a point; thence South 9 degrees 50 minutes West, a distance of 277.00 feet to a point; thence South 9 degrees 20 minutes East, a distance of 173.30 feet to a point on the center line of a 4 inch water main, which

is the point of beginning of the center line to be described; thence North 82 degrees 25 minutes West to an intersection with the east right of way line of the Alamogordo and Sacramento Mountain Railway Company, a distance of 73.70 feet, containing .03 of an acre, more or less.

PARCEL NO. 7

That certain 1.95 acre strip of land described in deed dated April 14, 1936, Cloudercroft Company to Alamogordo and Sacramento Mountain Railway Company, recorded April 24, 1936 in Book 107, pages 356-64 of Records of Otero County, New Mexico, and more particularly described therein as follows:

A strip of land 20 feet in width, being 10 feet in width on each side of a center line hereinafter described over Section 5, Township 16, South, Range 12 East, New Mexico Principal Meridian, said center line being described as follows:

Commencing at the intersection of the west line of Section 4, Township 16 South, Range 12 East, New Mexico Principal Meridian, with the Third Standard Parallel South; thence West, 1263.00 feet to an intersection with a 3-phase Power Pole Line; thence South 45 degrees 16 minutes West, a distance of 765.00 feet; thence South 22 degrees 11 minutes West, a distance of 570 feet to a point on said Power Pole; thence South 35 degrees 20 minutes West, a distance of 201.00 feet to the point of beginning of the center line to be described; thence South 34 degrees 23 minutes East, a distance of 210.00 feet to a point; thence South 3 degrees 31 minutes East, a distance of 80 feet to a point; thence South 3 degrees 32 minutes East, a distance of 419.00 feet to a point; thence South 0 degrees 33 minutes East, a distance of 183.00 feet to a point; thence South 0 degrees 29 minutes East, a distance of 189.00 feet to a point; thence South 11 degrees 09 minutes West, a distance of 412.00 feet to a point; thence South 11 degrees 57 minutes West, a distance of 354.00 feet to a point; thence South 12 degrees 06 minutes West, a distance of 245.00 feet to a point; thence South 9 degrees 26 minutes West, a distance of 240.00 feet to a point; thence South 0 degrees 53 minutes East, a distance of 299.00 feet to a point; thence South 15 degrees 53 minutes East, a distance of 280.00 feet to a point; thence South 31 degrees 47 minutes East, a distance of 173.00 feet to a point; thence South 48 degrees 29 minutes East, a distance of 375.00 feet to a point; thence South 61 degrees 47 minutes East, a distance of

337.00 feet to a point; thence South 63 degrees 05 minutes East, a distance of 117.00 feet to a point; thence South 52 degrees 22 minutes East, a distance of 170.00 feet to a point; thence South 79 degrees 39 minutes East, a distance of 160.00 feet to an intersection with the west line of Lot 17, Section 5, Township 16 South, Range 12 East, New Mexico Principal Meridian, containing 1.95 acres, more or less.

PARCEL NO. 8

All of the right, title and interest of the Grantors in and to that certain piece or parcel of land situate, lying, being in Lot 15 Section 3, Township 16 South, Range 12 East, New Mexico Principal Meridian, in the County of Otero, State of New Mexico, described as follows:

Beginning at the northwest corner of said Lot 15; thence South 0 degrees 2 minutes East, 1320.00 feet along the west line of said Lot 15 to the southwest corner thereof; thence East, 1320.00 feet along the south line of said Lot 15 to the southeast corner thereof; thence North 0 degrees 2 minutes West, 1320.00 feet along the east line of said Lot 15 to the northeast corner thereof; thence West, 153.00 feet along the north line of said Lot 15; thence South 0 degrees 2 minutes East, 1111.20 feet; thence West, 980.00 feet; thence North 0 degrees 2 minutes West, 1111.20 feet to a point on the northerly line of said Lot 15; thence West 187.00 feet along the north line of said Lot 15 to the northwest corner thereof and the place of beginning, containing 15.00 acres, more or less; being all of that certain 15.00 acre parcel of land described in deed dated April 14, 1936, Cloudercroft Company to Alamogordo and Sacramento Mountain Railway Company, recorded April 24, 1936 in Book 107, pages 356-64 of Records of Otero County, New Mexico.

PARCEL NO. 9

All of the right, title and interest of Grantors in and to that certain right of way for the operation and maintenance of a pipe line across Lot 16 of Section 4, Township 16 South, Range 12 East, New Mexico Principal Meridian, as described in that certain indenture dated March 23, 1939 between Cloudercroft Company, El Paso & Southwestern Railroad Company and Southern Pacific Company, recorded in Book 103, Page 406-412 of the Records of Otero County, New Mexico. The center line of said pipe line across the said Lot 16 is described as follows:

Beginning at a point in the west line of Lot 16 of Section 4, Township 16 South, Range 12 East, New Mexico Principal Meridian, which is the point of intersection of the center line of the 2.20 acre strip of land described in deed dated April 14, 1936, Cloudcroft Company to Alamogordo and Sacramento Mountain Railway Company, recorded April 24, 1936 in Book 107, pages 356-64 of Records of Otero County, New Mexico, with said west line of said Lot 16; thence leaving said west line of said Lot 16, North 78 degrees 45 minutes East, 282 feet; thence North 77 degrees 24 minutes East, 271 feet; thence North 78 degrees 09 minutes East, 136 feet; thence North 77 degrees 38 minutes East, 121 feet, thence North 77 degrees 42 minutes East 145 feet; thence North 77 degrees 12 minutes East, 138 feet; thence North 77 degrees 32 minutes East, 153 feet; thence South 78 degrees 33 minutes West, 145 feet, more or less to a point in the east line of said Lot 16 of said Section 4.

All of the water rights, connecting pipe lines and all water system facilities located at Cloudcroft, County of Otero, State of New Mexico, particularly described as follows:

<u>Description</u>	<u>Unit</u>	<u>Number of Units</u>
Water Treating House - 2 story 16'x 20' Frame - Str. #5	Each	1
Equipment in Str. #5		
Tank 8'x8' G.I.	Each	2
" 2 1/2' x 3' G.I.	Each	1
Piping	Lot	1
Tools, etc.	"	1
Tank-wood 24'x16' on timber tower-Str. #4	Each	1
Tank-12'x12' wood water treating Str. #28	Each	2
Pump House 28'x32' - frame Str. #30	Each	1
Equipment in Pump House		
Pump-Byron Jackson-4 stage centrifugal -#1933- direct connected to 50 HP motor	Each	1
Foundation for pump and motor, concrete	Cu. Yd.	3
Motor starter, 50 HP auto, type J-3052	Each	1
Piping, etc.	Lot	1
Tools	"	1
Toilet, 4'x5' Frame, Str. #31	Each	1
Storage reservoir, 31' diam., concrete Str.#32	"	1
Tank, 30' diam., steel storage x20' high, Str.#33	"	1
Power Transmission Line		
Transformers, Step-up 20 K.W. 1150/2300, 60 cycle, near Power House	Each	3

Control Line Reservoir to Pump House	Lot	1
Control Line Tank to Power House	Lot	1
Telephone Line Power House to Pump House	Lot	1
Automatic Control Line from Power House to Pump House and Tank		
Wire, #10 copperweld D.B.	Cond.Ft.	22200
Poles, crec. 25'	Each	18
Medium Type Non-Extended Back Pierce Secondary Racks	Each	80
Medium Service Type Iron Ext. Back Pierce Secondary Racks #2638	Each	20
Compressed copper connectors #82	"	36
Relay #8511-H-15	"	1
Guy wire, 1/4"	Lin.Ft.	400
Dead end clevises	Each	12
Concrete anchor blocks	"	6
Strain plates #7575	"	12
Strain Insulators #502	"	3
Double tube connectors	"	50
Weather-proof tape	Lbs.	2
Hardware	"	182

<u>Description</u>	<u>Units</u>	<u>Number of Units</u>
Facilities Formerly Carried in Account 701 (Continued)		

Pipe Lines

Collecting System Springs to concrete reservoir at Pump House

Pipe, 1 1/2" W.I.	Lin.Ft.	1700
" 2" "	" "	1200
" 6" "	" "	700
Box 1"x2" Redwood	" "	510
Trenching	Cu.Yd.	110
Shaft and cross drafts, 6'x6'	Lin.Ft.	50

Pipe Line Pump House to Steel Tank

Pipe 4" C.I.	Lin.Ft.	11303
" 6" "	" "	9361
Valves, 4"	Each	3
Gate valves, 6"	"	5
Trenching	Lin.Ft.	9101

Pipe Line from 4" Main at Squirrel Ave. to Freight and Passenger Depot.

Pipe, 2"W.I.	Lin.Ft.	360
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Pipe Line from R.R. Water Tank to Passenger Depot		
Pipe, 1 1/2" W.W.	Lin.Ft.	480
Pipe Line from Passenger Depot to Power House		
Pipe, 2"W.I.	Lin.Ft.	400
Pipe Line to Section Quarters		
Pipe, 3/4" W.I.	Lin.Ft.	1300
Water meter, 3/4"	Each	1
Account 705 - Miscellaneous Physical Property		
Pipe Lines Serving Hotel and Cottages (Domestic Supply) 4" Main from Chipmunk Ave. along Swallow Ave. to James Canyon Road		
Pipe, 4" C.I.	Lin.Ft.	765
Valve, 4"	Each	1
4" Main from Swallow Ave. along No. Burrow Ave. to Little Glorietta Ave.		
Pipe 4" C.I.	Lin.Ft.	450
4" 2 fire hydrants at Swallow Ave., Mexican Ave. and Little Glorietta Ave.		
Fire Hydrant	Each	3
4" Main from Main in Corina Place around Pavilion		
Pipe 4" C.I.	Lin.Ft.	360
4" 2 way fire hydrant at Pavilion		
Fire hydrant, 4" 2 way	Each	2
4" Main from Loop Line to Hotel Tank and Hydrants		
Pipe, 4" C.I.	Lin.Ft.	450
Fire Hydrants	Each	4
Distribution Line to Domestic Consumers		
Pipe, 1/2"	Lin.Ft.	1060
Pipe, 3/4"	Lin. Ft.	7465
" 1"	" "	1365
" 1 1/2"	" "	4095
" 2" to hotel	" "	160
Water Meter, 2" to hotel	Each	1
" " 5/8" in conc. box	"	90

TO HAVE AND TO HOLD all of such properties whether real, personal or mixed and whether tangible or intangible, together with all and singular the equipment, hereditaments and appurtenances of and to the same belong or in anywise appertaining to the Grantee, its successors and assigns forever.

872781

This instrument intends to convey all of the property both real and personal conveyed by Southern Pacific Railway Company to Read and Fulwiler and does not bind Read or Fulwiler if any of this property listed above or not listed above is now short on this above listing, and they are to be held blameless for any shortage. It is also understood that any and all liabilities of this water system being conveyed by Read and Fulwiler are accepted by the City of Cloudcroft and Read and Fulwiler are not to be held responsible for any such liabilities.

This conveyance of property is to the incorporated City of Cloudcroft, and if for any reason such city becomes disincorporated, all of this property immediately reverts to the Cloudcroft Directorate with no encumbrance. If the Cloudcroft Directorate is non-operating, then to the State of New Mexico free of all encumbrance.

IN WITNESS WHEREOF, THE Grantors have caused this deed and bill of sale to be signed in their names and their seals hereunto affixed, all as of the 16th day of Dec. 1949.

H. D. Fulwiler
Trustee

J. C. Read
Trustee

STATE OF TEXAS,)
) ss.
County of El Paso,)

On this 16 day of December, 1949, before me personally appeared H. D. Fulwiler, 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.

Witness my hand and seal on this the day and year last above written.

(Notarial Seal Imprint)
My Commission Expires- - - -

Mildred Birney, Notary Public
MILDRED BIRNEY, Notary Public
in and for El Paso, County, Texas
My Commission expires June 1, 1951

STATE OF NEW MEXICO,)
) ss.
County of Otero,)

On this 22 day of December, 1949, before me personally appeared J. C. Read, 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.

Witness my hand and seal on this the day and year last above written.

(Notarial Seal Imprint)
My Commission Expires 3-21-50

Helen B. E. Hover, Notary Public

The foregoing instrument was filed for record in this office on the 28 day of January 1950 at 11:20 o'clock A. M.

HELEN SHIELDS, County Clerk
By *Louis R. Daugherty* Deputy