

Opinion No. 37-1603

April 19, 1937

BY: FRANK H. PATTON, Attorney General

TO: Mr. Elliott S. Barker State Game Warden Santa Fe, New Mexico

{*77} At your request I have examined abstract of title No. 1083, covering property described in said abstract and compiled by Security Title Abstract Company of Socorro, New Mexico.

Said abstract of title is certified as of the 10th day of April, 1937, and this opinion is not intended to cover matters which may have occurred subsequent to that date.

The abstract purports to relate to separate tracts of land containing 15.09 acres, more or less, and 1.29 acres, more or less, same being portion of the NE 1/4 of the NW 1/4 of Section 26, Township 11 South, Range 20 West, N.M.P.M.

From my examination I find that the titles to said properties are in Joe Campbell and Martha C. Campbell, his wife, and J. T. Allred, respectively, with the exception of a mortgage for \$ 1300.00 filed August 1, 1936, and recorded in Book of Real Estate Mortgages No. A, page 272, Catron County, and executed by the Campbells to one W. E. Lipsey. Upon release of this mortgage, merchantable title may be conveyed by Joe Campbell and Martha C. Campbell, his wife; and merchantable title to the other tract may be conveyed by J. T. Allred, if a single man, or by J. T. Allred and his wife, if married.

I herewith return for your files said abstract of title, together with plat of said tracts.