



Paralegal Division of the State Bar of New Mexico

Brown Bag Discussion Group

April 21, 2021

Presented by: Kay Homan

PARALEGAL'S ROLE IN A QUIET TITLE SUIT
(§§42-6-1 to 42-6-17 NMSA – *QUIETING TITLE*)

An outline of the responsibilities and duties of the paralegal in the administration of the quiet title suit.

1. Fee agreement and Retainer Letter: Letter from your attorney which informs the client of the procedures for the suit and related costs. A copy is to be returned signed by client with his/her retainer before you open the file.

2. Files: Pleading file - tabbed with index and includes form to identify and keep track of costs and defendants' table. Supplemental files can include correspondence, attorney's notes, genealogy, plats, research, etc.

3. Abstract or Title Search: If you have an Abstract, immediately make copies of the pertinent pages of Abstract for file (caption, index, pertinent deeds into client, tax schedule and the certificate) to be placed in file. Abstract is then docketed into safekeeping. At the end of the suit, the Abstract is returned to the client. The attorney will need the original Abstract to determine the defendant's name in the suit. If an abstract is mailed to the client, send by certified or registered mail, return receipt requested. Unfortunately not many Abstracts are being prepared these days, so you will need to get a title search to obtain the necessary information.

4. Survey: §61-23-28.1 NMSA 1978 provides that the Surveyor must record the Plat of Survey in the County in which the property is located. Review plat for completeness and recording information. Proof plat with legal description from Abstract and against surveyor's printed description and metes and bounds calls. If any discrepancy, contact surveyor and/or abstractor to determine error(s) and correction of same. You can also identify possible adjoining landowners from the plat.

5. Determination of Defendants: The attorney will review abstract or title search and mark (*in pencil*) names of defendants to be used or otherwise give you a list. Contact the client for assistance in obtaining information regarding status of Defendants' addresses and genealogy. A computer file should be created which contains each defendant's name and reference to source (*i.e., line and page of abstract, attorneys' notes, provided by Plaintiff(s)* for inclusion in the suit), the address and genealogy. You may also use a genealogist to assist in the development of the genealogy of deceased defendant(s). Be sure to get the names of the adjoining owners as they may not appear in the abstract or title search.

State and Political Subdivisions may not be sued in an action involving title to property "*except as specifically authorized by law*" (§42-11-1). The State of New Mexico may be sued to quiet title or to adjudicate a lien (§ 42-6-12 to 17). The State is joined as a defendant by naming "STATE OF NEW MEXICO PROPERTY TAX DIVISION" whenever a tax deed appears of record. You must serve the State agency and the Attorney General (NMRCP 1-004(F)(3)(b) -§ 42-6-13).

The United States may be joined as a defendant to adjudicate disputed title to real property in which the United States claims an interest, other than a security interest or water rights or Indian lands (28 USCA 2409(a)); and to establish interest under tax lien (28 USCA 2410). Complaint shall set forth with particularity the nature of the interest or lien of the United States. To serve the United States, you must serve the summons and complaint on the United States attorney for the district and send copies by registered or certified mail to the United States Attorney General at Washington, D.C. United States has sixty (60) days after service to answer.

6. Defendants: The defendants' names should be alphabetized and separated according to the following categories:

- (1) Living Defendants
- (2) Corporations
State of New Mexico Agency Name (Property Tax Division)
Municipal or County Agencies
- (3) Unknown defendants, whether living or deceased under heading "THE FOLLOWING NAMED DEFENDANT(S) BY NAME, IF LIVING; IF DECEASED, THEIR UNKNOWN HEIRS"
- (4) Deceased defendants, heirs of... under heading "THE UNKNOWN HEIRS OF THE FOLLOWING NAMED DECEASED PERSON(S)"
- (5) "ALL UNKNOWN CLAIMANTS OF INTEREST IN THE PREMISE ADVERSE TO PLAINTIFFS"

Include all variations of names used by a defendant as a/k/a (also known as) or f/k/a (formerly known as).

If a land grant is involved, determine the names of grant officials to be served with summons and complaint. If the grant has incorporated, serve process upon statutory agent.

If a corporation is named as a defendant, check with the Secretary of State in the jurisdiction of incorporation as to status of corporation, the statutory agent for service of process if active, the names of former directors if defunct. If the Corporation is defunct, indicate such in defendants list, i.e., ABC, Inc., a defunct corporation. An active Corporation should also indicate the State of Incorporation, i.e., ABC, Inc., a New Mexico corporation.

After the defendant list has been prepared accordingly, you should prepare separate documents for the caption (1 for the long caption - LONGCAP; 1 for short caption - SHORTCAP) to be pulled into the various pleadings as needed. After the draft of the Defendants' names is prepared, send to client for review of spellings, etc.

7. Summons, Complaint, Notice of Lis Pendens:

Summons. (*The Summons initiates jurisdiction*) The original Summons is issued by the Court Clerk and returned to you for making copies for service.

Complaint. Get an endorsed copy of Complaint when filed to use for service.

Notice of Lis Pendens (§38-1-15). Immediately after the Complaint is filed and the Summons is issued, record with the county clerk. Recording fee is twenty-five dollars (\$25.00) for each document filed or recorded by the county clerk. If a document being filed or recorded contains more than ten entries to the county recording index, the county clerk shall collect an additional fee of twenty-five dollars (\$25.00) for each additional block of ten or fewer entries to the county recording index from the document.

Interim Search of County Records. After Notice of Lis Pendens is recorded have the title company do a search from the date of the abstract or first title search through the date of recording of the Notice of Lis Pendens to determine if any documents affecting the title have been recorded in the interim. If additional documents appear of record, your attorney will review, and may identify additional defendants.

8. Keep client informed. Send copy of filed Complaint to client with letter explaining procedure for suit.

9. Service of Process – New Mexico Rules of Civil Procedure 1-004 - Process:

1.004 F. Process: personal service upon an individual. Personal service of process shall be made upon an individual by delivering a copy of a summons and complaint or other process:

(1) (a) to the individual personally; or if the individual refuses to accept service, by leaving the process at the location where the individual has been found; and if the individual refuses to receive such copies or permit them to be left, such action shall constitute valid service (*Process Server must be 18 years of age or older and a disinterested and unrelated party. Process Server will complete the Return of Service provided on the extra copy of the Summons*); or.

(b) by mail or commercial courier service as provided in Subparagraph (3) of Paragraph 1.004 E. *E(3) Service may be made by mail or commercial courier service provided that the envelope is addressed to the named defendant and further provided that the defendant or a person authorized by appointment, by law or by this rule to accept service of process. Service by mail or commercial courier service shall be complete on the date the receipt is signed as provided by this subparagraph. For purposes of this rule “signs” includes the electronic representation of a signature. (Prepare a Certificate of Service for the attorney’s signature indicating that service was via certified mail showing the defendants name and address.) NOTE: Out of state defendants are served via certified mail and also published against (unless they have signed a Receipt of Summons and Complaint which is filed with the Court or have answered).*

10 Acceptance of Service and Disclaimer: May be prepared for execution by Defendants who claim no interest in the property. *[A person may accept service but not disclaim an interest in the property.]* This document can be prepared ahead of time if you know that the person is going to accept and disclaim. In addition, after service has been made, a party may later execute a Disclaimer of Interest.

11. Motions and Orders. If there are additions or deletions of Defendants such as finding deceased defendant listed as a living defendant, changes can be made by submitting a Motion and Order. The court will make the necessary changes on the documents already filed. If you find additional defendants submit Motion and Order to Add Defendants and have Alias Summons issued and arrange for service on the additional living defendants.

If someone is accidentally named as a defendant who is not a party to the suit, a motion and order to delete such defendant may be prepared, or if the party has been served, the attorney may file a Notice of Dismissal as to that defendant or may stipulate in the Final Decree that the party was not a defendant and inadvertently named. **Recommendation that defendant who is inadvertently named be dismissed by Notice and instead of waiting to dismiss in the Final Decree.**

If you name a defendant "if living or if deceased," and you find that the person is living, a stipulation will be made in the Final Decree that the person was in fact living, was served, etc.

12. Service by Publication. After the Summons and Complaint have been served on in-state residents, corporations, etc., then determine which defendants were not personally served. Defendants with unknown whereabouts, out-of-state addresses, unknown heirs of deceased defendants, defendants whom you were unable to determine if living or dead, and all unknown claimants of interest must be served by publication. Name these defendants in the Affidavit for Service by Publication. Prepare a Motion for Service by Publication and attach a copy of the Notice of Pendency of Suit, and Order for Service by Publication. Present Affidavit, Motion and Order to the Court together with the Notice of Pendency of Suit for issuance by the Clerk once the Order has been entered.

13. Notice of Pendency of Suit. Simultaneous with the preparation of the Affidavit for Service by Publication, you will also prepare the Notice of Pendency of Suit which will be published in a newspaper of general circulation in the county where the property is located. (Sec. 14-11-2 & 10) (NOTE: property description must conform to NMRC 1-004(H)(5) "section, township and range, and if in a Grant, the name of the Grant," and § 14-11-10.1 "commonly used terms sufficient to indicate its location in relation to roads, towns, streets, neighborhoods, or other fixed objects." File both pleadings with the Clerk and start publication of the Notice in the newspaper.

Publish the Notice of Pendency once each week for three consecutive weeks pursuant to NMRA 1-004 K.

The Notice of Pendency requires a specific date for answer or other pleading by the Defendants served by publication. In order to calculate this date, you must know the deadline requirements for the newspaper and request publication on or before four specific dates (i.e., every Thursday for three weeks) and then add twenty days from the last date of publication as the default date Sec. 14-11-10. Be sure to add extra days to ensure that publication is adequate if a delay occurs.

Proof the newspaper legal advertisement for errors. Call in corrections before the next publication. After publication has been completed, the newspaper will send you an Affidavit of Publication which must be filed with the court prior to obtaining the Clerk's Certificate as to the State of the Record.

14. Answer and Counterclaim. If a defendant answers and counterclaims against Plaintiff some of the following pleadings may be prepared:

- 1) Answer to Counterclaim.
- 2) Plaintiffs' Request for Admissions and Genuineness of Documents.
- 3) First Set of Interrogatories.
- 4) Notice of Deposition and Request for Production of Documents
- 5) Subpoena
- 6) Exhibits Tracking Form (to be used at trial to maintain list of exhibits)

If uncontested and for parties that did not appear or have filed disclaimers continue as follows.

15. Affidavit re Service Members Civil Relief Act (SCRA). 50 U.S.C. App. §§501-596. Conduct a search to ensure that the defendants are not in the service.
16. Certificate as to The State of The Record and Nonappearance (Certificate of Default). This is prepared after the time for filing an answer has expired. Thirty (30) days is allowed from the date of personal service, or twenty days from the last publication date before a default can be taken. Prepare the Certificate when the default period has expired and send it to the district court clerk for execution and filing.
17. Notice of Presentment of Final Decree. Must be used if a defendant appears but does not answer, giving three (3) days' notice to such defendant that Plaintiff is applying for the Final Decree. NMRCP 1-055(B).
18. Final Decree. Be sure to use the long caption for the preparation of the decree and proof the legal description again against the Complaint. A Partial Final Decree may be entered as to all Defendants other than those making a claim. NMRCP 1-054(C)(1). Record the Final Decree in the County records.
19. Release of Lis Pendens. Prepare and record on the County records after the Final Decree has been entered. File recorded release with the Court.
20. Send client copy of the recorded Final Decree.

**[] JUDICIAL DISTRICT COURT
COUNTY OF []
STATE OF NEW MEXICO**

Plaintiffs,

vs.

Defendants.

COMPLAINT IN SUIT TO QUIET TITLE

1. , hereinafter "Plaintiffs", are respectively the owners of the fee simple title, free and clear of all liens and encumbrances, except as noted below, in and to and is in possession, under claim by documentary title, of the following described tracts of real property located in San Miguel County, New Mexico described as follows:

2. The Plaintiffs, pursuant to §42-6-6, NMSA 1978, claiming an interest in the foregoing tracts of real property under a common source of title, join together for the purpose of quieting the title to their respective tracts.

*. All taxes properly due and payable on said real property are not delinquent, and have been paid in full.

*. Each of the persons described in the title as being known by one or more alternative names is, if he or she be living, and was during his or her lifetime, if he or she be dead, sometimes known by the alternative name or names respectively set forth above.

*. Plaintiffs have made due search to ascertain whether the persons named in paragraph * of the title of this action (paragraph * being hereby expressly adopted and incorporated by reference herein), and which persons Plaintiffs desire to name as Defendants herein, are living or dead; but Plaintiffs are unable to ascertain with certainty whether such persons, or any of them, are living or dead and has* therefore made such persons, if living or the unknown heirs of those who may be deceased, parties Defendant under the name and style of ***"The Following Named Defendants By Name, If Living, If Deceased, Their Unknown Heirs."*** Upon such information and belief, Plaintiff* alleges* that each of the named persons, if now living, makes and, if deceased, in his or her lifetime, made some claim of right, title or interest in or to, or lien upon the above-described real property adverse to Plaintiffs' title therein. The heirs-at-law of each of the named persons who may be deceased are unknown and cannot be ascertained.

*. The individuals named in paragraph * of the title of this action after the designation ***"Unknown Heirs of the Following Named Deceased Persons,"*** (paragraph * being hereby expressly adopted and incorporated by reference herein), are each and all dead. Upon such information and belief, Plaintiff* alleges* that each of the deceased persons during his or her lifetime made some claim of right, title or interest in or to the real property adverse to Plaintiffs' aforesaid title in and to the land. All of the heirs-at-law of the aforesaid deceased persons are made parties Defendant hereto by name insofar as such heirs are known or can be ascertained. The true names of the Defendants sued herein as unknown heirs of the deceased persons are unknown and cannot be ascertained.

*. The names of other possible claimants adverse to the Plaintiff's' title to the real property are unknown and cannot be ascertained; Plaintiffs believe that there are other persons who may claim adverse to Plaintiffs' title in and to the land, and Plaintiffs therefore make all such claimants parties Defendant hereto under the name and style of "*All Unknown Claimants of Interest In the Premises Adverse To The Plaintiffs.*"

*. The whereabouts of all Defendants named in paragraphs *, * and * of the title to this action are unknown and cannot be ascertained, and such Defendants are so situated that personal service of process upon them cannot be effected.

*. Defendants and each of them make some claim adverse to Plaintiffs' aforesaid title in and to the above-described tracts of real property, but such adverse claims of the Defendants are invalid.

Wherefore, the Plaintiffs pray that /their aforesaid title in and to each of their respective tracts of real property may be established against the adverse claims of the Defendants herein and each of them; that the Defendants herein, and each of them, may be barred and forever estopped from having or claiming any right, title or interest in or to, or any lien or claim upon any of the tracts of real property or any part thereof, adverse to Plaintiffs' aforesaid title in and to each of their respective tracts of real property; that Plaintiffs' aforesaid title in and to each of their respective tracts of real property may be forever quieted and set at rest; that the Plaintiffs may have judgment against the Defendants; and that Plaintiffs may have such other and further relief as may be just and equitable under the circumstances.

Dated this _____ day of _____, 202_

*

Attorneys for Plaintiffs

By: _____

*** JUDICIAL DISTRICT COURT
COUNTY OF *
STATE OF NEW MEXICO**

Plaintiff,

vs.

Defendants.

COMPLAINT IN SUIT TO QUIET TITLE

1. , hereinafter "Plaintiff", is the owner of the fee simple title, free and clear of all liens and encumbrances, except as noted below, in and to and is in possession, under claim by documentary title, of the following described land located in * County, New Mexico:

*. Defendant [c] is a corporation duly organized and existing under and by virtue of the laws of the State of New Mexico. (Repeat for more than one Corporation)

*. Defendant [dc] is a defunct corporation having no statutory agent upon which service of process can be made. (Repeat for more than one Corporation)

*(alt) *. The [dc] is a defunct corporation having no statutory agent upon which service of process can be made and * were the last known directors of said corporation.

(alt) *. Upon information and belief, Defendant [c] was a corporation duly organized and existing under and by virtue of the laws of the state of New Mexico, but the corporation is long since defunct, and plaintiff, after diligent search has been unable to ascertain the names or present whereabouts of any officers, directors or trustees of the defunct corporations; and that the corporation, did, or during

its legal existence, claim some right, title or interest in and to, or lien upon the herein described premises adverse to the title of the Plaintiff*.

*. All taxes properly due and payable on said land are not delinquent, and have been paid in full.

*. The State of New Mexico, Taxation and Revenue Department, Property Tax Division, was named as a Defendant because of Tax Deed No. * dated *, issued by * County to the State of New Mexico.

[If in Santa Fe *. Defendant City of Santa Fe may claim some interest under or by virtue of the following liens for sewer and garbage assessments:

*. Defendant City of Santa Fe, is a municipal corporation organized and operating under the laws of the State of New Mexico and is joined in such capacity and as Trustee under the Act of Congress of April 9, 1900, entitled "*An Act To Settle The Titles To Real Estate In The City Of Santa Fe, New Mexico.*"

*. The Board of Commissioners of * County, New Mexico was named as a Defendant because of County Road C-* adjoins the property on the *.

*. The * County Treasurer is named as a defendant herein for the purpose of correcting an error in the description of the property rendered for property taxation purposes. The property described in Paragraph 1 was assessed in the * County Records for the years [y1] to [y2] inclusive as follows:

*

The correct description of the property is as follows:

"*."

Pursuant to N.M.S.A. 1978, Section 7-38-78, the Plaintiff* *is\are seeking to correct the error in the description of the property for the years [y1] to [y2], inclusive, upon which taxes have been duly paid for the years [y1] to [ys], inclusive.

*. Each of the persons described in the title as being known by one or more alternative names is, if he or she be living, and was during his or her lifetime, if he or she be dead, sometimes known by the alternative name or names respectively set forth above.

*. Defendant * is an incompetent person presently residing at a medical hospital in *.

. Plaintiff has* made due search to ascertain whether the persons named in paragraph * of the title of this action (paragraph * being hereby expressly adopted and incorporated by reference herein), and which persons Plaintiff* desires* to name as Defendants herein, are living or dead; but Plaintiff* *is unable to ascertain with certainty whether such persons, or any of them, are living or dead and has* therefore made such persons, if living or the unknown heirs of those who may be deceased, parties Defendant under the name and style of "***The Following Named Defendants By Name, If Living, If Deceased, Their Unknown Heirs.***" Upon such information and belief, Plaintiff* alleges* that each of the named persons, if now living, makes and, if deceased, in his or her lifetime, made some claim of right, title or interest in or to, or lien upon the above-described land adverse to Plaintiff*'s title therein. The heirs-at-law of each of the named persons who may be deceased are unknown and cannot be ascertained.

*. The individuals named in paragraph * of the title of this action after the designation "***Unknown Heirs of the Following Named Deceased Persons,***" (paragraph * being hereby expressly adopted and incorporated by reference herein), are each and all dead. Upon such information and belief, Plaintiff* alleges* that each of the deceased persons during his or her lifetime made some claim

of right, title or interest in or to the land adverse to Plaintiff*'s aforesaid title in and to the land. All of the heirs-at-law of the aforesaid deceased persons are made parties Defendant hereto by name insofar as such heirs are known or can be ascertained. The true names of the Defendants sued herein as unknown heirs of the deceased persons are unknown and cannot be ascertained.

. The names of other possible claimants adverse to the Plaintiff's title to the land are unknown and cannot be ascertained; Plaintiff* believes* that there are other persons who may claim adverse to Plaintiff*'s title in and to the land, and Plaintiff* therefore makes* all such claimants parties Defendant hereto under the name and style of "***All Unknown Claimants of Interest In the Premises Adverse To The Plaintiffs.***"

*. The whereabouts of all Defendants named in paragraphs *, * and * of the title to this action are unknown and cannot be ascertained, and such Defendants are so situated that personal service of process upon them cannot be effected.

. Defendants and each of them make some claim adverse to Plaintiff's aforesaid title in and to the above-described land, but such adverse claims of the Defendants are invalid.

Wherefore, the Plaintiff* prays* that *his/her/their aforesaid title in and to the land may be established against the adverse claims of the Defendants herein and each of them; that the Defendants herein, and each of them, may be barred and forever estopped from having or claiming any right, title or interest in or to, or any lien or claim upon the lands or any part thereof, adverse to Plaintiff*'s aforesaid title in and to all of the land; that Plaintiff*'s aforesaid title in and to all of the land may be forever quieted and set at rest; that the Plaintiff* may have judgment against the Defendants and each of them for their costs of suit herein; and that Plaintiff* may have such other and further relief as may be just and equitable under the circumstances.

Dated this _____ day of *, 20*.

*

Attorneys for Plaintiff*

By:

*

insert caption

**ACCEPTANCE OF SERVICE AND GENERAL ENTRY OF APPEARANCE
IN SUIT TO QUIET TITLE**

[a], attorney for Defendant [d], hereby acknowledges receipt and accepts service of a copy of the Summons and Complaint in this matter on behalf of the Defendant [d]. Said Defendant, by and through his/her undersigned attorney, enters [his/her] general appearance in this cause, and submits to the jurisdiction of the Court.

Dated: _____, 20*.

*

insert caption

**DISCLAIMER OF INTEREST
IN SUIT TO QUIET TITLE**

Defendant [d], by and through [his/her] undersigned attorney, hereby disclaims any and all interest whatsoever in the real estate described in the Complaint on file herein on the condition that no cost be assessed against [him/her].

Dated: _____, 20*.

[a], Esq.
Attorney for Defendant [d]

insert caption

**ACCEPTANCE OF SERVICE AND GENERAL ENTRY OF APPEARANCE
IN SUIT TO QUIET TITLE**

Defendant [d], hereby acknowledges receipt and accepts service of a copy of the Summons and Complaint in this matter. Defendant, enters [his/her] general appearance in this cause, and submits to the jurisdiction of the Court.

Dated: _____, 20*.

*

insert caption

**DISCLAIMER OF INTEREST
IN SUIT TO QUIET TITLE**

Defendant [d], hereby disclaims any and all interest whatsoever in the real estate described in the Complaint on file herein on the condition that no cost be assessed against [him/her].

Dated: _____, 20*.

[d]

*input long caption

***[STIPULATED] FINAL DECREE IN SUIT TO QUIET TITLE**

THIS CAUSE having come on for hearing upon the pleadings herein, Plaintiff* having appeared by *, * attorneys, and none of the Defendants having appeared[, except: *(list appearances)*]

AND it appearing that Summons and Complaint herein were duly served in New Mexico upon certain Defendants in the counties and on the dates respectively set forth below:

DEFENDANT	COUNTY	DATE	METHOD
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[use if agent served] AND it further appearing that pursuant to Rule 1-004(F)(1) NMRA 1987. copies of the Summons and Complaint herein were duly mailed by certified mail on *, 201*, to the following named Defendants, who *was/were served by leaving a copy of the Summons and Complaint with a person residing at the usual place of abode of the defendant who is older than the age of fifteen (15) years, addressed as follows:

*

[use 2 ¶s if out-of-state defendants] AND it further appearing that the following named Defendants were, and at all material times have been, nonresidents of and absent from the State of New Mexico, and that their last known addresses were as follows:

*

AND it further appearing that copies of the Summons and Complaint herein were duly mailed to the aforesaid nonresident Defendants at the addresses hereinbefore specified, on *, 200*, more than

thirty-five (35) days before the taking of this Decree;

AND it further appearing that the whereabouts of each of the remaining Defendants was not known and could not be ascertained after due search and inquiry;

AND it further appearing that upon Affidavit filed herein, complying in all respects with the requirements of law, Notice of Pendency of this cause was issued by the Clerk on *, 200*, which Notice likewise complied with all requirements of law, by the terms of which Notice each of the Defendants herein, other than those personally served *[or disclaiming] as above set forth, were notified of the pendency of this suit and were further notified that unless such defendants entered an appearance herein on or before *, 20*, judgment would be taken against them by default; and that the Notice was thereafter published in * [name of newspaper], a newspaper of general circulation published in the County of *, once each week for three (3) successive weeks, namely * *, *, and *, 20*;

AND the Affidavit Re: Service Members Relief Act was filed herein on *, 20*, by * pursuant to the Soldiers' and Sailors' Relief Act of 1940, 50 U.S.C. Section 520(1);

[clerk - no answers] AND the Clerk having filed [his/her] Certificate as to default of all Defendants;

[clerk - answers received] AND the Clerk having filed [his/her] Certificate as to default of all Defendants other than * [names of answering/disclaiming defendants];

[clerk - stipulated to] AND the Clerk having filed [his/her] Certificate as to default of all Defendants other than *, all of whom have disclaimed and stipulated to the title of the Plaintiffs, and *, whose attorneys have stipulated to this Final Decree by their signature hereto;

[notice of presentment] AND it appearing that Notice of Presentment of Final Decree was duly given to * [name of defendant(s)], *none/neither of whom appeared at the time and date specified by the Notice;

AND the Court having considered the evidence adduced by Plaintiff* and being fully advised:

THE COURT FINDS that all of the allegations of the Complaint herein are true;

AND from the foregoing, the Court concludes as a matter of law that the Plaintiff* *is/are entitled to the relief prayed for in the Complaint herein;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. Plaintiff*, *[names of Plaintiffs], *is/are the owner* of the fee simple title in and to, free and clear of all liens and encumbrances, *[except as noted below,] and *is/are in possession of, the following described land located in * County, New Mexico:

*[property description]

2. The Plaintiffs'* aforesaid title in and to the land(Property) be and it is hereby established against the claims of the Defendants herein, and each of them; that the Defendants, and each of them, be and are hereby barred and forever estopped from having or claiming any right, title or interest in or to, or lien or claim upon, the land(Property) or any part thereof adverse to the Plaintiffs'* title therein and thereto; and that the Plaintiffs'* title be and it is hereby forever quieted.

DISTRICT JUDGE

SUBMITTED:

*
Attorneys for Plaintiff*

By: _____
*

