Lea County Estates: The Probate a Tract Search Never Finds

LMJ Chalk Talk · Site Walkthrough 106 · Lea County Clerk, New Mexico

Today it's estates in the Lea County land records: how a dead owner's estate is indexed, and the probate that a tract search will never find.

Every screen here is a real frame from the video, on the Lea County Clerk's public site.

Questions about your title?

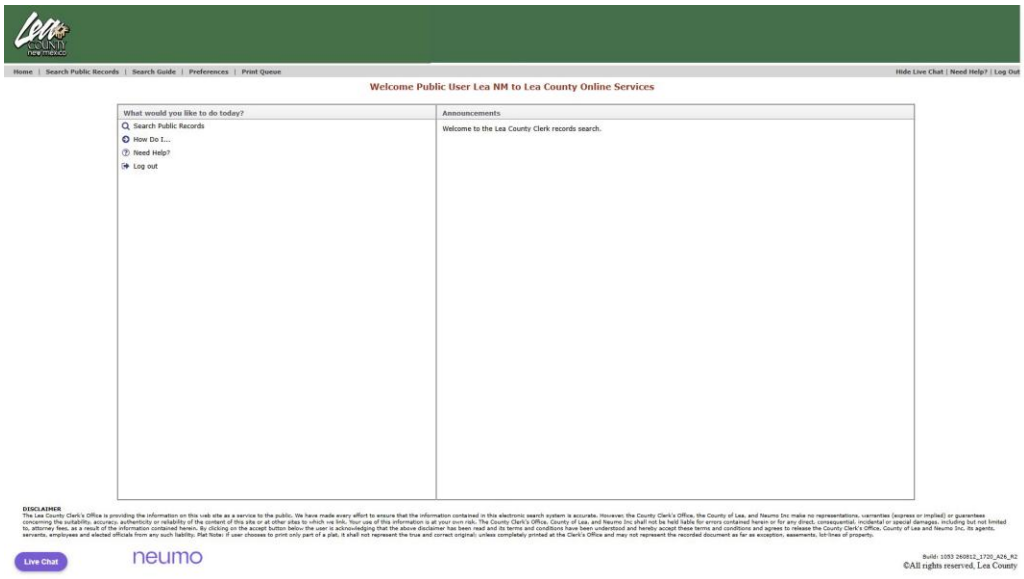
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Title. Ownership. Due Diligence.

Links

- **Lea County Clerk records search:** https://countyfusion15.govos.com/countyweb/loginDisplay.action?countyname=LeaNM
- **Watch the video:** LMJ Chalk Talk on YouTube, Site Walkthroughs playlist
- **LMJ directory, New Mexico counties:** https://lmjlandservices.com/directory/new-mexico/
- **LMJ Land Services:** https://lmjlandservices.com

Step by step

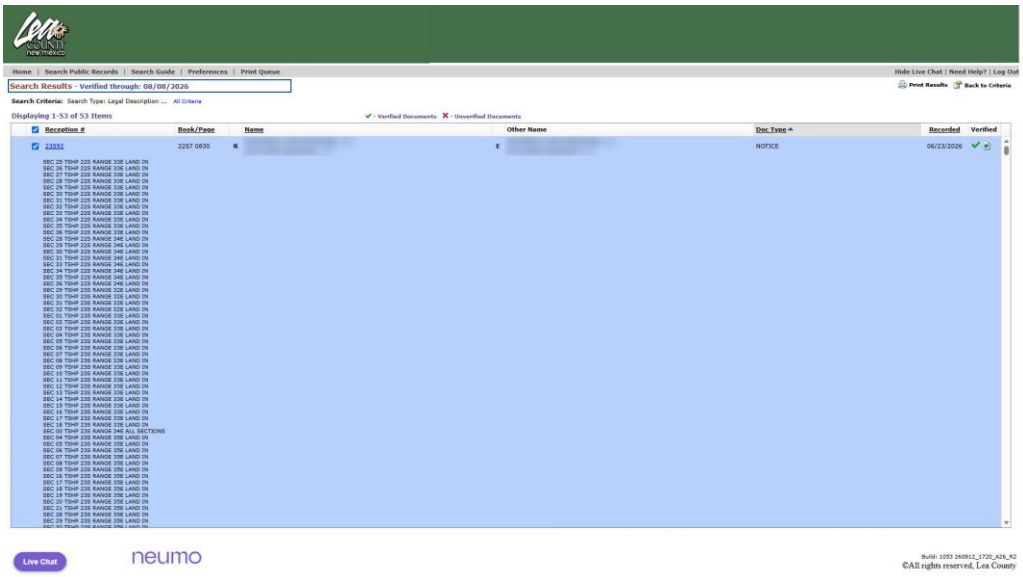
When a mineral owner dies, the title moves through the estate. So the chain has to show it: the probate, the distribution, the heirs. Login as Guest, then Search Public Records.



Site Walkthrough 106, at 0:18. Lea County Clerk public site. Names blurred.

Legal Description. Section thirty-four, twenty-four S, thirty-three E. Search.

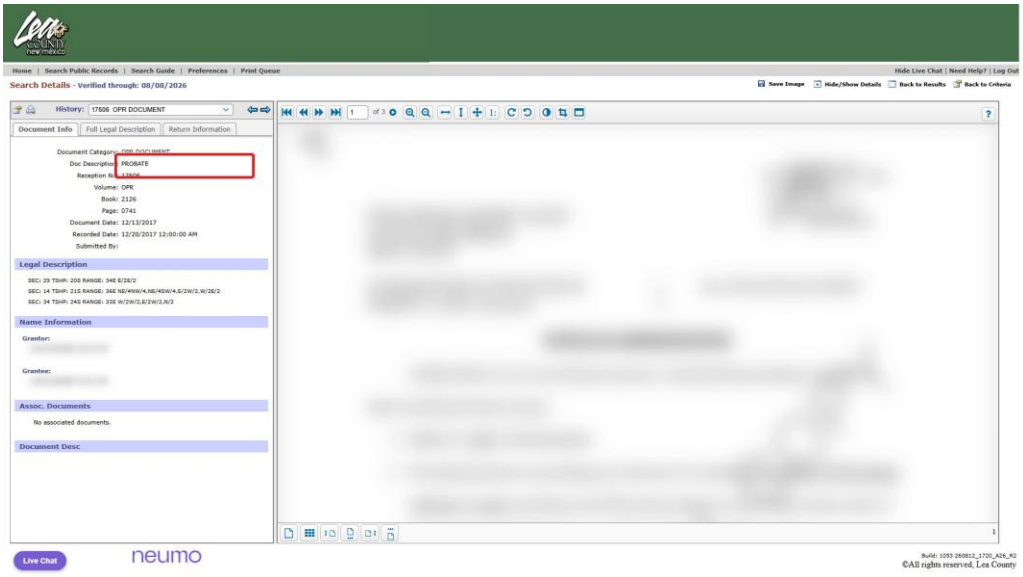
Fifty-three items. I'll sort by Doc Type, and there it is: a document type of Probate, recorded December 20th, 2017.



Site Walkthrough 106, at 0:37. Lea County Clerk public site. Names blurred.

Look at the name form. The names are blurred, but you can read the end of them: DEC, EST. The estate is indexed as the decedent's name, surname first, then DEC EST, deceased estate. And the same estate is the grantor on a mineral deed in 2018, and on a correction to that mineral deed.

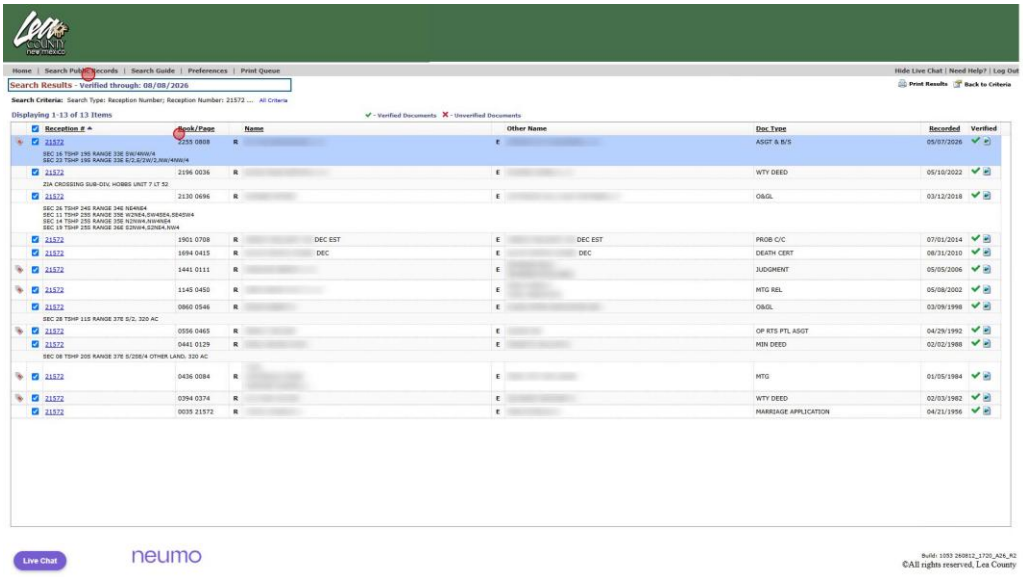
Open the Probate. Document Date December 13th, 2017. Recorded December 20th.



Site Walkthrough 106, at 1:08. Lea County Clerk public site. Names blurred.

And the clerk indexed the estate's land: Section twenty-nine, twenty South, thirty-four East. Section fourteen, twenty-one South, thirty-six East. And our Section thirty-four. That's why the tract search found it.

Now go back to reception twenty-one five seventy-two, from Walkthrough one oh three. Thirteen instruments. One of them is a Prob C-slash-C, a certified copy of a probate, recorded July 1st, 2014. The grantor ends in DEC EST. And look under it. No legal line.



Site Walkthrough 106, at 1:42. Lea County Clerk public site. Names blurred.

Open it. Thirty-seven pages. And the Legal Description section is empty. The clerk indexed the names, and no land at all. So a tract search, on any section that estate owned, will never bring it up. The only way in is the name.

There's also a probate index here, Probate Search by Names, with a name type for the decedent, death dates and filing dates. That's the probate case side. Search it too, but don't stop there. What moves the title in the land records is what got recorded.

The routine

1. Every owner who dies in your chain gets two kinds of searches.
2. A name search, surname first, with and without DEC EST, for the probate copies, deeds of distribution, death certificates and heirship affidavits.
3. And a tract search for anything the estate did with the land.
4. Then open every one, and check the legal description against your tract.

The trap

A chain that jumps from a dead owner straight to the next lessee, because the probate wasn't on the tract search. In Lea County, the probate copy may have no land indexed at all.