



**PERMANENT EASEMENT**

#564581

PRESBYTERIAN PROPERTIES,  
INC., A New Mexico

Grant of Permanent Easement, between non-profit corporation ("Grantor"), whose address is P.O. Box 26666 Albuquerque, NM 87125-6666 and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, New Mexico, 87103.

Grantor grants to the City an exclusive, permanent easement ("Easement") in, over, upon and across the real property described on Exhibit "A" attached hereto ("Property") for the construction, installation, maintenance, repair, modification, replacement and operation of Public Sidewalk, together with the right to remove trees, bushes, undergrowth and any other obstacles upon the Property if the City determines they interfere with the appropriate use of this Easement.

In the event Grantor constructs any improvements within the easement, the City has the right to enter upon Grantors property at any time and perform whatever inspection, installation, maintenance, repair, modification or removal ("Work") it deems appropriate without liability to the City. If the work effects any Improvements of Encroachments made by the Grantor, the City will not be financially or otherwise responsible for rebuilding or repairing of Improvements or Encroachments. If in the opinion of the City, the Work to be performed by the City could endanger the structural integrity or otherwise damage the Improvements of Encroachments, the Grantor shall, at its own expense, take whatever protective measures are required to safeguard the Improvements or Encroachments.

Grantor covenants and warrants that Grantor is the owner in fee simple of the Property, that Grantor has a good lawful right to convey the Property or any part thereof and that Grantor will forever warrant and defend the title to the Property against all claims from all persons or entities.

The grant and other provisions of this Easement constitute covenants running with the land for the benefit of the City and its successors and assigns until terminated.

WITNESS my hand and seal this 5<sup>th</sup> day of March, 1998.

GRANTOR:

PRESBYTERIAN PROPERTIES, INC.,  
~~(INCORPORATED)~~ a New Mexico non-profit corporation

GRANTOR:

By: [Signature]  
~~XXX~~ James Hinton, Its President  
(Corporation or Partnership)

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INDIVIDUAL

STATE OF \_\_\_\_\_ )  
 )ss  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

CORPORATION

STATE OF NEW MEXICO )  
 )ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on 5 day of March, 1998, by James Hinton, President of Presbyterian Properties, Inc., a New Mexico corporation, on behalf of the corporation.

My Commission Expires: \_\_\_\_\_

[Signature]  
Notary Public

10-16-01

PARTNERSHIP

STATE OF \_\_\_\_\_ )  
 )  
COUNTY OF \_\_\_\_\_ )

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, by \_\_\_\_\_, partner(s), on behalf of \_\_\_\_\_, a partnership.

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

(EXHIBIT "A" ATTACHED)

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Portion of  
Tract 2  
Presbyterian Hospital - Main Campus  
Phase One

A certain parcel of land situate in Section 21, Township 10 North, Range 3 East, New Mexico Principal Meridian, Albuquerque, Bernalillo County, New Mexico, comprising a portion of Tract 2 as shown on the Plat of Tracts 1 thru 9, Presbyterian Hospital - Main Campus, Phase One, filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 8, 1997, in Vol. 97C, folio 138, Document No. 97046577; and being more particularly described by metes and bounds as follows:

Beginning at the northeast corner of said Tract 2, a point on the westerly right-of-way line of Cedar Street SE, whence City of Albuquerque monument ACS "4-K15" (having New Mexico State Plane coordinates (Central Zone) of Y=1,485,514.00 and X=384,645.71 (NAD 1927)) bears N 48° 39' 36" W, 786.03 feet distance; thence,

S 09° 07' 15" W, 266.83 feet distance along the easterly boundary of said Tract 2 and westerly right-of-way line of Cedar Street SE to a Point of Curvature; thence,

Southwesterly, 5.51 feet distance continuing along the easterly boundary of said Tract 2 along the arc of a curve bearing to the right (said arc having a radius of 15.00 feet, a central angle of 21° 02' 22", and a chord which bears S 19° 38' 26" W, 5.48 feet distance) to the southwest corner of the parcel herein described; thence,

N 09° 07' 15" E, 272.21 feet distance to the northwest corner of the parcel herein described, a point on the northerly boundary of said Tract 2; thence,

S 81° 00' 00" E, 1.00 foot distance along the northerly boundary of said Tract 2 to the northeast corner of said Tract 2 and Point of Beginning of the parcel herein described, and containing 270 square feet (0.0062 acre), more or less.

Note: Bearings herein are based on the aforementioned Plat of Tracts 1 thru 9, Presbyterian Hospital - Main Campus, Phase One, filed on May 8, 1997.



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Robert C. Miller  
Robert C. Miller, NMPS 3794 \_\_\_\_\_  
Date 11/14/97

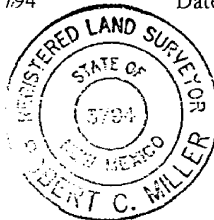


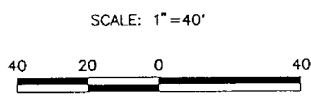
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PORTION OF  
TRACT 2  
PRESBYTERIAN HOSPITAL - MAIN CAMPUS, PHASE ONE  
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO  
NOVEMBER 1997

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Judd D. Woodward Bern. Co. ERSE

ACS CONTROL STATION  
4-K15  
NEW MEXICO STATE PLANE  
COORDINATE SYSTEM  
(CENTRAL ZONE)(NAD 1927)  
Y=1,485,514.00  
X= 384,645.71  
G-G=0.99967393  
 $\Delta\alpha = -00^{\circ}13'18"$   
ELEV.=5045.08'



LINE TABLE

LINE	DIRECTION	DISTANCE
L22	S 81°00'00" E	1.00'

CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT
C27	15.00'	5.51'	2.79'

CURVE	CHORD	BEARING	DELTA
C27	5.48'	S 19°38'26" W	21°02'22"

