

# 564581 ✓

PERMANENT EASEMENT

PRESBYTERIAN HEALTHCARE SERVICES, 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 6 day of March, 1998.

GRANTOR:

PRESBYTERIAN HEALTHCARE SERVICES, a  
(Individual) New Mexico non-profit corporation

GRANTOR

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



Judy D. Woodward Bern. Co. ERSE R 15.00

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Bk-9609 Pg-6036



INDIVIDUAL

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

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

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

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

CORPORATION

STATE OF NEW MEXICO )  
 )ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on 6 day of March, 1998, by James Hinton, President of Presbyterian Healthcare Services, ~~XX~~ New Mexico non-profit ~~XX~~ corporation, on behalf of the corporation.

Susan Melton  
Notary Public

My Commission Expires:  
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.

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

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

(EXHIBIT "A" ATTACHED)



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Judy D. Woodward Bern. Co. ERSE R 15.00



**Portion of**  
**Tract 3**  
**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 3 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 a Point of Curvature for a 25-foot radius curve at the northwest corner of said Tract 3, said point being on the easterly 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 75° 36' 19" W, 802.11 feet distance; thence,

Northeasterly, 24.98 feet distance along the westerly boundary of said Tract 3, along the arc of a curve bearing to the right (said arc having a radius of 25.00 feet, a central angle of 57° 14' 59", and a chord which bears N 42° 44' 49"E, 23.95 feet distance) to the northeast corner of the parcel herein described; thence,

S 56° 32' 07" W, 12.36 feet distance to a point; thence,

S 14° 16' 42" W, 48.46 feet distance to a Point of Curvature; thence,

Southwesterly, 104.71 feet distance along the arc of a curve bearing to the right (said arc having a radius of 241.34 feet, a central angle of 24° 51' 34", and a long chord which bears S 26° 42' 29" W, 103.89 feet distance) to a Point of Tangency; thence,

S 39° 08' 16" W, 42.08 feet distance to a Point of Curvature; thence,

Southwesterly, 79.37 feet distance along the arc of a curve bearing to the left (said arc having a radius of 151.50 feet, a central angle of 30° 01' 01", and a long chord which bears S 24° 07' 45" W, 78.47 feet distance) to a Point of Tangency; thence,

S 09° 07' 15" W, 46.01 feet distance to the southeast corner of the parcel herein described, a Point on Curve; thence,

Northwesterly, 0.91 foot distance along the arc of a curve bearing to the right (said arc having a radius of 14.25 feet, a central angle of 03° 40' 35", and a chord which bears N 48° 34' 49" W, 0.91 foot distance) to a point on the westerly boundary of said Tract 3 and easterly right-of-way line of Cedar Street SE; thence, along the westerly boundary of said Tract 3 and easterly right-of-way line of Cedar Street SE,

N 09° 07' 15" E, 46.75 feet distance to a Point of Curvature; thence,

Northeasterly, 82.43 feet distance along the arc of a curve bearing to the right (said arc having a radius of 160.00 feet, a central angle of 29° 31' 11", and a long chord which bears N 23° 52' 50" E, 81.53 feet distance) to a Point of Tangency; thence,

N 38° 38' 26" E, 36.83 feet distance to a Point of Curvature; thence,

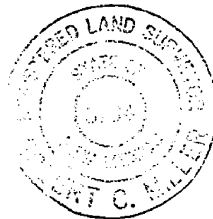
Northeasterly, 108.36 feet distance along the arc of a curve bearing to the left (said arc having a radius of 253.21 feet, a central angle of 24° 31' 06", and a chord which bears N 26° 22' 53" E, 107.53 feet distance) to a Point of Tangency; thence,

N 14° 07' 20" E, 33.25 feet distance to the Point of Curvature and Point of Beginning of the parcel herein described, and containing 724 square feet (0.0166 acre), more or less.

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

Robert C. Miller  
Robert C. Miller, NMPS 3794

11/11/97  
Date

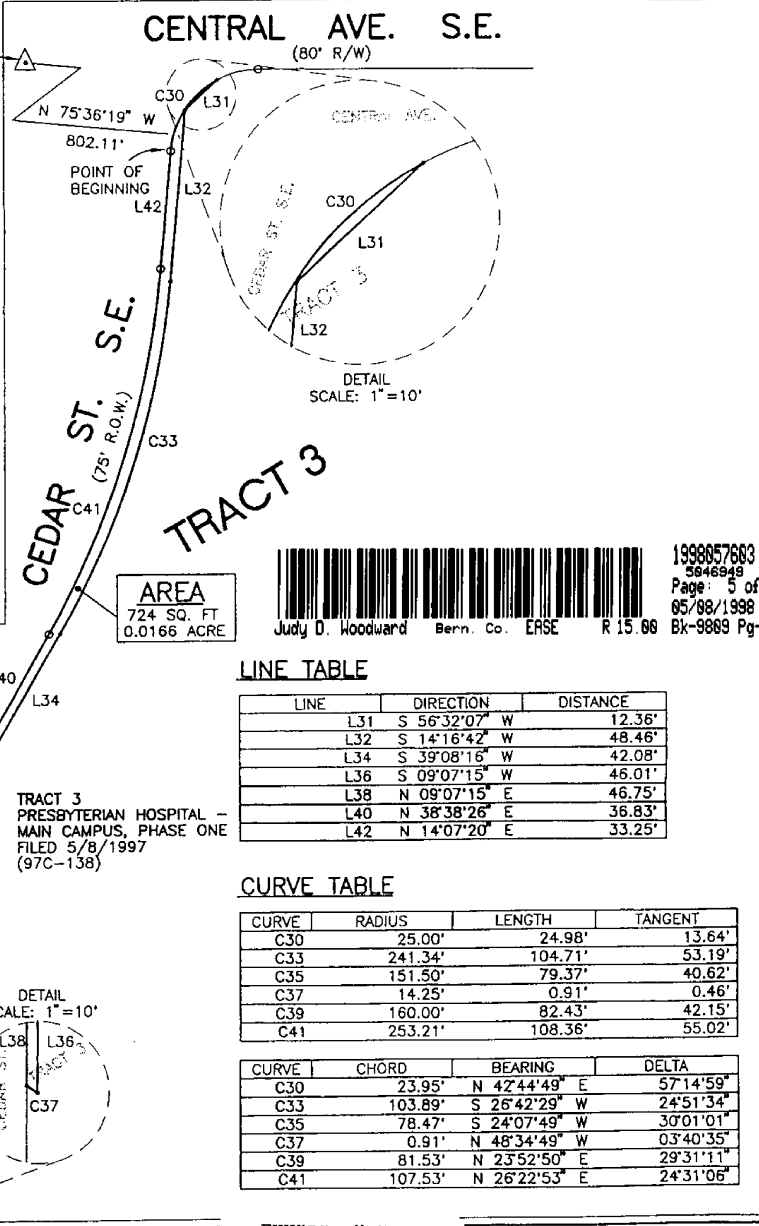
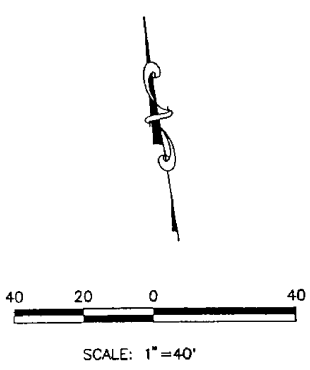


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PORTION OF  
TRACT 3  
PRESBYTERIAN HOSPITAL - MAIN CAMPUS, PHASE ONE  
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO  
NOVEMBER 1997

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'



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**AREA**  
724 SQ. FT  
0.0166 ACRE

TRACT 3  
PRESBYTERIAN HOSPITAL -  
MAIN CAMPUS, PHASE ONE  
FILED 5/8/1997  
(97C-138)

**LINE TABLE**

LINE	DIRECTION	DISTANCE
L31	S 56°32'07" W	12.36'
L32	S 14°16'42" W	48.46'
L34	S 39°08'16" W	42.08'
L36	S 09°07'15" W	46.01'
L38	N 09°07'15" E	46.75'
L40	N 38°38'26" E	36.83'
L42	N 14°07'20" E	33.25'

**CURVE TABLE**

CURVE	RADIUS	LENGTH	TANGENT
C30	25.00'	24.98'	13.64'
C33	241.34'	104.71'	53.19'
C35	151.50'	79.37'	40.62'
C37	14.25'	0.91'	0.46'
C39	160.00'	82.43'	42.15'
C41	253.21'	108.36'	55.02'

CURVE	CHORD	BEARING	DELTA
C30	23.95'	N 42°44'49" E	57°14'59"
C33	103.89'	S 26°42'29" W	24°51'34"
C35	78.47'	S 24°07'49" W	30°01'01"
C37	0.91'	N 48°34'49" W	03°40'35"
C39	81.53'	N 23°52'50" E	29°31'11"
C41	107.53'	N 26°22'53" E	24°31'06"

ALBUQUERQUE SURVEYING CO., INC. PH. 884-2036

EXHIBIT "A"  
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