

2900

GRANT OF PERMANENT EASEMENT

H 209-001

4/13/07

This grant of Permanent Easement, between the Salazar Family Trust dated October 25, 1985 as to an undivided 30% interest, the Salazar Quatro Trust dated February 25, 1993 as to an undivided 45% interest, JSJ Investment Company as to an undivided 10% interest, Falba Hannett as to an undivided 10% interest, and the Revocable Trust of Thomas G. Cornish and Marion W. Cornish dated April 18, 1999 as to an undivided 5% interest ("Grantors"), whose address is 924 Lomas Boulevard, NW, Albuquerque, NM 87102 and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P. O. Box 1293 Albuquerque, New Mexico 87103.

1. Grant of Easement. For consideration paid, Grantors grant to the City (Grantee) a permanent, exclusive 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 a public waterline and public sanitary sewer line, and for ingress and egress, together with the right to remove trees, bushes, undergrowth and any other obstacles upon the Property if any Grantee determines they interfere with the appropriate use of the Easement.

In the event Grantors construct any improvements ("Improvements") within the Easement, Grantee 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 Grantee. If the Work affects any Improvements or encroachments made by the Grantors, the Grantee will not be financially or otherwise



responsible for rebuilding or repairing the Improvements or encroachments. If in the opinion of the Grantee, the Work to be performed by any Grantee could endanger the structural integrity or otherwise damage the Improvements or encroachments, the Grantors shall, at their own expense, take whatever protective measures are required to safeguard the Improvements or encroachments.

2. Warranties. Grantors covenant and warrant that they are the owners in fee simple of the Property, that they have a good lawful right to convey the Property or any part thereof, and that the Grantors will forever warrant and defend the title to the Property against all claims from all persons or entities.

3. Binding on Grantor's Property. The grant and other provisions of this Easement constitute covenants running with the title to the Property for the benefit of the Grantee, and their respective successors and assigns until terminated.

This Easement shall not be effective until approved by the City Engineer in the signature block below.

Witness my hand and seal this ____ day of _____, 2001.



Mary Herrera Bern. Co. EASE R 29.00

2001042002
5492856
Page: 2 of 12
04/17/2001 11:23A
Bk-R18 Pg-456

Approved: *Frank J. Ryan*
City Engineer
4-13-07
Dated

My Commission Expires:



2001042002
5492856
Page: 3 of 12
04/17/2001 11:23A
Bk-A18 Pg-456

Grantor: Salazar Family Trust

By: Lupe Salazar
Lupe Salazar
Its: Trustee

STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on March 15,
2001, by Lupe Salazar, Trustee of the Salazar Family Trust.

[Signature]
Notary Public

My Commission Expires:

April 8, 2002


Mary Herrera Bern. Co. EASE R 29.00 2001042002
5482856
Page: 4 of 12
04/17/2001 11:23A
Bk-A18 Pg-456

Grantor: Salazar Quatro Trust
By: Thomas F. Salazar
Its: Trustee

STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on March 15, 2001, by Thomas F. Salazar, Trustee of the Salazar Quatro Trust.

[Signature]
Notary Public

My Commission Expires:
April 8, 2002


Grantor: Salazar Quatro Trust
By: Victor Salazar, Jr.
Its: Trustee

STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on March 16, 2001, by Victor Salazar, Jr., Trustee of the Salazar Quatro Trust.

[Signature]
Notary Public

My Commission Expires:
April 8, 2002



2001042002
5492856
Page: 5 of 12
04/17/2001 11:23A
Bk-A18 Pg-456

Mary Herrera Bern. Co. ERSE R 29.00

Grantor: JSJ Investment Company
By: John M. Warren
Its: President

STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on March 21, 2001, by John M. Warren, President of JSJ Investment Company.

[Signature]
Notary Public

My Commission Expires:

April 8, 2002



Mary Herrera Bern. Co. EASE R 29.00

2001042002
5492856
Page: 6 of 12
04/17/2001 11:23A
Bk-A18 Pg-456

Grantor: Revocable Trust of Thomas G. Cornish and Marion W. Cornish
By: Thomas G. Cornish
Its: Trustee

STATE OF NEW MEXICO)
) ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on March 14, 2001, by Thomas G. Cornish, Trustee of the Revocable Trust of Thomas G. Cornish and Marion W. Cornish.

Mary Herrera
Notary Public

My Commission Expires:
April 8, 2002



2001042002
5492856
Page: 8 of 12
04/17/2001 11:23A
Bk-A18 Pg-456

Mary Herrera

Bern. Co. EASE R 29.00

DATE:
11-29-2000
SCALE:
1" = 400'
CREW:
KCD
DRAWN:
KCD
JOB NO.

DAGGETT
ENGINEERING &
SURVEYING

2125 Corte De Chamisa, N.W.
Albuquerque, N.M. 87120
lcd@swcp.com (E-mail)

(505) 352-0181 (Office)
(505) 228-7821 (Mobile)
(505) 352-1165 (Fax)

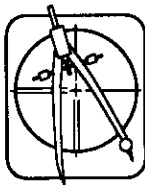


EXHIBIT A

PUBLIC UTILITY EASEMENT
RIO BRAVO SECTOR DEVELOPMENT PLAN

CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

LEGAL DESCRIPTION

A certain tract of land reserved for a public utility easement situate within projected Section 4, T.9N., R.2E., N.M.P.M., in the Town of Atrisco Grant, Albuquerque, Bernalillo County, New Mexico, being a portion of Tract 1 of Salazar-Davis Tracts as shown and designated on plat filed May 6, 1986, in Vol. C30, Folio 91 of the records of Bernalillo County, New Mexico, and being more particularly described as follows:

A strip of land sixty feet (60') in width lying thirty feet (30') on either side of the following described centerline:

Beginning at the northerly terminus of the centerline herein described, a point on the northerly line of said Tract 1, from whence the Albuquerque Control Survey Monument "Trans" having New Mexico Coordinate System (Central Zone NAD 27) values: x=354,899.45, y=1,471,822.67, bears N46°30'54"E, 2,241.36 feet distant;

Thence, continuing from said point of beginning S50°31'52"W, a distance of 810.91 feet to a point of curvature;

Thence, 91.57 feet along the arc of curve to the left having a radius of 1,334.00 feet through a central angle of 3°55'58" the chord of which bears S45°39'38"E, a distance of 91.55 feet to a point of reverse curvature;

Thence, 582.61 feet along the arc of curve to the right having a radius of 616.00 feet through a central angle of 54°11'22" the chord of which bears S20°31'56"E, a distance of 561.13 feet to a point of tangency;

Thence, S06°33'45"W, a distance of 330.28 feet to the centerline intersection with a future street, from whence the Albuquerque Control Survey Monument "Better" having New Mexico Coordinate System (Central Zone NAD 27) values: x=344,698.31, y=1,469,465.95, bears N85°40'40"W, 8,200.01 feet distant;



2001042002
5492856
Page: 9 of 12
04/17/2001 11:23A
Bk-A18 Pg-456

Mary Herrera

Bern. Co. EASE

R 29.00

ALBUQUERQUE SOUTH
TRACT 1-C, PARCEL 8
(1/27/71, D585,466-469)

ACS MONUMENT "TRANS, 1969"
NM STATE PLANE COORDINATES
CENTRAL ZONE - NAD 1927
X = 354,899.45
Y = 1,471,822.67
EL. = 5120 (TRIG)
DELTA ALPHA = -0°16'42"
G-G FACTOR = 0.99967921

BEGINNING OF
EASEMENT

5/8" REBAR WITH ALUMINUM
CAP STAMPED "CAS PS 4972"

BLAKE ROAD (60' WIDTH)

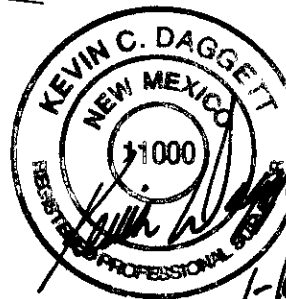
5/8" REBAR WITH ALUMINUM
CAP STAMPED "CAS PS 4972"

TRACT 1
SALAZAR-DAVIS TRACTS
(5/6/86, C30,91)

TRACT 4-A
(2/19/86, D263A,404-405)

LINE TABLE		
LINE	BEARING	LENGTH
L1	S50°31'52"W	810.91'
L2	S06°33'45"W	330.28'

CURVE TABLE				
CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	03°55'58"	1334.00'	91.57'	S45°39'38"E, 91.55'
C2	54°11'22"	616.00'	582.61'	S20°31'56"E, 561.13'



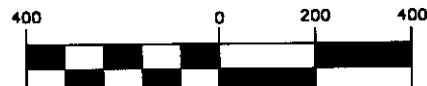
1-16-01

N85°40'40"W 8200.01'
TIE

ACS MONUMENT "BETTER, 1969"
NM STATE PLANE COORDINATES
CENTRAL ZONE - NAD 1927
X = 344,698.31
Y = 1,469,465.95
EL. = 5120 (TRIG)
DELTA ALPHA = -0°17'52"
G-G FACTOR = 0.99966167

CENTERLINE INTERSECTION
WITH A FUTURE STREET
(5/8" REBAR WITH CAP
STAMPED "CAS PS 4972")

GRAPHIC SCALE



(IN FEET)
1 inch = 400 ft.

DATE:
11-29-2000
SCALE:
1" = 400'
CREW:
KCD
DRAWN:
KCD
JOB NO.

DAGGETT
ENGINEERING &
SURVEYING

2125 Corte De Chamisa, N.W.
Albuquerque, N.M. 87120
lcd@swcp.com (E-mail)

(505) 352-0181 (Office)
(505) 228-7821 (Mobile)
(505) 352-1165 (Fax)

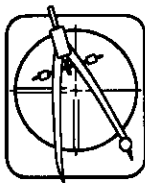


EXHIBIT A

PUBLIC UTILITY EASEMENT
RIO BRAVO SECTOR DEVELOPMENT PLAN

CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

LEGAL DESCRIPTION (CONTINUED FROM SHEET 1 OF 4)

Thence, continuing from said centerline intersection with a future street S06°33'45"W, a distance of 1,230.89 feet to a point of curvature;

Thence, 317.52 feet along the arc of curve to the right having a radius of 400.00 feet through a central angle of 45°28'56" the chord of which bears S29°18'13"W, a distance of 309.25 feet to a point of tangency;

Thence, S52°02'41"W, a distance of 492.15 feet to a point of curvature;

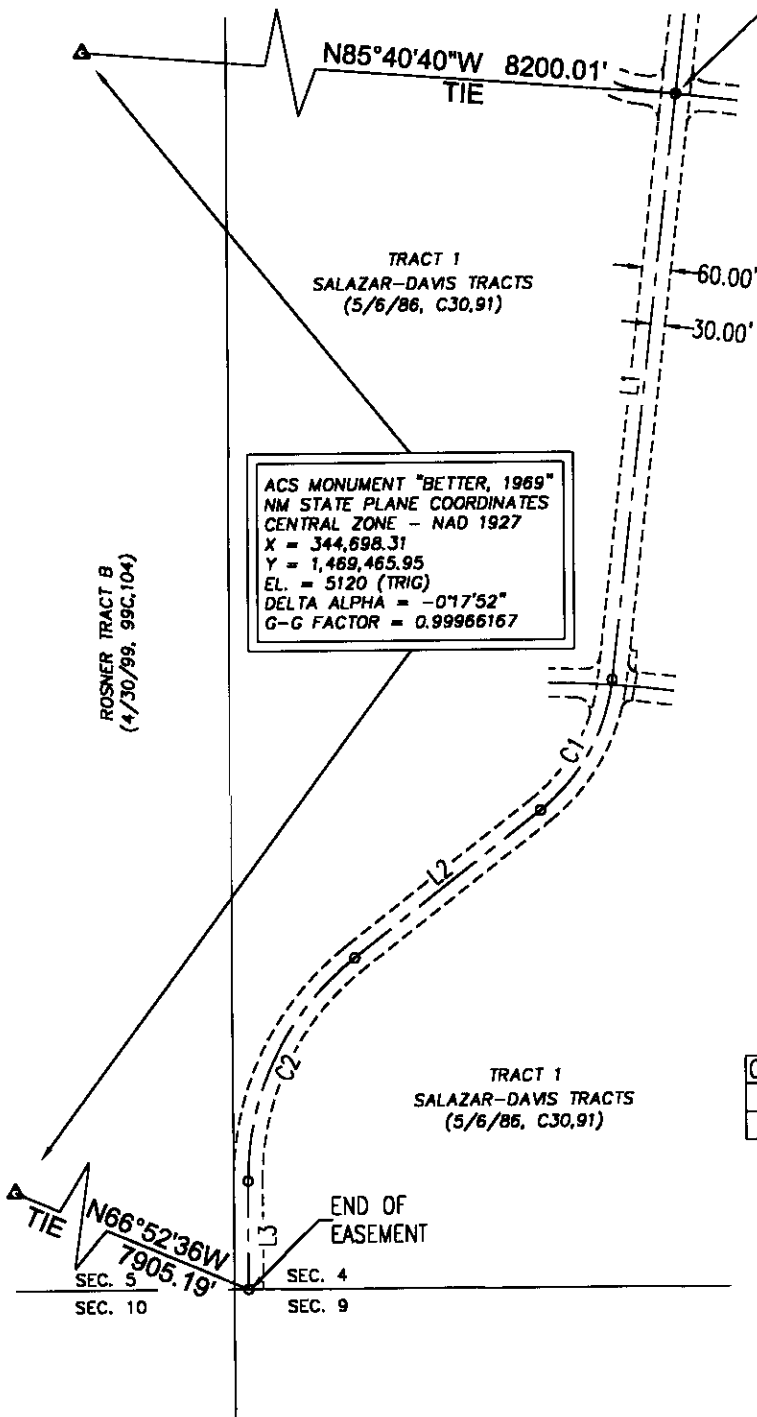
Thence, 533.78 feet along the arc of curve to the left having a radius of 588.00 feet through a central angle of 52°00'44" the chord of which bears S26°02'19"W, a distance of 515.64 feet to a point of tangency;

Thence, S00°01'57"W, a distance of 227.94 feet to the southerly terminus of the centerline herein described, a point on the southern boundary of the aforementioned Tract 1, from whence the Albuquerque Control Survey Monument "Better" having New Mexico Coordinate System (Central Zone NAD 27) values: x=344,698.31, y=1,469,465.95, bears N66°52'36"W, 7,905.19 feet distant;

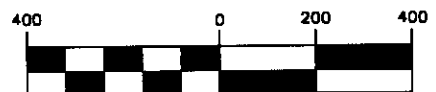


2001042002
5492856
Page: 10 of 12
04/17/2001 11:23A
Bk-A18 Pg-456

CENTERLINE INTERSECTION
WITH A FUTURE STREET
(5/8" REBAR WITH CAP
STAMPED "CAS PS 4972")



GRAPHIC SCALE



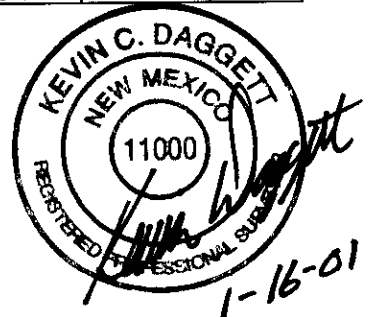
(IN FEET)
1 inch = 400 ft.

LINE TABLE

LINE	BEARING	LENGTH
L1	S06°33'45"W	1230.89'
L2	S52°02'41"W	492.15'
L3	S00°01'57"W	227.94'

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	CHORD
C1	45°28'56"	400.00'	317.52'	S29°18'13"W, 309.25'
C2	52°00'44"	588.00'	533.78'	S26°02'19"W, 515.64'



DATE:
11-29-2000
SCALE:
1" = 400'
CREW:
KCD
DRAWN:
KCD
JOB NO.

DAGGETT
ENGINEERING &
SURVEYING

2125 Corte De Chamisa, N.W.
Albuquerque, N.M. 87120
lcd@swcp.com (E-mail)

(505) 352-0181 (Office)
(505) 228-7821 (Mobile)
(505) 352-1165 (Fax)

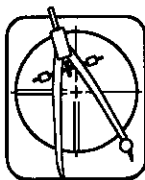


EXHIBIT A

PUBLIC UTILITY EASEMENT
RIO BRAVO SECTOR DEVELOPMENT PLAN

CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

LEGAL DESCRIPTION (CONTINUED FROM SHEET 2 OF 4)

Together with:

A certain tract of land reserved for a public utility easement situate within projected Section 4, T.9N., R.2E., N.M.P.M., in the Town of Atrisco Grant, Albuquerque, Bernalillo County, New Mexico, being a portion of Tract 1 of Salazar-Davis Tracts as shown and designated on plat filed May 6, 1986, in Vol. C30, Folio 91 of the records of Bernalillo County, New Mexico, and being more particularly described as follows:

Beginning at the northwest corner of the tract herein described, from whence the Albuquerque Control Survey Monument "Better" having New Mexico Coordinate System (Central Zone NAD 27) values: x=344,698.31, y=1,469,465.95, bears N77°34'21"W, 8,267.01 feet distant;

Thence, continuing from said point of beginning S83°26'15"E, a distance of 15.00 feet to a point;

Thence, S06°33'45"W, a distance of 44.36 feet to a point;

Thence, 26.36 feet along the arc of curve to the right having a radius of 20.00 feet through a central angle of 75°31'21" the chord of which bears N31°11'55"W, a distance of 24.49 feet to a point of tangency;

Thence, N06°33'45"E, a distance of 25.00 feet to the point of beginning containing 0.0135 acres (590 Sq. Ft.), more or less;

ACS MONUMENT "BETTER, 1969"
NM STATE PLANE COORDINATES
CENTRAL ZONE - NAD 1927
X = 344,698.31
Y = 1,469,465.95
EL. = 5120 (TRIG)
DELTA ALPHA = -0°17'52"
G-G FACTOR = 0.99966167

LINE TABLE		
LINE	BEARING	LENGTH
L1	S83°26'15"E	15.00'
L2	S06°33'45"W	44.36'
L3	N06°33'45"E	25.00'

GRAPHIC SCALE



(IN FEET)
1 inch = 400 ft.

ROSE TRACT B
(4/30/99, 99C, 104)

TRACT 1
SALAZAR-DAVIS TRACTS
(5/6/86, C30, 91)

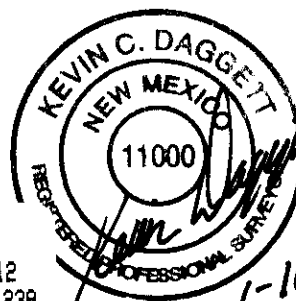


Mary Herrera

Bern. Co. EASE

R 29.00

2001042002
5482856
Page: 11 of 12
04/17/2001 11:23A
Bk-R18 Pg-456



1-16-01

SEC. 5
SEC. 10
SEC. 4
SEC. 9

DATE:
11-29-2000
SCALE:
1" = 400'
CREW:
KCD
DRAWN:
KCD
JOB NO.

DAGGETT
ENGINEERING &
SURVEYING

2125 Corte De Chamisa, N.W.
Albuquerque, N.M. 87120
lcd@swcp.com (E-mail)

(505) 352-0181 (Office)
(505) 228-7821 (Mobile)
(505) 352-1165 (Fax)

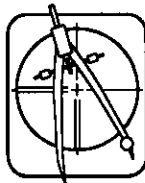


EXHIBIT A
PUBLIC UTILITY EASEMENT
RIO BRAVO SECTOR DEVELOPMENT PLAN
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

LEGAL DESCRIPTION (CONTINUED FROM SHEET 3 OF 4)

Together with:

A certain tract of land reserved for a public utility easement, being a portion of a future roadway, situate within projected Section 4, T.9N., R.2E., N.M.P.M., in the Town of Atrisco Grant, Albuquerque, Bernalillo County, New Mexico, being a portion of Tract 1 of Salazar-Davis Tracts as shown and designated on plat filed May 6, 1986, in Vol. C30, Folio 91 of the records of Bernalillo County, New Mexico, and being more particularly described as follows:

Beginning at the northwest corner of the tract herein described, from whence the Albuquerque Control Survey Monument "Better" having New Mexico Coordinate System (Central Zone NAD 27) values: x=344,698.31, y=1,469,465.95, bears N77°24'01"W, 8,269.60 feet distant;

Thence, continuing from said point of beginning, 31.70 feet along the arc of curve to the left having a radius of 20.00 feet through a central angle of 90°49'28" the chord of which bears S38°50'59"E, a distance of 28.49 feet to a point;

Thence, S10°55'20"W, a distance of 60.25 feet to a point;

Thence, 28.42 feet along the arc of curve to the left having a radius of 20.00 feet through a central angle of 81°25'08" the chord of which bears S54°52'04"W, a distance of 26.09 feet to a point;

Thence, 57.01 feet along the arc of curve to the left having a radius of 430.00 feet through a central angle of 07°35'45" the chord of which bears N10°21'38"E, a distance of 56.96 feet to a point of tangency;

Thence, N06°33'45"E, a distance of 40.59 feet to the point of beginning containing 0.0288 acres (1,256 Sq. Ft.), more or less; entire easement described herein containing 6.4026 acres, more or less.

