

QUITCLAIM DEED

The City of Albuquerque, a New Mexico municipal corporation, for consideration paid, quitclaims to Bandelier Equities, Ltd. Co., a New Mexico limited liability company, whose address is 4101 Indian School Road NE, #400, Albuquerque, New Mexico 87110, the real estate described on Exhibit A,

SUBJECT TO access control to and from Paseo del Norte; and

SUBJECT TO patent reservations, restrictions and easements of record and taxes for the year 2003 and subsequent years.

WITNESS my hand and seal this 18 day of September, 2003.

CITY OF ALBUQUERQUE

ERP

By: *[Signature]*
Jay J. Czar
Chief Administrative Officer

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on September 18, 2003, by Jay J. Czar, Chief Administrative Officer of the City of Albuquerque, a New Mexico municipal corporation.



Felicia Liron
Notary Public

EXHIBIT A

PARCEL 1

A certain tract or parcel of land lying and being situate in Lots 23, 24, 25 and 26, Block 35, Tract A, Unit B, of the North Albuquerque Acres Subdivision, in the City of Albuquerque, within the Elena Gallegos Grant, Plat of said subdivision having been filed in the Office of the County Clerk on April 24, 1936 in Volume D, Folio 130, County of Bernalillo, State of New Mexico being Lots 23, 24, 25 and 26 LESS the right of way for Paseo del Norte NE.

PARCEL 2

A certain tract or parcel of land lying and being situate in Lot 1, Block 11, Tract A, Unit A, of the NORTH ALBUQUERQUE ACRES SUBDIVISION, in the City of Albuquerque, within the Elena Gallegos Grant, plat of said subdivision having been filed in the Office of the County Clerk on March 17, 1937 in Volume D, folio 129, County of Bernalillo, State of New Mexico, being more particularly bounded and described and as follows, to wit:

BEGINNING with a tie a point 1.88 feet to the right of, southerly and opposite construction centerline, P.O.T. Station 116 + 68.36 of N.M.P. TPU-4054 (3), County of Bernalillo, State of New Mexico, whence the Albuquerque, Control Station Monument stamped "11-D18" bears S. 76° 02' 32" W., a distance of 141.91 feet;
THENCE, S. 00° 20' 58" W., a distance of 98.74 feet to the true point of BEGINNING;
THENCE, S. 00° 20' 58" W., along the Easterly line of said Lot 1 a distance of 134.52 feet to a point being the Southeast corner of said Lot 1;
THENCE, N. 89° 39' 05" W., along the Southerly line of said Lot 1 a distance of 89.60 feet to a point on the Southerly right-of-way line of N.M.P. TPU-4054 (3);
THENCE, N. 07° 26' 25" E., along the said Southerly line a distance of 80.78 feet to a point of curvature;
THENCE, Northeasterly on a 95° 29' 35" curve (radius = 60.00 feet, chord = N. 46° 38' 44" E., a distance of 75.85 feet), through an arc of 78° 24' 38" to the right a distance of 82.11 feet to a point of tangency;
THENCE, N. 85° 51' 03" E., a distance of 24.87 feet to the true point and place of BEGINNING
EXCEPTING AND RESERVING to the Grantor and its successors and assigns a stormwater drain easement on, over, across and through that portion of Lot 1 that is shown and described on Exhibit B to this Quitclaim Deed.

AND

A certain tract or parcel of land lying and being situate in Lot Two (2), Block Eleven (11), Tract A, Unit A, of the NORTH ALBUQUERQUE ACRES SUBDIVISION, in the City of Albuquerque, within the Elena Gallegos Grant, plat of said subdivision having been filed in the Office of the County Clerk on March 17, 1937 in Volume D, folio 129, County of Bernalillo, State of New Mexico, being more particularly bounded and described as follows, to wit:

BEGINNING with a tie at a point 1.88 feet to the right of, Southerly and opposite construction centerline P.O.T., Station 116 + 68.36 of N.M.P. TPU-4054 (3), County of Bernalillo, State of New Mexico, said point also being the Northwest corner of said Lot 2, Whence the Albuquerque Control Station Monument stamped "11-D18" bears S. 76° 02' 32" W., a distance of 141.91 feet;
THENCE, S. 00° 20' 58" W., a distance of 98.74 feet to the true point of BEGINNING and point of the Southerly right of way line of N.M.P. TRU-4053 (3); THENCE, N. 85° 51' 03" E., along the said Southerly line a distance of 165.62 feet to a point; THENCE, S. 00° 20' 58" W., along the Easterly boundary line of said Lot 2 a distance of 147.51 feet to a point; THENCE, N. 89° 39' 02" W., along the Southerly boundary line of said Lot 2 a distance of 165.11 feet to a point; THENCE, N. 00° 20' 58" E., along the Westerly boundary line of said Lot 2 a distance of 134.52 feet to the true point and place of BEGINNING
EXCEPTING AND RESERVING to the Grantor and its successors and assigns a stormwater drain easement on, over, across and through that portion of Lot 2 that is shown and described on Exhibit C to this Quitclaim Deed.

AND

A certain tract or parcel of land lying and being situate in Lots 3, 4 and 5, Block 11, Tract A, Unit A, of the North Albuquerque Acres Subdivision, in the City of Albuquerque, within the Elena Gallegos Grant, plat of said subdivision having been filed in the

Office of the County Clerk on March 17, 1937 in Volume D, folio 129, County of Bernalillo, State of New Mexico, being more particularly bounded and described as follows, to wit:

BEGINNING with a tie at a point 13.99 feet to the right of, Southerly and opposite construction centerline P.O.T., Station 118 + 33.02 of N.M.P. TPU-4054(3), County of Bernalillo, State of New Mexico, said point also being on the Northwest corner of said Lot 3, Whence, the Albuquerque Control Station Monument stamped "Sta. 11-D18" bears S. 83° 42' 15" W., a distance of 304.66 feet; THENCE, S. 00° 20' 58" W., a distance of 85.94 feet to the true point of BEGINNING and point on the Southerly right of way line of N.M.P. TPU-4054 (3); THENCE, N. 85° 51' 03" E., along the said Southerly line a distance of 495.65 feet to a point on the Easterly boundary line of said Lot 5; THENCE, S. 00° 11' 36" W., along the said Easterly line of Lot 5 a distance of 186.19 feet to a point being the Southeast corner of said Lot 5; THENCE, N. 89° 42' 50" W., along the Southerly line of Lot 5 a distance of 164.85 feet to a point; THENCE, N. 89° 39' 11" W., along the said Southerly boundary line of said Lots 3 and 4, a distance of 329.78 feet to a point being the Southwest corner of said Lot 3; THENCE, N. 00° 20' 58" E., along the Westerly line of said Lot 3 a distance of 147.51 feet to the true point and place of BEGINNING.

AND

A certain tract or parcel of land lying and being situate in Lot 6, Block 11, Tract A, Unit A, of the North Albuquerque Acres Subdivision, in the City of Albuquerque, within the Elena Gallegos Grant, plat of said subdivision having been filed in the Office of the County Clerk on March 17, 1937 in Volume D, folio 129, County of Bernalillo, State of New Mexico, being more particularly bounded and described as follows, to wit:

BEGINNING with a tie at a point 50.22 feet to the right of, Southerly and opposite construction centerline P.O.T., Station 123 + 25.69 of N.M.P. TPU-4054 (3), County of Bernalillo, State of New Mexico, said point also being on the Westerly boundary line of said Lot 6, whence the Albuquerque Control Station Monument stamped "Sta. 11-D18" Bears S. 87° 46' 31" W., a distance of 797.42 feet; THENCE, S. 00° 11' 36" W., a distance of 47.62 feet to the true point of BEGINNING and point of the Southerly right of way line of N.M.P. TPU-4054 (3); THENCE, N. 85° 51' 03" E., along the said Southerly line a distance of 165.54 feet to a point on the Easterly boundary line of Lot 6; THENCE S. 00° 12' 20" W., along the said Easterly line of Lot 6 a distance of 199.10 feet to a point on the Southerly boundary line of Lot 6; THENCE, N. 89° 40' 35" W., along the said Southerly line of Lot 6 a distance of 165.02 feet to a point on the Westerly boundary line of Lot 6; THENCE, N. 00° 11' 36" E., along the said Westerly line of Lot 6 a distance of 186.19 feet to the true point of BEGINNING.

AND

A certain tract or parcel of land lying and being situate in Lot 7, Block 11, Tract A, Unit A, of the North Albuquerque Acres Subdivision, in the City of Albuquerque, within the Elena Gallegos Grant, plat of said subdivision having been filed in the Office of the County Clerk on March 17, 1937 in Volume D, folio 129, County of Bernalillo, State of New Mexico, being more particularly bounded and described as follows, to wit:

BEGINNING at a point 62.31 feet to the right of, Southerly and opposite construction centerline P.O.C., Station 124 + 90.44 of N.M.P. TPU-4054 (3), County of Bernalillo, State of New Mexico, said point also being on the present (1993) Southerly right of way line of Paseo del Norte (formerly known as Los Angeles Drive per plat filed March 17, 1937), whence the Albuquerque Control Station Monument stamped "Sta. 11-D18" bears S. 88° 12' 20" W., a distance of 962.36 feet; THENCE, S. 00° 12' 20" W., a distance of 34.83 feet to the true point of BEGINNING and point on the Southerly right of way line of N.M.P. TPU-4054 (3); THENCE S., 85° 51' 03" W., along the said Southerly line a distance of 165.49 feet to a point on the Easterly boundary line of said Lot 7; THENCE, N. 00° 12' 20" W., along the said Easterly line of Lot 7 a distance of 212.05 feet to a point being the Southeast corner of said Lot 7; THENCE, N. 89° 39' 40" W., along the Southerly line of Lot 7 a distance of 165.01 feet to a point being the Southwest corner of said Lot 7; THENCE, N. 00° 12' 20" E., along the Westerly line of Lot 7 a distance of 147.51 feet to the true point and place of BEGINNING.

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Parcel 3

A certain tract or parcel of land as shown on the New Mexico State Highway Commission Right of Way Map for Project No. TPU-4054 (3) effective March 2, 1993 and being situate in Lot 20, Block 10, Tract 2, Unit 3, of the North Albuquerque Acres Subdivision, in the City of Albuquerque, within the Elena Gallegos Grant, plat of said subdivision having been filed in the Office of the County Clerk on September 10, 1931 in Volume D1, folio 20, County of Bernalillo, State of New Mexico, being more particularly bounded and described as follows, to wit:

BEGINNING with a tie at a point 15.40 feet to the left of, Northerly and opposite construction centerline P.O.T., Station 161 + 28.35 of N.M.P. TPU-4054 (3), County of Bernalillo, State of New Mexico, said point being also on the present (1992) Northerly right of way line of Paseo del Norte (formerly known as Los Angeles Drive per plat filed September 10, 1931), whence the U.S.C & G.S. Brass Cap Monument stamped "Heaven" bears S. 58° 13' 40" E., a distance of 184.71 feet; THENCE, N. 00° 35' 46" E., a distance of 89.69 feet along the Westerly boundary line of said Lot 20 to the true point and place of BEGINNING; THENCE, N. 00° 35' 46" E., a distance of 144.48 feet along the Westerly boundary line of said Lot 20 to a point being the Northwest corner of said Lot 20; THENCE, S. 89° 35' 48" E., a distance of 164.86 feet to a point being the Northeast corner of said Lot 20; THENCE, S. 00° 29' 48" W., a distance of 152.72 feet to a point on the Easterly boundary line of said Lot 20; THENCE, N. 86° 44' 23" W., a distance of 165.30 feet to the true point and place of BEGINNING.

AND

A certain tract or parcel of land lying and being situate in Lot 21, Block 10, Tract 2, Unit 3 of the North Albuquerque Acres Subdivision, in the City of Albuquerque, within the Elena Gallegos Grant, plat of said subdivision having been filed in the Office of the County Clerk on September 10, 1931 in Volume D1, folio 20, County of Bernalillo, State of New Mexico, being more particularly bounded and described as follows, to wit:

BEGINNING with a tie at a point 15.40 feet to the left of Northerly and opposite construction centerline P.O.T., Station 161 + 28.35 of N.M.P. TPU-4054 (3), County of Bernalillo, State of New Mexico said point also being on the Easterly boundary line of said Lot 21; Whence the U.S. C. & G. S. Brass Cap Monument stamped "Heaven" bears S. 58° 13' 40" E., a distance of 184.71 feet; THENCE, N. 00° 35' 46" E., a distance of 89.69 feet to the true point of BEGINNING and point on the Northerly right of way line of N.M.P. TPU-4054 (3); THENCE, N. 86° 44' 23" W., along the said Northerly line a distance of 165.30 feet to a point on the Westerly boundary line of said Lot 21; THENCE, N. 00° 40' 36" E., along the said Westerly boundary line of said Lot 21 a distance of 136.04 feet to a point being the Northwesterly corner of said Lot 21; THENCE, S. 89° 40' 00" E., along the Northerly boundary line of said Lot 21 a distance of 164.93 feet to a point being the Northeast corner of said Lot 21; THENCE, S. 00° 35' 46" W., along the Easterly boundary line of said Lot 21 a distance of 144.48 feet to the point and place of BEGINNING.

AND

A certain tract or parcel of land lying and being situate in Lot 22, Block 10, Tract 2, Unit 3 of the North Albuquerque Acres Subdivision, in the City of Albuquerque, within the Elena Gallegos Grant, plat of said subdivision having been filed in the Office of the County Clerk on September 10, 1931 in Volume D1, folio 20, County of Bernalillo, State of New Mexico, being more particularly bounded and described as follows, to wit:

BEGINNING with a tie at a point 6.98 feet to the left of, Northerly and opposite construction centerline P.O.T., Station 159 + 63.30 of N.M.P. TPU-4054 (3). County of Bernalillo, State of New Mexico, said point also being on the Easterly boundary line of said Lot 22, whence the U.S.C. & G.S. Brass Cap Monument stamped "Heaven" bears S. 73° 02' 59" E., a distance of 336.93 feet; THENCE, N. 00° 40' 36" E., a distance of 98.12 feet to the true point of BEGINNING and point on the Northerly right of way line of N.M.P. TPU-4054 (3); THENCE, S. 87° 01' 20" W., along the said Northerly line a distance of 165.59 feet to a point on the Westerly boundary line of said Lot 22; THENCE, N. 00° 40' 59" E. along the Westerly boundary line of said Lot 22 a distance of 145.52 feet to a point being the Northwest corner of said Lot 22; THENCE, S. 89° 41' 45" E., along the Northerly boundary line of said Lot 22 a distance of 165.24 feet to a point being the Northeast corner of said Lot 22; THENCE, S. 00° 40' 36" W., along the Easterly boundary line of aid Lot 22 a distance of 136.04 to the true point and place of BEGINNING.



AND

A certain tract or parcel of land lying and being situate in Lot 25, Block 10, Tract 2, Unit 3 of the North Albuquerque Acres Subdivision, in the City of Albuquerque, within the Elena Gallegos Grant, plat of said subdivision having been filed in the Office of the County Clerk on September 10, 1931 in Volume D1, folio 20, County of Bernalillo, State of New Mexico, being more particularly bounded and described as follows, to wit:

BEGINNING with a tie at a point 17.24 feet to the right of, Southerly and opposite construction centerline P.O.C., Station 154 + 67.85 of N.M.P. TPU-4054 (3), County of Bernalillo, State of New Mexico, said point also being on the present (1993) Northerly right of way line of Paseo del Norte (formerly known as Los Angeles Drive per plat filed September 10, 1931), whence the U.S. C. & G. S. Brass Monument stamped "Heaven" bears S^{82° 57' 07"} E., a distance of 824.30 feet; THENCE, N. 00° 41' 42" E., along the Easterly boundary line of said Lot 25 a distance of 100.77 feet to the true point and place of BEGINNING and point on the Northerly right of way line of N.M.P. TPR-4054 (3); THENCE, N. 88° 19' 16" W., along the said Northerly line a distance of 165.16 feet to a point on the Westerly boundary line of said Lot 25; THENCE, N. 00° 45' 50" E., along the Westerly boundary line of said Lot 25 a distance of 129.46 feet to a point being the Northwest corner of said Lot 25; THENCE, S. 89° 35' 01" E., along the Northerly boundary line of said Lot 25 a distance of 164.98 feet to the Easterly boundary line of said Lot 25; THENCE, S. 00° 41' 42" W., along the said Easterly boundary line of Lot 25 a distance of 133.10 feet to the true point and place of BEGINNING.

AND

A certain tract or parcel of land lying and being situate in Lots 27 and 28, Block 10, Tract 2, Unit 3 of the North Albuquerque Acres Subdivision, in the City of Albuquerque, within the Elena Gallegos Grant, plat of said subdivision having been filed in the Office of the County Clerk on September 10, 1931 in Volume D1, folio 20, County of Bernalillo, State of New Mexico, being more particularly bounded and described as follows, to wit:

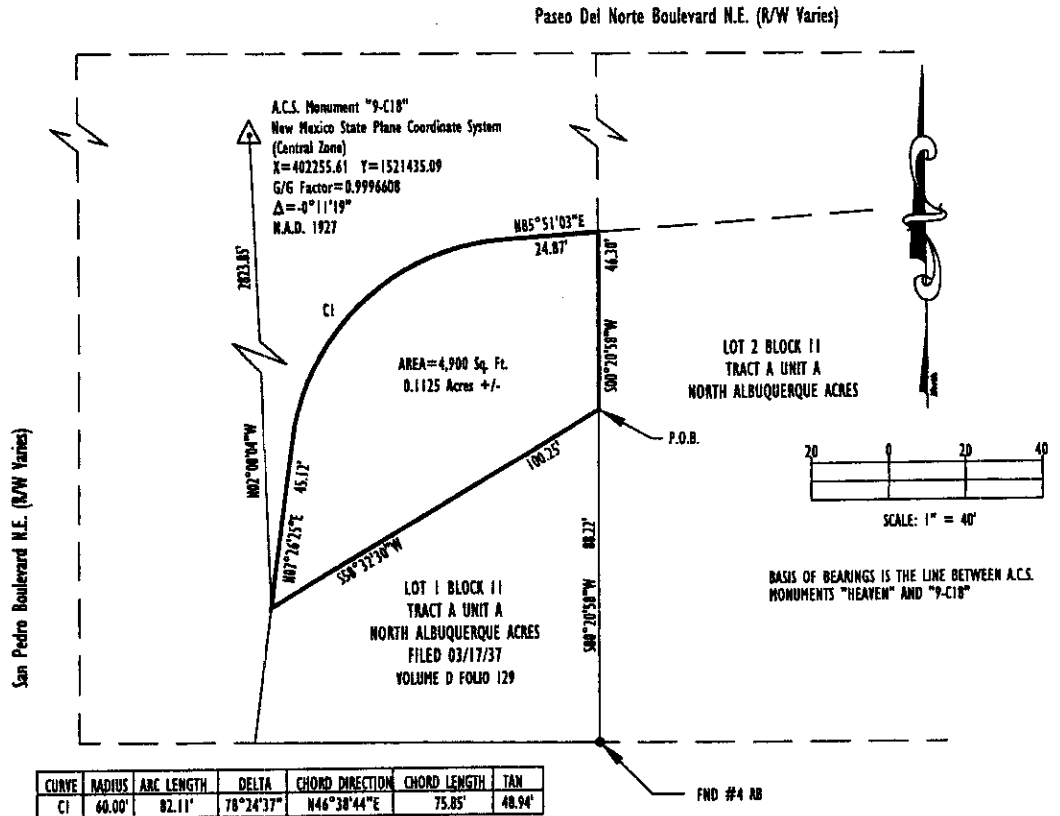
BEGINNING with a tie at a point 21.65 feet to the right of, Southerly and opposite construction centerline P.O.T., Station 148 + 06.15 of N.M.P. TPU-4054 (3), County of Bernalillo, State of New Mexico, said point also being on the Southwest corner of said Lot 28, whence the Albuquerque Control Station Monument stamped "1-C19" bears N. 89° 39' 46" W., a distance of 631.01 feet; THENCE, N. 00° 38' 13" E., a distance of 108.65 feet to the true point of BEGINNING said point also being on the Northerly right of way line of N.M.P. TPU-4054 (3); THENCE, N. 00° 38' 13" E., along the Westerly boundary line of said Lot 28 a distance of 125.19 feet to a point being the Northwest corner of said Lot 28; THENCE, S. 89° 38' 00" E., along the Northerly line of Lot 28 a distance of 166.23 feet to a point being the Northwest corner of said Lot 27; THENCE, S. 89° 41' 28" E., along the Northerly boundary line of said Lot 27 a distance of 164.99 feet to a point being the Northeast corner of said Lot 27; THENCE, S. 00° 48' 22" W., along the Easterly line of Lot 27 a distance of 125.12 feet to a point on the said Northerly right of way line of N.M.P. TPU-4054 (3); THENCE, N. 89° 40' 29" W., along the said Northerly line a distance of 330.85 feet to the true point and place of BEGINNING.



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SKETCH AND DESCRIPTION SHOWING STORM DRAIN EASEMENT

LOCATED WITHIN LOT 1 BLOCK 11 TRACT A UNIT A
NORTH ALBUQUERQUE ACRES
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
MAY 2003



A parcel of land situate within Lot 1, Block 11, Tract A, Unit A of North Albuquerque Acres, as the same is shown and designated on the plat of said subdivision filed for record in the Office of the County Clerk of Bernalillo County on March 17, 1937 in Volume D Folio 129, and being more particularly described by grid bearings and ground distances as follows:

Beginning at the Southeast corner of the easement herein described, a point on the East line of said Lot 1 from which point the Southeast corner of said Lot 1, a found #4 rebar, bears S00°20'58"W a distance of 88.22 feet;

Thence S58°32'30"W, a distance of 100.25 feet to the Southwest corner of the easement herein described, a point on the Easterly right-of-way line of San Pedro Boulevard N.E.;

Thence N07°24'25"E along said right-of-way line a distance of 45.12 feet to a point of curvature;

Thence continuing along said right-of-way 82.11 feet along the arc of a curve to the right having a radius of 60.00 feet, a central angle of 78°24'37", and a chord which bears N46°38'44"E a distance of 75.85 feet to a point of tangency on the South right-of-way line of Paseo Del Norte Boulevard N.E.;

Thence N85°51'03"E along said right-of-way a distance of 24.87 feet to the Northeast corner of the easement herein described, being a point on the East line of said Lot 1;

Thence S00°20'58"W a distance of 46.30 feet along the East line of said Lot 1 to the Point of Beginning and containing 4,900 square feet more or less.

SAID PARCEL OF LAND ALSO LOCATED WITHIN PARCEL 3-3-NRW AS DEPICTED ON NEW MEXICO STATE HIGHWAY AND TRANSPORTATION DEPARTMENT RIGHT-OF-WAY MAP PROJECT NUMBER TPU-4054(3).

I, Glen B. Harkin, City Surveyor for the City of Albuquerque and Professional Surveyor hereby certify that this sketch and description was prepared from field work performed by me or under my direct supervision, meets the Minimum Standards for surveys in New Mexico and is true and correct to the best of my knowledge and belief.

Glen B. Harkin

57-03

Date

Glen B. Harkin
N.M.P.S. 18023



CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT
CONSTRUCTION MANAGEMENT DIVISION
SURVEY SECTION

P.O. BOX 1273 ALBUQUERQUE, NEW MEXICO 505-744-3412

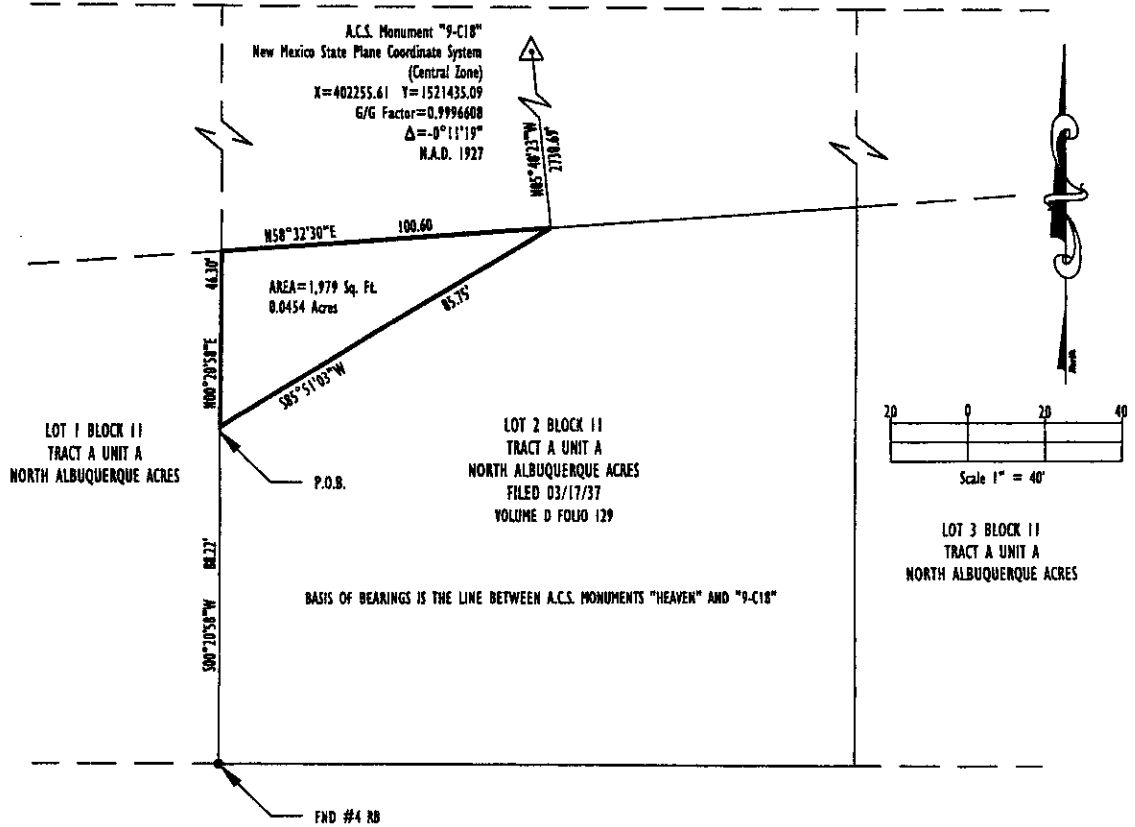
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EXHIBIT C

**SKETCH AND DESCRIPTION SHOWING
STORM DRAIN EASEMENT**

LOCATED WITHIN LOT 2 BLOCK 11 TRACT A UNIT A
NORTH ALBUQUERQUE ACRES
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
MAY 2003

Paseo Del Norte Boulevard N.E. (R/W Varies)



A parcel of land situate within Lot 2 Block 11, Tract A, Unit A of North Albuquerque Acres, as the same is shown and designated on the plat of said subdivision filed for record in the Office of the County Clerk of Bernalillo County on March 17, 1937 in Volume D, Folio 129, and being more particularly described by grid bearings and ground distances as follows:

Beginning at the Southwest corner of the easement herein described, being a point on the West line of said Lot 2 from which point the Southwest corner of said Lot 2, a found #4 rebar, bears $S00^{\circ}20'58''W$ a distance of 88.22 feet;

Thence $N00^{\circ}20'58''E$ a distance of 46.30 feet to the Northwest corner of the easement herein described, being a point on the South right-of-way line of Paseo Del Norte Boulevard N.E.;

Thence along said right-of-way $N58^{\circ}32'30''E$ a distance of 100.60 feet to the Northeast corner of the easement herein described;

Thence $S85^{\circ}51'03''W$ a distance of 85.75 feet to the Point of Beginning and containing 1,979 square feet more or less.

SAID PARCEL OF LAND ALSO LOCATED WITHIN PARCEL 3-4-NRW AS DEPICTED ON NEW MEXICO STATE HIGHWAY AND TRANSPORTATION DEPARTMENT RIGHT-OF-WAY MAP FOR NEW MEXICO PROJECT NUMBER TPU-4054(3).

I, Glen B. Haikin, City Surveyor for the City of Albuquerque and Professional Surveyor hereby certify that this sketch and description was prepared from field work performed by me or under my direct supervision, meets the Minimum Standards for surveys in New Mexico and is true and correct to the best of my knowledge and belief.

Glen B. Haikin

5-7-03

Glen B. Haikin
M.M.P.S. 10023

Date



CITY OF ALBUQUERQUE
PUBLIC WORKS DEPARTMENT
CONSTRUCTION MANAGEMENT DIVISION
SURVEY SECTION

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