

75-4-21

67916

EASEMENT

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THIS INDENTURE made this 5th day of June, 1975, by and between

Mary A. Gallinger, widow

First Parties, and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation and THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, a Colorado corporation, authorized to do business in New Mexico, Second Parties, their successors and assigns;

WITNESSETH:

That the said First Parties, for and in consideration of the sum of One Dollar (\$1.00) to them in hand paid, and other valuable considerations, the receipt of which is hereby acknowledged, do hereby give, bargain, sell, grant and convey unto said Second Parties, an easement to build, construct, operate and maintain an electric power transmission and communications line on, over, beneath and across the lands hereinafter described, and to erect all necessary poles, guy wires and other equipment, fixtures and structures necessary to maintain the said power and communications line on, over, beneath and across said lands at or near the points hereinafter designated as the course of said power and communications line on, over, beneath and across said lands; together with free ingress and egress in, from and over said easement with rights and privileges of going upon, over and across said lands for the purpose of maintaining said line, and trimming any trees which interfere with the operation of said line; said lands being situate in the County of Bernalillo, State of New Mexico, and more particularly described as follows, to-wit:

An easement within Lot 2, Block 11, Tract A, Unit A of North Albuquerque Acres, situate within the NE 1/4, Section 24, T11N, R3E, N.M.P.M., Bernalillo County, New Mexico, the same as shown and designated on the plat of same filed for record in the Office of the County Clerk, County of Bernalillo, Albuquerque, New Mexico in Plat Book D, Page 129 on March 17, 1937. Said easement being more particularly described as follows:

An easement five (5) feet wide being the South five (5) feet of the above described Lot 2.

First parties shall have the right to use the above described real estate for purposes not inconsistent with the rights hereby granted provided that First Parties shall not erect or construct any building, pool, or other structure thereon, nor drill or operate any well thereon.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

WITNESS my hand and seal this 5th day of June, 1975

1975

(SEAL)

Mary A. Gallinger (SEAL)

(SEAL)

(SEAL)

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO ss. COUNTY OF Bernalillo

The foregoing instrument was acknowledged before me this 5th day of June, 1975 by Mary A. Gallinger

My commission expires 7-6-75 (Seal)

William H. Brantford Notary Public

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO ss. COUNTY OF

The foregoing instrument was acknowledged before me this day of 19

by (Name of Officer) (Title of Officer) of (Corporation Acknowledging) a corporation, on behalf of said corporation.

My commission expires: (Seal) Notary Public:

FOR RECORDER'S USE ONLY State of New Mexico County of Bernalillo This instrument was filed for record on JUN 10 1975 At 1:29 o'clock P.M. Recorded in Vol 4884 of records of said County Folio 5234 Clerk & Recorder Deputy Clerk