

UNDERGROUND EASEMENT

RIGHT-OF-WAY DEPT. PUBLIC SERVICE COMPANY OF NEW MEXICO P.O. BOX 227 ALBUQUERQUE, NEW MEXICO 87103

THIS INDENTURE made this 11th day of October, 1978, between Bellamah Commercial Properties, Inc. by Robert G. Mayfield Vice President and American Bank of Commerce by Carl B. Schlemeyer Senior Vice President parties of the first part, 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, parties of the second part, their successors and assigns.

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of One Dollar to them in hand paid, and other valuable consideration, the receipt of which is hereby acknowledged, do hereby give, bargain, sell, grant and convey unto the said party of the second part an easement to build, construct, operate and maintain underground electric power transmission and communications lines, under and through the lands hereinafter described, and to install all necessary conduits, wires and other equipment and fixtures necessary to maintain the said power and communications lines, through and on the surface of said lands at or near the points hereinafter designated, as the course of said underground power and communications lines under and through 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 lines; said lands being situated in the County of Bernalillo

State of New Mexico, and more particularly described as follows:

An easement within Tract B of BEAR CANYON VILLAGE ADDITION situate in Section 30, T.11N., R.4E., N.M.P.M., Bernalillo County, New Mexico, filed for record in the office of the county clerk in Bernalillo County in Plat Book D4, page 76 on April 28, 1970, and being more particularly described as follows:

Easements seven (7) feet wide being three and one-half (3 1/2) feet on each side of the following described centerlines. Beginning at a point in the northeasterly boundary line of said tract B, being a point in the southwesterly right of way line of Wyoming Blvd., N.E., whence the point of curve return in said southwesterly right of way line of Wyoming Blvd. bears N. 48° 37' W., 167.30 feet distant; running thence as an easement S. 43° 51' W., 179.10 feet; thence S. 29° 45' E., 12.00 feet, also beginning at a point within said tract B, whence above mentioned point of curve return bears N. 25° 24' 30" E., 460.50 feet distant; running thence as an easement S. 35° 23' E., 171.20 feet to junction No. 1; thence S. 33° 46' E., 123.90 feet; S. 02° 33' E., 8.20 feet; thence S. 30° 05' E., 65.60 feet to junction No. 2; thence S. 27° 23' E., 141.60 feet to junction No. 3; thence S. 16° 40' E., 65.90 feet; thence S. 84° 13' E., 43.50 feet; thence S. 58° 18' E., 34.50 feet; thence S. 09° 44' E., 25.00 feet, also beginning at said junction No.1; thence N. 50° 38' E., 51.00 feet, also beginning at said junction No. 2; thence N. 54° 38' E., 28.00 feet, also beginning at said junction No. 3; thence N. 64° 39' E., 71.00 feet.

Parties of the first part shall have the right to use the above described real estate for purposes not inconsistent with the rights hereby granted provided that parties of the first part shall not erect or construct any building, pools, 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 OUR hands and seal this 11th day of October, 1978. Carl Schlemeyer (SEAL) Senior Vice-President American Bank of Commerce. Robert G. Mayfield (SEAL) VICE PRESIDENT BELLAMAH COMMERCIAL PROPERTIES, INC.

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO COUNTY OF Bernalillo ss.

The foregoing instrument was acknowledged before me this 11th day of October, 1978, by Carl B. Schlemeyer, Senior Vice President of American Bank of Commerce, a Corporation, on behalf of said Corporation.

My commission expires: (Seal) 7-23-81

[Signature] Notary Public

FOR RECORDER'S USE ONLY. STATE OF NEW MEXICO COUNTY OF BERNALILLO FILED FOR RECORD. Oct 31 1 23 PM 1978. MISS 6486. EMMETT W. WALES CO. CLERK & RECORDER DEPUTY

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO COUNTY OF Bernalillo ss.

The foregoing instrument was acknowledged before me this 11th day of October, 1978, by Robert G. Mayfield (Name of Officer) Vice-President of Bellamah Commercial Properties, Inc. (Corporation Acknowledging) a corporation, on behalf of said corporation.

My commission expires: (Seal) 001/3/1981 [Signature] Notary Public

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UNDERGROUND EASEMENT # 2

RIGHT OF WAY DEPT.
PUBLIC SERVICE COMPANY OF NEW MEXICO
P. O. BOX 2267
ALBUQUERQUE, NEW MEXICO 87103

THIS INDENTURE, made this 11th day of October, 1978, between Bellamah Commercial Properties, Inc., by Robert G. Mayfield, Vice President, parties of the first part, 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, parties of the second part, their successors and assigns.

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of One Dollar to them in hand paid, and other valuable consideration, the receipt of which is hereby acknowledged, do hereby give, bargain, sell, grant and convey unto the said party of the second part an easement to build, construct, operate and maintain underground electric power transmission and communications lines, under and through the lands hereinafter described, and to install all necessary conduits, wires and other equipment and fixtures necessary to maintain the said power and communications lines, through and on the surface of said lands at or near the points hereinafter designated, as the course of said underground power and communications lines under and through 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 lines; said lands being situated in the County of Bernalillo, State of New Mexico, and more particularly described as follows:

An easement within Tract B of Bear Canyon Village Addition, situate in Section 30, T.11N., R.4E., N.M.P.M., Bernalillo County, New Mexico, filed for record in the office of the county clerk in Bernalillo County, in Plat Book D4, page 76 on April 28, 1970 and being more particularly described as follows:

An easement seven (7) feet wide being three and one-half (3 1/2) feet on each side of the following described centerline. Beginning at a point in the northeasterly boundary line of said tract B, being a point in the southwesterly right of way line of Wyoming Blvd, N.E., whence the point of curve return in said southwesterly right of way line of Wyoming Blvd, bears N. 48° 37' W., 167.30 feet distant; running thence as a traverse line S. 43° 51' W., 179.10 feet; running thence as an easement S. 48° 29' W., 265.80 feet.

Parties of the First Part hereby reserve the right and option to relocate the above-described easement, or any part thereof, upon other lands owned or controlled by Parties of the First Part adjacent to or in the vicinity of the said easement location, provided, however, that any relocation expense shall be borne by the Parties of the First Part. Parties of the Second Part, by the acceptance of delivery and recordation hereof, agree to vacate, extinguish and terminate the above easement upon such relocation of the same and each of the parties agree to execute such document or documents as will effectuate such relocation.

Parties of the first part shall have the right to use the above described real estate for purposes not inconsistent with the rights hereby granted provided that parties of the first part shall not erect or construct any building, pools, 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 11th day of October, 1978.

(SEAL) [Signature] (SEAL)
BELLAMAH COMMERCIAL PROPERTIES, INC.
VICE PRESIDENT (SEAL)

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO

COUNTY OF Bernalillo

The foregoing instrument was acknowledged before me this 11th day of October, 1978, by Robert G. Mayfield

My commission expires: (Seal)

Notary Public

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

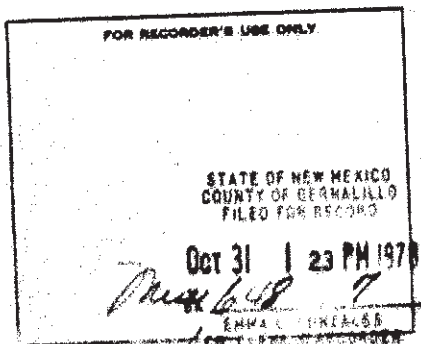
COUNTY OF Bernalillo

The foregoing instrument was acknowledged before me this 11th day of October, 1978, by Robert G. Mayfield

(Name of Officer)
Vice-President of Bellamah Commercial Properties, Inc.
(Title of Officer) of (Corporation Acknowledging)
a corporation, on behalf of said corporation.

My commission expires: (Seal)

Notary Public



DEPUTY