

## Access and use Agreement

### Owner of Site

Name: Jay Rembe, Kino James, Allen Lewis

Business Name: Harvard Mall Partners, LLC

Street Address: 118 Yale Blvd. SE. Albuquerque, NM 87106

Legal Description: Lots 07-10, 010 001 UNIVERSITY HTS ADD, 009 001 UNIVERSITY HTS, 008 001 UNIVERSITY HTS, 007 001 UNIVERSITY HTS ADD

UPC: 101605701225232622, 101605701225732621, 101605701226232620, 101605701226832619

Owners of lots associated with and who benefit from access and use of the parking lot located on the aforementioned site.

115 Harvard DR. SE, Lot 16A and 17A:

Name:(Same as Applicant) Jay Rembe, Kino James, Allen Lewis

Business Name: Bricklight Partners, LLC

110 Yale, Lot 6:

Name:(Same as Applicant) Jay Rembe, Kino James, Allen Lewis

Business Name: (Same as Applicant) Harvard Mall Partners, LLC

The purpose of this document is to provide documentation of approval and consent from all owners associated with the aforementioned site to provide site security fencing along the western and eastern edges of the property, and to eliminate the northeastern most entry point to the parking lot from the Alley as defined in Exhibit 'A'.

The owner and its successor and assigns agree that it will not change the use or access to the parking lot in such a way as to impair or prevent access to the parking lot by any of the owners or the owners' tenants mentioned herein.

Furthermore, the owner agrees that the Property shall operate an open/shared parking arrangement, whereby the owner shall not segregate property access rights or significantly impair access to parking on the Property by the users of any portion of the property.

No sale or transfer of all or any portion of the Property shall be deemed to void or violate this. The terms of the Agreement shall bind the Owner, successors, and assigns. This Agreement can be amended with mutual consent of the Owners.

## Access and use Agreement

**IN WITNESS WHEREOF, the parties have executed this Agreement on the date noted below:**

Owner 118 Yale Blvd. SE, Lot 7, Lot 8, Lot 9, Lot 10

Date \_\_\_\_\_

Owner 115 Harvard Dr. SE, Lot 16 A, and Lot 17A

Date \_\_\_\_\_

Owner 110 Yale Blvd. SE, Lot 6

Date \_\_\_\_\_

Note that the owner of and those lots associated with 118 Yale Blvd. SE, Lots 07, 08, 09, 10 135 Harvard DR. SE including Lot 16 A and Lot 17A, 115 Harvard Dr. SE, and 110 Yale Blvd. SE including Lot 6, are one and the same.

## ACKNOWLEDGMENTS

State of New Mexico )  
 ) ss.  
County of Bernalillo )

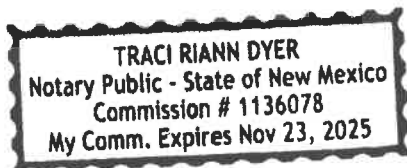
The foregoing was acknowledged before me on January 4th, 2023, by

~~OWNER(S).~~

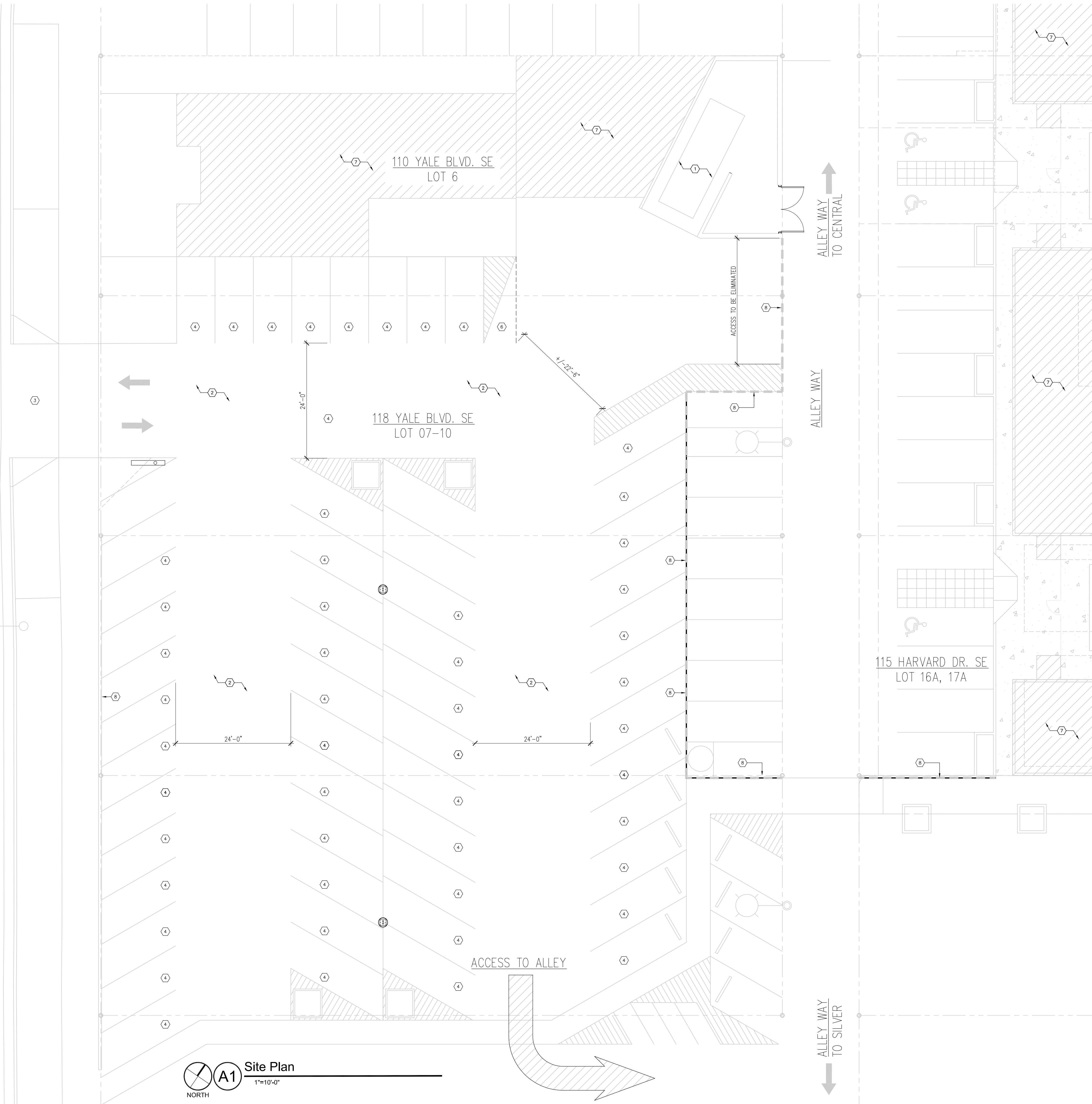
Sharon Dye  
Notary Public

**Notary Public**

My commission expires: 11/23/2025

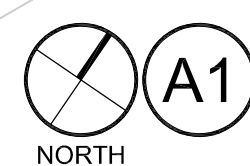


YALE BLVD.

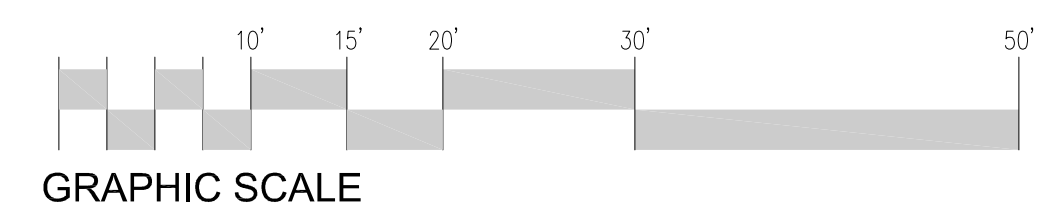


### KEYED NOTES-SITE PLAN

1. EXISTING DUMPSTER AND ENCLOSURE
2. EXISTING DRIVE ISLE- SEE DIMENSIONS
3. EXISTING CURB CUT AND ACCESS TO YALE
4. EXISTING PARKING SPACE-TYPICAL
5. NEW PROPOSED LOCATION OF FENCE
6. EXISTING PARKING SPACE TO BE ELIMINATED.
7. EXISTING STRUCTURE TO REMAIN
8. NEW 6'-0" TALL PROPOSED FENCE LINE- DESIGN MASTER FENCE- FINISH TO BE POWDER COATED BLACK



Site Plan  
1"=10'-0"



Architect Stamp:



**REMBE**  
urban design + development

1716 Central SW, Suite A  
Albuquerque NM 87104  
t: 505-243-0188

Project: **Bricklight District**  
Drawn By: **KMA** Checked By: **KMA**  
Phase: **COA SUBMITTAL**  
Date: **01/02/2023**  
Project Number: **2203**

ACCESS PLAN  
EXHIBIT 'A'

Sheet Number: