

## A.L.T.A./ A.C.S.M. LAND TITLE SURVEY

# LOT D-2 NEWPORT INDUSTRIAL PARK-WEST UNIT 1

CITY OF ALBUQUERQUE BERNALILLO COUNTY, NEW MEXICO

JULY, 2010

### LEGAL DESCRIPTION

Lot Lettered/Numbered D-Two(D-2) of the Summary Plat Replat of Parcel "D" of the Replat of Tract No. 4, Newport Industrial Park-West, Unit 1, Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on the plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 1981, in Plat Book C18 page 168.

Together with easement rights, as those rights are more particularly set forth and defined in that certain Agreement for Lease of City Property recorded October 21, 1999 in Book 9914, page 2859 as Document No. 1999133275, records of Bernalillo County, New

The above described parcel is the same as described within the Title Report prepared for this property by First American Title Insurance Company, Commitment for Title Insurance No. NCS-445846-OR1, dated June 28, 2010.

#### FLOOD ZONE DETERMINATION

The subject property (as shown hereon) lies within Zone "X" (areas determined to be outside 0.2% annual chance flood plain) in accordance with the National Flood Insurance Program Rate Map No. 35001C0342 G, Effective Date 9-26-2008.

#### **EXCEPTIONS**

As listed within the Title Report prepared for this property by First American Title Insurance Company, Commitment for Title Insurance No. NCS-445846-OR1, dated June 28, 2010.

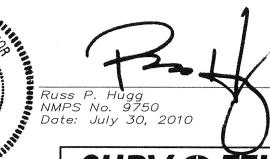
- $\widehat{(\pi)}$  Reservations contained in Patent from United States of America recorded in Book 77, page 651, records of Bernalillo, County, New Mexico. (Affects Property - Not Plottable)
- (12) Maintenance provisions regarding Temporary Drainage Easement affecting the insured premises, as shown and/or provided for on recorded plat, recorded August 24, 1981 in Volume C18, page 168 as Document No. 81-45505, records of Bernalillo County, New Mexico. (Affects Property - Non Survey Matter)
- (3) Utility Easement reserved across the southerly and easterly y seven (7) feet and for relocated Temporary Drainage Easement reserved over easterly seven (7) feet of the northerly 132.18 feet of the insured land, as shown on the recorded plat, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on August 24, 1981, in Plat Book C18, Folio 168. (Affects Property -Plotted Hereon)
- Easement for maintenance of utilities reserved over the easterly 7 feet and over the southerly 7 feet of the insured premises, as shown and/or provided for on recorded plat, recorded February 14, 1979 in Volume 09, page 67 as Document No. 79-11400; plat recorded March 5, 1980 in Volume C16, page 99 as Document No. 80-13881 and plat recorded February 23, 1981 in Volume C18, page 11 as Document No. 81-9424, records of Bernalillo County, New Mexico. (Affects Property - Plotted Hereon)
- Notwithstanding the insuring of the rights, title and interest as to the Parking Area in Paragraph 4 of Schedule A herein, this policy is subject to all of the terms, conditions, limitations, provisions and restrictions contained in that certain Agreement for Lease of City Property recorded October 21, 1999 in Book 9914, page 2859 as Document No. 1999133275, records of Bernalillo County, New Mexico. (Affects Property - Non Survey Matter)
- Assignment of Lessee's Interest in Lease executed by Domain Randolph Limited Partnership, a New Mexico limited partnership to Morgan Guaranty Trust Company of New York recorded October 12, 2000, in Book All, page 886 as Document No. 2000101283, records of Bernalillo County, New Mexico. (Affects Property - Non Survey
- Rights of the tenants or occupants under unrecorded rental or lease agreements. (Affects Property — Non Survey Matter)

## SURVEYORS CERTIFICATION

To: MBE New Mexico LLC, an Oregon limited liability company; Howard New Mexico Investments LLC, a Delaware limited liability company; Bank of Albuquerque and First American Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2005, and includes Items 1, 2, 3, 4, 7(a)(1), 8, 9, 10 and 11(a) of Table A specifically defined therein. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, the undersigned further certifies that in my professional opinion, as a Professional Land Surveyor registered in the State of New Mexico, the Relative Positional Accuracy of this survey does not exceed that which is specified therein. The undersigned also certifies that this survey is in accordance with the current Minimum. Standards for Land Surveying adopted by the New Mexico Board of Registration for Professional Engineers and Land Surveyors.





GENERAL NOTES

VICINITY MAP

65-70

- Bearings are based on the plat entitled "SUMMARY PLAT, REPLAT OF PARCEL D OF THE REPLAT OF TRACT 4, NEWPORT INDUSTRIAL PARK—WEST, UNIT 1, ALBUQUERQUE, NEW MEXICO, AUGUST 1981", filed August 24, 1981, in Volume C18, Folio 168, records of Bernalillo County, New Mexico.
- 2. Distances are ground.
- 3. Distances shown along curved lines are arc lengths.

SU-1 AIRPORT & REL FAC

- 4. Record Plat or Deed bearings and distances, where they differ from those established by this field survey, are shown in
- 5. All corners found in place and held were tagged with a brass disk stamped "HUGG L.S. 5823", "HUGG L.S. 9750", "HUGG L.S. 11808" unless otherwise indicated hereon.
- All corners that were set are either a 5/8" rebar with cap stamped "HUGG L.S. 5823", "HUGG L.S. 9750", "HUGG L.S. 11808" or a concrete nail with brass disk stamped "HUGG L.S. 5823", "HUGG L.S. 9750", "HUGG L.S. 11808" unless otherwise indicated
- 7. Field surveys were performed during the month of July, 2010.
- Documents used in the preparation of this survey are as
- A. Plat entitled "SUMMARY PLAT, REPLAT OF PARCEL D OF THE REPLAT OF TRACT 4, NEWPORT INDUSTRIAL PARK-WEST, UNIT 1, ALBUQUERQUE, NEW MEXICO, AUGUST 1981", filed August 24, 1981, in Volume C18, Folio 168, records of Bernalillo County, New Mexico.
- Unfiled survey entitled "A.L.T.A./A.C.S.M. LAND TITLE SURVEY OF TRACT D-2, NEWPORT INDUSTRIAL PARK-WEST, UNIT 1, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, SEPTEMBER 1998", prepared by Russ P. Hugg, NMPS No. 9750 for SURV-TEK, INC., Albuquerque, New Mexico.
- Unfiled survey entitled "A.L.T.A./A.C.S.M. LAND TITLE SURVEY OF TRACT D-2, NEWPORT INDUSTRIAL PARK-WEST, UNIT 1, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, NOVEMBER, 2001", prepared by Russ P. Hugg, NMPS No. 9750 for SURV-TEK, INC., Albuquerque, New Mexico.
- Title Report prepared for this property by First American Title Insurance Company, Commitment for Title Insurance No. NCS-445846-OR1, dated June 28, 2010.
- The locations of existing underground utilities as shown hereon are approximate and were derived from As-Built Drawings, Gas Company of New Mexico Line Location Maps, Public Service Company of New Mexico Line Location Maps and surface indications either spotted by the respective utility companies or apparent by visual observation. All utilities should be field verified and spotted by the contractor(s) prior to commencement of any construction.
- 10. There are 200 parking spaces and 11 handicapped parking spaces.
- 11. City of Albuquerque Zone Atlas Page: M-15-Z
- 12. This property is currently zoned "IP" (Industrial Park Zone) per the City of Albuquerque Zone Atlas, dated February 4,

Industrial Park Zone Setback requirements for this zone are front-yard setback of not less than 20 feet, side-yard setback of not less than 10 feet and rear-yard setback of not less than 10 feet. Structure height shall not exceed 120 feet. No bulk restrictions are

- Zoning information is from "City of Albuquerque's Comprehensive Zoning Code", Chapter 14, as revised 1996, City Zoning Department, 600 Second Street N.W., Albuquerque, N.M. *87102*, *(505)924–3842*.
- 13. There are currently two existing driveways or drive cuts in the existing curb for access to Randolph Road S.E..
- 14. This property is subject to all exceptions pertaining to this property as listed in SCHEDULE B, SECTION TWO of the Title Report prepared for this property by First American Title Insurance Company, Commitment for Title Insurance No. NCS-445846-OR1, dated June 28, 2010.
- 15. The above described Title Commitment was used in defining easements as shown hereon. Circled numbers by the easement description correspond to the Title Commitment's Schedule SECTION TWO item number. Where possible, said easements have been plotted.

