

EASEMENT RELOCATION NOTICE

This Easement Relocation Notice ("Notice") is dated for reference purposes October ~~17~~ 2018.

WHEREAS, a Slope and Access Agreement was entered into on February 24, 2009 and recorded on March 20, 2009 as Document No. 2009029570 in the real property records of the County Clerk of Bernalillo County, New Mexico ("Agreement");

WHEREAS, the Agreement, among other things, created an access easement ("Easement") over the "Fineland Property" (as defined in the Agreement);

WHEREAS, the Agreement established the location of the Easement as the "Fineland Access Easement Area";

WHEREAS, the location of the Easement on the Fineland Access Easement Area was depicted on Exhibit B of the Agreement;

WHEREAS, Section 5 of the Agreement, in pertinent part, provided an acknowledgement by the parties that the access easement areas had not been constructed and were subject to modification. The parties specifically acknowledged that: "Exhibit B is based on a conceptual design and is subject to revisions and changes";

WHEREAS, Section 5 of the Agreement further provided that: "no review or approval by Unser (the Grantee) is required provided the same terms and conditions as recited herein apply and that the substitute exhibit "B" provides for an initial terminus on the westerly end to coincide with Exhibit C and easterly terminus at Fineland Road";

WHEREAS, the undersigned is the current owner of the Fineland Property;

WHEREAS, the undersigned desires to relocate the Easement.

NOW THEREFORE, based on the foregoing, notice is given that the location of the Fineland Access Easement Area as depicted in Exhibit "B" of the Agreement is revised and relocated to the area as set forth on the Exhibit attached to this Agreement. The Easement, as relocated pursuant to this Notice, is subject to the terms and conditions set forth in the Agreement.

The Exhibit attached to this Notice is substituted for Exhibit "B" to the Agreement.

McMahon Tenancy In Common

By: Jack J. Clifford
JACK J. CLIFFORD
Authorized Representative

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NOT R: \$25.00 Linda Stover, Bernalillo County



ACKNOWLEDGEMENT

STATE OF New Mexico)

COUNTY OF Bernalillo)

SS

574 EP

This instrument was acknowledged before me on October ~~27~~ 2018, by Jack J. Clifford, the Authorized Representative of McMahon Tenancy In Common.

[Handwritten Signature]

Notary Public

(Seal)

My Commission Expires

