



GRANT OF EASEMENT

THIS GRANT OF EASEMENT is made this 6<sup>th</sup> day of February, 2019, by MARK3S, INC., a New Mexico corporation ("MARK3S").

WHEREAS, MARK3S is the owner of the following described real property located in the County of Bernalillo, State of New Mexico, to-wit:

Tract A-1, MARK3S, Holly Development as the same is shown and designated on the plat filed in the Office of the County Clerk of Bernalillo County, New Mexico on December 18, 2017, Plat Book 2017C, Page 146, Doc. # 2017119919

("MARK3S Property"); and

WHEREAS, MARK3S desires to provide a private solid waste and emergency access easement (the "Easement") to be located on the MARK3S Property for the benefit of the property described as follows:

Tract A, Holly Avenue Senior Living, as the same is shown and designated on the plat filed in the Office of the County Clerk of Bernalillo County, New Mexico on November 29, 2018, Plat Book 2018C, Page 148, Doc. #2018103144

("Tract A").

NOW, THEREFORE, in consideration of the above and other good and valuable consideration, the receipt of which is hereby acknowledged, it is agreed as follows:

1. MARK3S hereby declares that the MARK3S Property is subject to the Easement for the Benefit of Tract A, which Easement is more particularly described on Exhibit "A" attached hereto and made a part hereof by reference.
2. The Easement shall be non-exclusive and shall provide a solid waste and emergency access from Tract A to Holly Avenue N.E.



**EXHIBIT 'A'**  
**PRIVATE ACCESS EASEMENT SURVEY**

EASEMENT DESCRIPTION

A certain tract of land located within the Corporate Limits of the City of Albuquerque, New Mexico, comprising a portion of Tract A-1, MARK3S Holly Development as the same is shown and designated on the plat filed in the Office of the County Clerk of Bernalillo County, New Mexico on December 18, 2017, Plat Book 2017C, Page 146, Doc.# 2017119919, and being more particularly described as follows:

Beginning at the northwest corner of the easement herein described, being a point on the south right-of-way line of Holly Avenue N.E., whence the northwest property corner of said Tract A-1 bears N 89°39'42" W a distance of 71.35 feet; thence S 89°39'42" E a distance of 22.00 feet along said south right-of-way line to the northeast corner of the easement herein described; thence S 00°06'45" W a distance of 166.13 feet; thence along an arc of a curve to the right with Delta = 90°00'00", R = 49.00 feet and L = 76.97 feet, (Chord Bearing = S 45°06'45" W, Chord Length = 69.30 feet); thence N 89°53'15" W a distance of 44.34 feet to the southwest corner of the easement herein described, being a point common to the property lines of said Tract A-1 and Tract A, Holly Avenue Senior Living, as the same is shown and designated on the plat filed in the Office of the County clerk of Bernalillo County, New Mexico on November 29, 2018, Plat Book 2018C, Page 148, Doc.# 2018103144, whence the southwest property corner of said Tract A-1 bears S 00°06'45" W a distance of 20.57 feet; thence N 00°06'45" E a distance of 22.00 feet along said shared property line to a western corner of the easement herein described; thence S 89°53'15" E a distance of 44.34 feet; thence along an arc of a curve to the left with Delta = 90°00'00", R = 27.00 feet and L = 42.41 feet, (Chord Bearing = N 45°06'45" E, Chord Length = 38.18 feet); thence N 00°06'45" E a distance of 166.22 feet to the point of beginning and containing 0.1365 acres more or less.

Notes:

1. An easement survey was performed in November, 2018 verifying a boundary survey performed by this firm in October, 2017. Property corners were found as indicated.
2. Site located within Projected Section 17, Township 11 North, Range 4 East, N.M.P.M. (Elena Gallegos Grant).
3. All distances are ground distances.
4. Bearings shown hereon are New Mexico State Plane Grid Bearings, Central Zone (NAD 83). These bearings are positioned from A.G.R.S. Control Station "7-B20".
5. The purpose of this survey is to describe the new private access easement being granted to the owner of Tract A, Holly Avenue Senior Living.
6. The northern side of the easement described hereon, shall lengthen or shorten to intersect with the south right-of-way line of Holly Avenue N.E., and the western side of the easement described hereon, shall lengthen or shorten to intersect with the eastern property line of Tract A, Holly Avenue Senior Living, as shown.

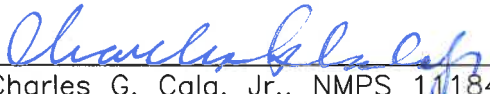


**6010-B MIDWAY PARK BLVD. NE • ALBUQUERQUE, NEW MEXICO 87109**  
**PHONE: 505.345.4250 • FAX: 505.345.4254 • www.highmesacg.com**  
JOB NO. 2016.059.5 EASE1

**EXHIBIT 'A'**  
**PRIVATE ACCESS EASEMENT SURVEY**

SURVEYORS CERTIFICATION

I, Charles G. Cala, Jr., New Mexico Professional Surveyor No. 11184, do hereby certify; that this easement survey and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that this survey meets the Minimum Standards for Surveying in New Mexico, and that it is true and correct to the best of my knowledge and belief.

  
Charles G. Cala, Jr., NMPS 11184



2-6-2019  
Date

KEYED NOTES

EASEMENTS – EXISTING

- ① 10' PUBLIC UTILITY EASEMENT GRANTED BY PLAT 2007C-49
- ② 10' PUBLIC UTILITY EASEMENT GRANTED BY PLAT 2017C-146
- ③ 10' PUBLIC UTILITY EASEMENT GRANTED BY PLAT 2004C-199 (OFFSITE)

EASEMENT – TERMINATED BY THE PLAT OF HOLLY AVENUE SENIOR LIVING (2018C-146)

- ④ A PRIVATE NON-SPECIFIC DRAINAGE EASEMENT ACROSS FORMER TRACT D GRANTED BY PLAT 2017C-146 FOR THE PURPOSE OF CONVEYING UNDEVELOPED RUNOFF FROM FORMER TRACT C TO HOLLY AVENUE N.E.

MONUMENTS

- Ⓐ FOUND #4 REBAR W/CAP STAMPED "LS 7907", W/WASHER STAMPED "NMPS 11184"
- Ⓑ FOUND #5 REBAR W/CAP STAMPED "NEW MEXICO PS 11184"
- Ⓒ FOUND #4 REBAR W/CAP STAMPED "PS 11463", TAGGED W/WASHER STAMPED "NMPS 11184"
- Ⓓ FOUND CHISELED "+" IN CONCRETE SIDEWALK
- Ⓔ FOUND #5 REBAR W/CAP STAMPED "NEW MEXICO PS 11184"
- Ⓕ FOUND #5 REBAR, NO I.D.

EASEMENT TABLES

LINE	DIRECTION	DISTANCE
E1	S 89°39'42" E	22.00'
E2	S 00°06'45" W	166.13'
E3	N 89°53'15" W	44.34'
E4	N 00°06'45" E	22.00'
E5	S 89°53'15" E	44.34'
E6	N 00°06'45" E	166.22'
T1	N 89°39'42" W	71.35'
T2	S 00°06'45" W	20.57'

CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA
EC1	49.00'	76.97'	S 45°06'45" W	69.30'	90°00'00"
EC2	27.00'	42.41'	N 45°06'45" E	38.18'	90°00'00"

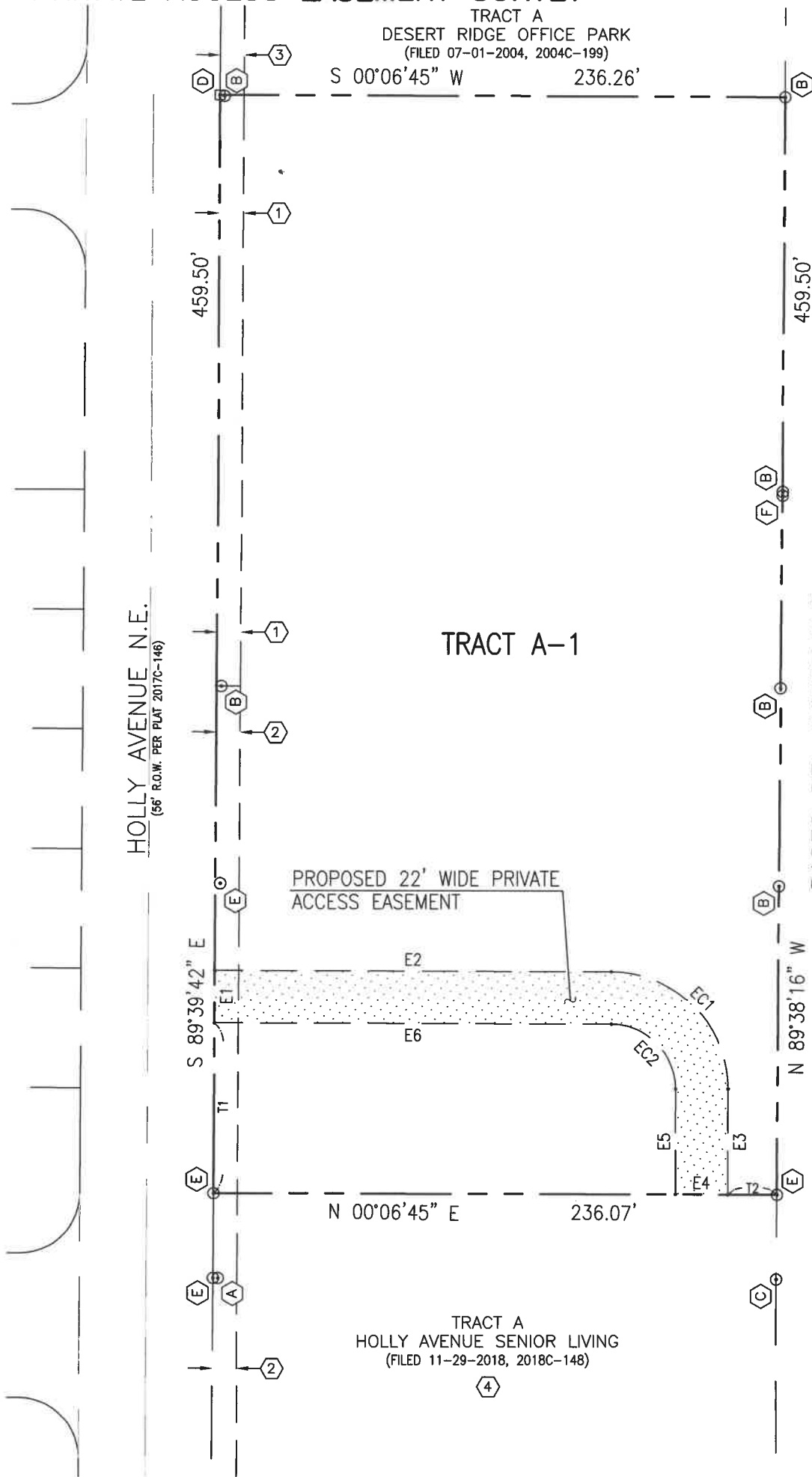
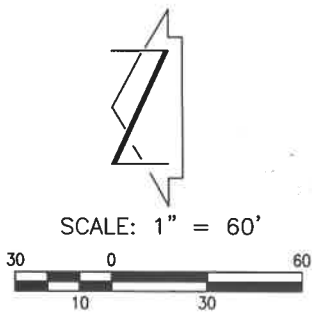


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PRIVATE ACCESS EASEMENT SURVEY

TRACT A  
DESERT RIDGE OFFICE PARK  
(FILED 07-01-2004, 2004C-199)

S 00°06'45" W 236.26'



HOLLY AVENUE N.E.  
(56' R.O.W. PER PLAT 2017C-146)

TRACT A-1

PROPOSED 22' WIDE PRIVATE  
ACCESS EASEMENT

PASEO DEL NORTE N.E.

(R.O.W. VARIES PER NMSHC R.O.W. MAP PROJECT NO. TPU 4054(2) DATED 05-07-1993)

TRACT A  
HOLLY AVENUE SENIOR LIVING  
(FILED 11-29-2018, 2018C-148)



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