

Exhibit "A"

PERMANENT EASEMENT

Grant of Permanent Easement, by Michael J. McCoun ("Grantor"), whose address is 12700 Colony PI NE, Albuquerque, NM 87122 to the **Albuquerque Bernalillo County Water Utility Authority**, a New Mexico political subdivision ("Water Authority"), whose address is P.O. Box 568, Albuquerque, New Mexico, 87103-0568.

Grantor grants to the Water Authority an exclusive, permanent easement ("Easement") in, over, upon and across the real property described on Exhibit "A" attached hereto ("Property") for the construction, installation, maintenance, repair, modification, replacement and operation of public sanitary sewer lines and facilities, together with the right to remove trees, shrubs, undergrowth and any other obstacles upon the Property if the Water Authority determines they interfere with the appropriate use of this Easement.

In the event Grantor constructs or places any improvements or encroachments (collectively "Improvements") within or upon the Property, the Water Authority has the right to enter upon the Property at any time to inspect, install, maintain, repair, modify, replace or remove (collectively "Work") the Public Sewer Lines as the Water Authority deems necessary or appropriate. If the Work affects any Improvements, the Water Authority shall not be financially liable or otherwise responsible for replacing, rebuilding or repairing the Improvements. If, in the opinion of the Water Authority, the Work could endanger the structural integrity or otherwise damage the Improvements, the Grantor shall, at his own expense, take whatever protective measures the Grantor deems necessary or appropriate to safeguard the Improvements.

Grantor covenants and warrants that Grantor is the owner in fee simple of the Property, that Grantor has a good lawful right to convey the Property or any interest therein, and that Grantor will forever warrant and defend the title to the Property against all claims from all persons or entities.

The grant and other provisions of this Easement constitute covenants running with the Property for the benefit of the Water Authority and its successors and assigns until terminated.

GRANTOR

Acknowledged:

By:

[Signature]
[name] [and title if for a company]

Albuquerque Bernalillo County
Water Utility Authority

Date: October 6th, 2020

By:

[Signature] 10/17/23
Engineer

STATE OF New Mexico)
) ss
COUNTY OF Bernalillo)

This instrument was acknowledged before me on this 6th day of October 2020, by Michael J. McCoun [name].

[Signature]
Notary Public

My Commission Expires:

02/01/2024



OFFICIAL SEAL
Karia Candelaria
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires 02/01/2024



OFFICIAL SEAL
STATE OF NEW MEXICO
COMMISSIONER OF LANDS

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Exhibit for
20' Public Sewer Easement across
Tract C-8, Cottonwood Mall
City of Albuquerque
Bernalillo County, New Mexico
August 2020

Legal Description

A CERTAIN PARCEL LOCATED WITHIN TRACT C-8, COTTONWOOD MALL, ALBUQUERQUE, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE BERNALILLO COUNTY CLERKS OFFICE ON JANUARY 6, 1995, IN BOOK 95C, PAGE 5, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL AND A POINT ON THE EAST RIGHT-OF-WAY COORS BYPASS N.W., WHENCE A TIE TO ACS MONUMENT "9-B13", THE FOLLOWING THREE COURSES:

5.30 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1081.72 FEET, A DELTA ANGLE OF 0°16'51", AND A CHORD BEARING N 01°06'00" E, A DISTANCE OF 5.30 FEET TO THE NORTHWEST CORNER OF TRACT C-8, MARKED BY A 60D NAIL;

S 89°28'12" E, A DISTANCE OF 80.47 FEET;

S 06°35'06" W, A DISTANCE OF 626.13 FEET;

THENCE, FROM THE POINT OF BEGINNING, N 88°40'58" E, A DISTANCE OF 14.76 FEET TO AN ANGLE POINT;

THENCE, N 58°05'00" E, A DISTANCE OF 8.99 FEET TO AN ANGLE POINT;

THENCE, S 89°28'12" E, A DISTANCE OF 29.39 FEET TO THE MOST NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED PARCEL;

THENCE, S 45°54'28" W, A DISTANCE OF 20.07 FEET TO AN ANGLE POINT;

THENCE, S 58°05'00" W, A DISTANCE OF 19.65 FEET TO AN ANGLE POINT;

THENCE, S 88°40'58" W, A DISTANCE OF 20.84 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF COORS BYPASS N.W. BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED PARCEL;

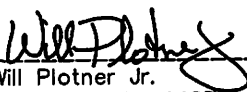
THENCE, COINCIDING SAID RIGHT-OF-WAY, 20.01 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1081.72 FEET, A DELTA ANGLE OF 1°03'35", AND A CHORD BEARING, N 00°25'47" E, A CHORD DISTANCE OF 20.01 FEET TO THE POINT OF BEGINNING, CONTAINING 0.0195 ACRES (850 SQ. FT.) MORE OR LESS.

Notes

1. FIELD SURVEY PERFORMED IN DECEMBER 2019.
2. ALL DISTANCES ARE GROUND DISTANCES: US SURVEY FOOT.
3. THE BASIS OF BEARINGS REFERENCES NEW MEXICO STATE PLANE COORDINATES (NAD 83-CENTRAL ZONE).

Surveyor's Certificate

I, WILL PLOTNER JR., A REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THE EXHIBIT SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


Will Plotner Jr.
N.M.R.P.S. No. 14271

8/24/2020
Date



 **CSI-CARTESIAN SURVEYS INC.**

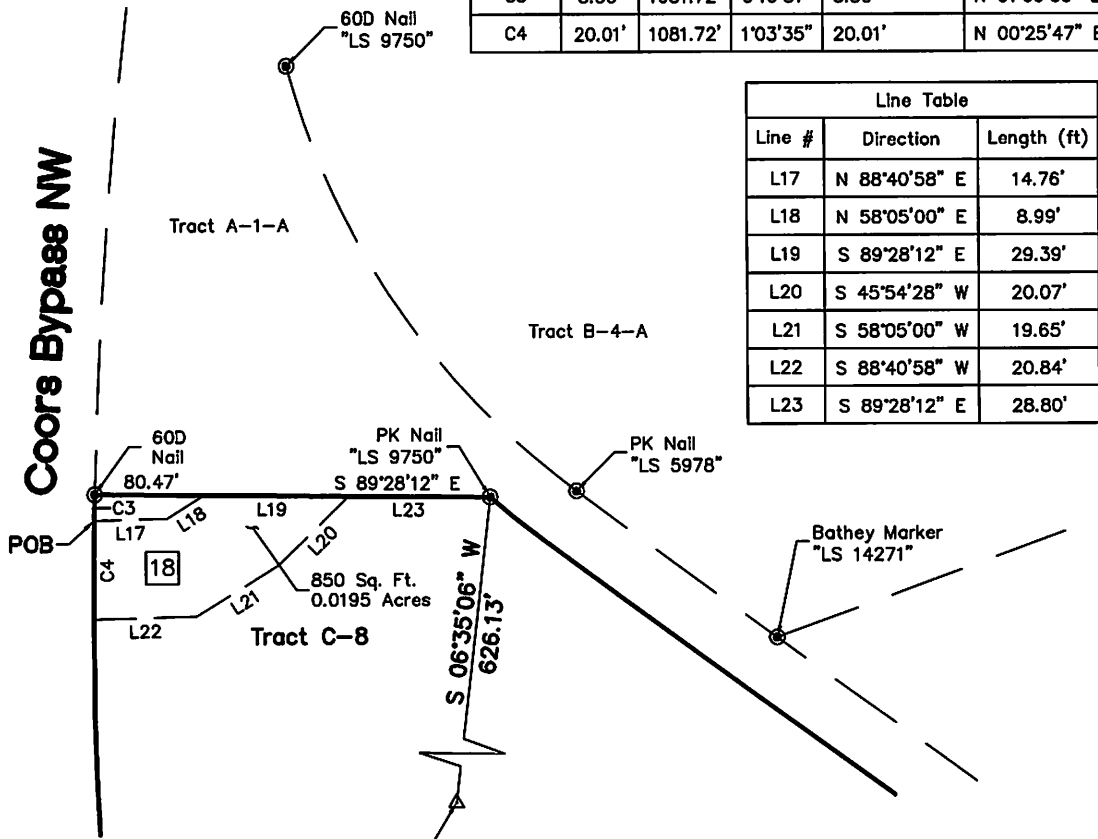
P.O. BOX 44414 RIO RANCHO, N.M. 87174
Phone (505) 896 - 3050 Fax (505) 891 - 0244
wplotnerjr@gmail.com

Sheet 1 of 2
191958

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20' Public Sewer Easement across
Tract C-8, Cottonwood Mall
 City of Albuquerque
 Bernalillo County, New Mexico
 August 2020

Curve Table					
Curve #	Length	Radius	Delta	Chord Length	Chord Direction
C3	5.30'	1081.72'	0°16'51"	5.30'	N 01°06'00" E
C4	20.01'	1081.72'	1°03'35"	20.01'	N 00°25'47" E

Line Table		
Line #	Direction	Length (ft)
L17	N 88°40'58" E	14.76'
L18	N 58°05'00" E	8.99'
L19	S 89°28'12" E	29.39'
L20	S 45°54'28" W	20.07'
L21	S 58°05'00" W	19.65'
L22	S 88°40'58" W	20.84'
L23	S 89°28'12" E	28.80'



ACS Monument " 9-B13 "
 NAD 1983 CENTRAL ZONE
 X=1517763.215 *
 Y=1527311.184 *
 Z=5072.491 * (NAVD 1988)
 G-G=0.999678497
 Mapping Angle=-0°14'11.91"

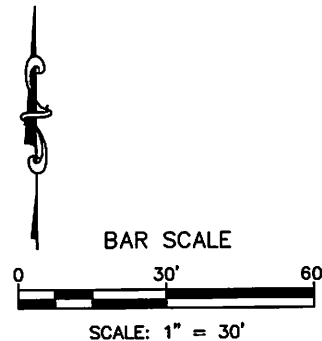
* U.S. Survey Foot

Easement Notes

18 PUBLIC SEWER EASEMENT GRANTED BY THIS DOCUMENT

Legend

N 90°00'00" E	MEASURED BEARINGS AND DISTANCES
●	FOUND MONUMENT AS INDICATED



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