



SEWER EASEMENT

This document is by and between The Regents of the University of New Mexico, a body corporate of the State of New Mexico ("Grantor"), whose address is c/o Real Estate Department, 1 University of New Mexico MSC06-3595, Albuquerque, New Mexico 87131-0001, and 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 Water Authority an underground utility easement ("Easement") in 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 ("Sewer Lines"), together with the right to access the Property to carry out these purposes or to remove trees, shrubs, undergrowth and any other obstacles upon the Property if Water Authority reasonably determines that they interfere with the appropriate use of this Easement. Grantor may grant additional concurrent or perpendicular underground utility easements across the Property only with the express, written approval by the Water Authority, which approval will not be unreasonably withheld or delayed.

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

Grantor, at Grantor's expense, may relocate the Easement and the Sewer Lines with express, written approval by the Water Authority, which approval will not be unreasonably withheld or delayed.

Grantor advises Water Authority that Grantor is the owner in fee simple of the Property and that Grantor has a good lawful right to grant an easement on the Property.

The Easement shall run with the Property, and is binding upon Grantor's successors and assigns, for the benefit of Water Authority and its successors and assigns until terminated.

The Easement shall terminate when the Sewer Lines are not needed and/or used by Water Authority. At such time, Water Authority will execute and record a release of this Easement.

[SIGNATURE PAGE FOLLOWS]

THE REGENTS OF THE UNIVERSITY
OF NEW MEXICO, a body corporate of the
State of New Mexico

By: Teresa Costantinidis
Teresa Costantinidis
Executive Vice President for Finance
and Administration

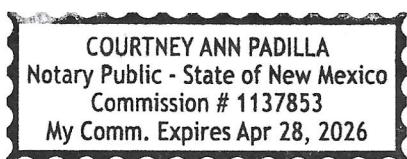
ALBUQUERQUE BERNALILLO COUNTY WATER AUTHORITY

By: Randall J. Carroll
Print Name: Randall J. Carroll
Engineer

ACKNOWLEDGMENTS

**STATE OF NEW MEXICO)
COUNTY OF BERNALILLO)
ss.**

THIS INSTRUMENT was acknowledged before me on the 28th day of February, 2024, by Teresa Costantinidis, Executive Vice President for Finance and Administration of The University of New Mexico.



Notary Public
My Commission Expires: April 28, 2026

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

THIS INSTRUMENT was acknowledged before me on the _____ day of February, 2024, by _____, Engineer with the Albuquerque Bernalillo County Water Utility Authority, Albuquerque, New Mexico.

Notary Public
My Commission Expires: