

PUBLIC SIDEWALK EASEMENT

Project No: 729087

Project Name: Cottonwood West Shopping Center

Grant of Sidewalk Easement, between Alamo Center, LLC (“Grantor”), whose address is 13405 Pine Ridge Place NE - Albuquerque, NM 87111 and whose telephone number is (505) 857-9990 and the City of Albuquerque, a New Mexico municipal corporation (“City”), whose address is P.O. Box 1293, Albuquerque, NM, 87103.

Grantor, for and in certain valuable non-monetary consideration received from the City, the receipt of which is acknowledged by Grantor, does hereby give, bargain, sell, grant and convey unto City an exclusive, perpetual sidewalk 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 Sidewalk, together with the right to remove trees, bushes, undergrowth and any other obstacles upon the Property if the City determines they interfere with the appropriate use of this Easement.

In the event Grantor constructs any improvements (“Improvements”) within the Easement, the City has the right to enter upon Grantor’s property at any time and perform whatever inspection, installation, maintenance, repair, modification or removal (“Work”) it deems appropriate without liability to the City. If the Work effects any Improvements or encroachments made by the Grantor, the City will not be financially or otherwise responsible for rebuilding or repairing the Improvements or encroachments. If in the opinion of the City, the Work to be performed by the City could endanger the structural integrity or otherwise damage the Improvements or encroachments, the Grantor shall, at its own expense, take whatever protective measures are required to safeguard the Improvements or encroachments.

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 part thereof 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 City and its successors and assigns until terminated.

This Easement shall not be effective until approved by the City Engineer and recorded at the Bernalillo County Clerk.

Doc# 2022047363

05/13/2022 03:31 PM Page: 1 of 5
EASE R:\$25.00 Linda Stover, Bernalillo County



GRANTOR: Alamo Center, LLC

By [signature]: 

Name [print]: Art Gardenswartz, manager

Title: Alamo Ctr LLC

Date: 4/28/22

GRANTOR'S NOTARY

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

This instrument was acknowledged before me on this 28th day of April, 2022 by
[name(s) of person(s):] Art Gardenswartz, [title or capacity, for
instance, "President" or "Owner":]

Managing Member of
Alamo Center, LLC [Developer:].

(SEAL)


Notary Public

My Commission Expires: 04/22/2023

STATE OF NEW MEXICO
NOTARY PUBLIC
Ruth T. Lozano
Commission No. 1051173
April 22, 2023

CITY OF ALBUQUERQUE:

DocuSigned by:
By: Shahab Biazar
~~Shahab Biazar, P.E.~~, City Engineer

Date: 5/6/2022 | 9:14 AM MDT

CITY'S NOTARY

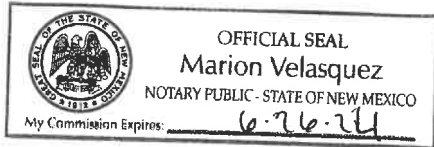
STATE OF NEW MEXICO)
)ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on this 6th day of May, 2022 by Shahab Biazar, P.E., City Engineer, City of Albuquerque, a municipal corporation, on behalf of said corporation.

(SEAL)

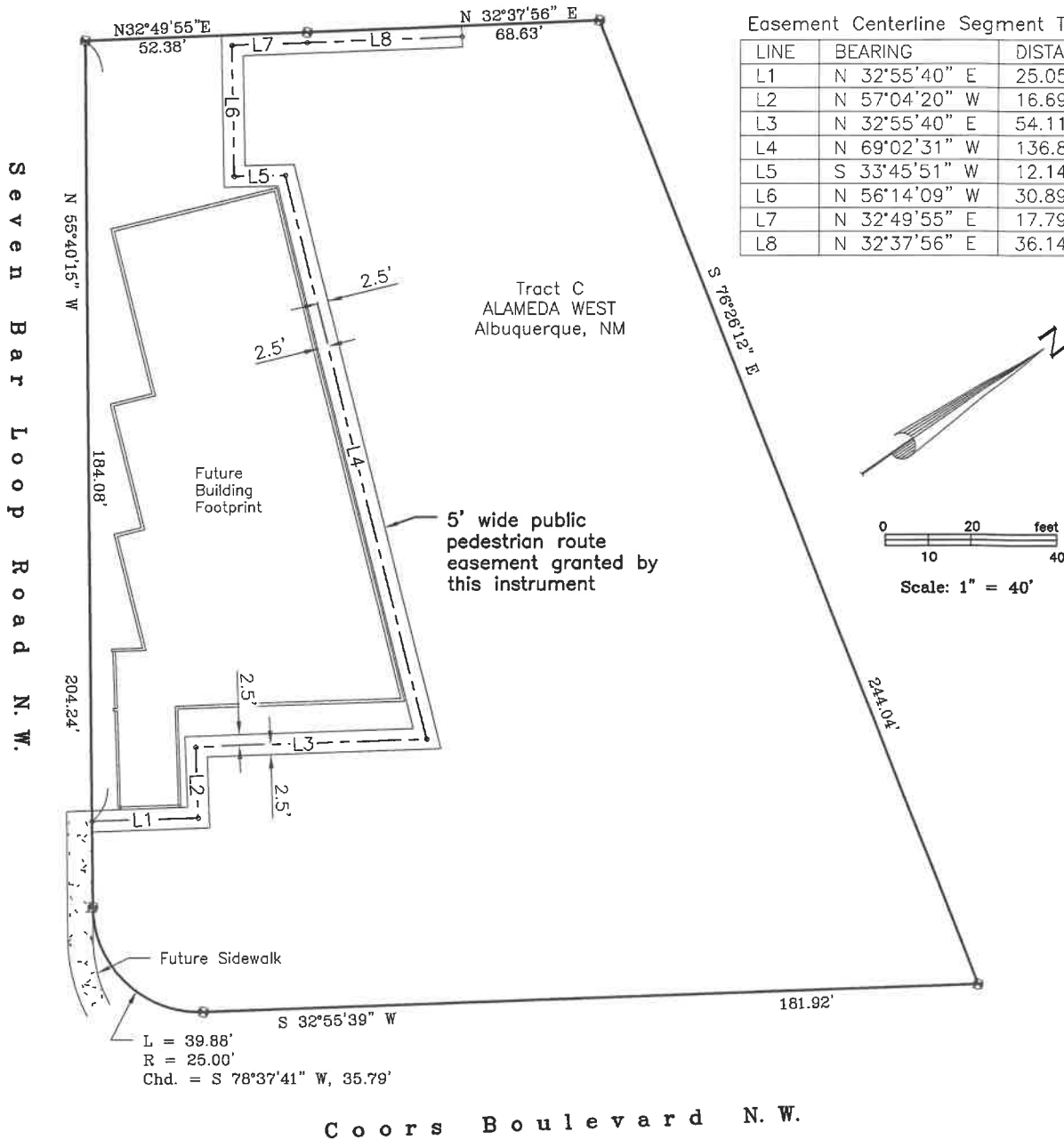
[Signature]
Notary Public

My Commission Expires: June 26 2024



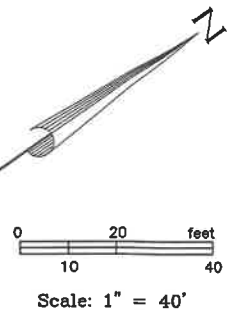
(EXHIBIT "A" ATTACHED)

E X H I B I T ' A '



Easement Centerline Segment Table

LINE	BEARING	DISTANCE
L1	N 32°55'40" E	25.05'
L2	N 57°04'20" W	16.69'
L3	N 32°55'40" E	54.11'
L4	N 69°02'31" W	136.80'
L5	S 33°45'51" W	12.14'
L6	N 56°14'09" W	30.89'
L7	N 32°49'55" E	17.79'
L8	N 32°37'56" E	36.14'



Surveyor's Statement

I, Rex J. Vogler, a registered Professional Surveyor licensed under the laws of the State of New Mexico, state that this easement exhibit and description were prepared under my responsible direction; is true and correct to the best of my knowledge and belief, and meets the Minimum Standards for Land Surveying in New Mexico.

Plat Reference:

Plat of ALAMEDA WEST Town of Alameda Grant, Section 8, T.11N., R.3E., New Mexico Principal Meridian, Bernalillo County, New Mexico. Filed in the office of the County Clerk Bernalillo County, New Mexico on August 1, 1983 in Book C21, Page 191.

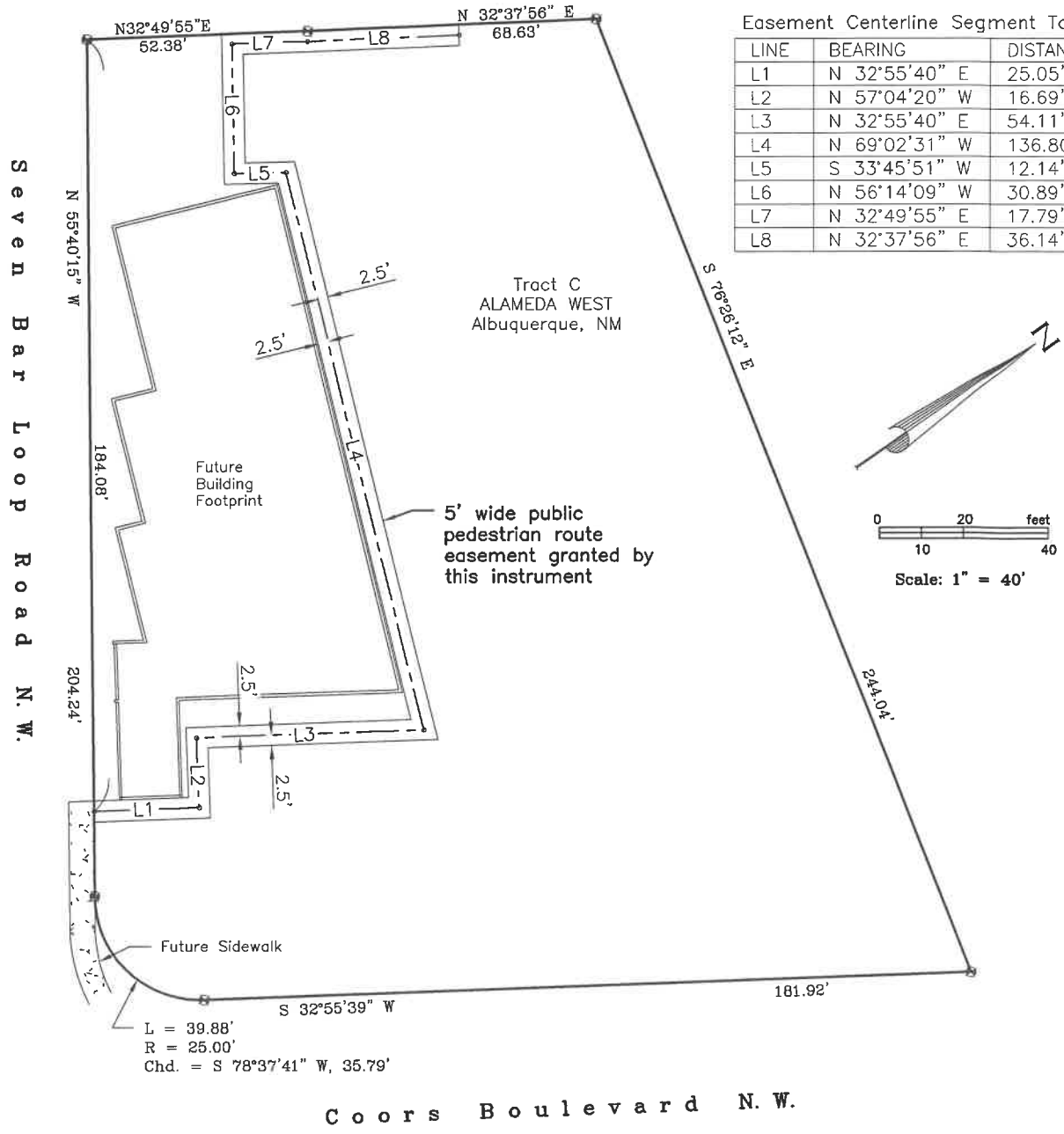


 Signature Date

Rio Grande Surveying Co.
 POB 7155, Abq., NM 87194
 505-379-4579 m
 rgsc360@gmail.com



EXHIBIT 'A'



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5/3/2022

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