

PERMANENT EASEMENT

Grant of Permanent Easement, by **Archdiocese of Santa Fe Real Estate Corporation, a New Mexico non-profit corporation** ("Grantor"), whose address is **4000 St. Joseph Pl, Albuquerque, NM 87120**, 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 water and sanitary sewer lines and facilities (collectively "Public Water and Sewer Lines"), 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 Water and 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:

Msgr. Lambert Joseph Luna
[name] [and title if for a company]
President

Albuquerque Bernalillo County
Water Utility Authority

Date:

16 August 2023

By:

[Signature]
Engineer

8/17/23

[corporate acknowledgment]

STATE OF NEW MEXICO)
) ss
COUNTY OF Bernalillo)

This instrument was acknowledged before me on this 16 day of August, by Msgr. Lambert Joseph Luna [name], President [title] of Archdiocese of Santa Fe Real Estate Corp [company name], a non-profit Corp. [type of entity], on behalf of said company.

Monica M. Justice
Notary Public

My Commission Expires:

2/27/2025

STATE OF NEW MEXICO
NOTARY PUBLIC
MONICA M. JUSTICE
Commission Number 1117058
My Commission Expires February 27, 2025

[acknowledgement for individual]

STATE OF NEW MEXICO)
) ss
COUNTY OF _____)

This instrument was acknowledged before me on this ____ day of _____, by _____ [name].

Notary Public

My Commission Expires:

TRACT 1
BULK LAND PLAT OF TRACT 1 AND 2
OUR LADY OF GUADALUPE
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

A.C.S. CONTROL
 MONUMENT "11-F13R"
 NM STATE PLANE COORDINATES
 (CENTRAL ZONE)
 PUBLISHED DATA IN NAD 1983
 N=1,505,347.37 U.S. SURVEY FEET
 E=1,515,181.75 U.S. SURVEY FEET

NORTHWEST
 CORNER
 TRACT 1

S31°00'18"E, 1,395.68'

NORTHWEST
 CORNER
 TRACT 1

NORTHERLY
 PROPERTY LINE

NEW 5' PUBLIC WATER AND
 SEWER EASEMENT
 SEE DETAIL THIS SHEET

TRACT 1
 FILED: JUNE 21, 2022
 BK. 2022C, PG. 60

NEW 5' PUBLIC WATER AND
 SEWER EASEMENT
 2,776 SQ.FT.
 (HATCHED AREA)



I, Robert J. Fierro, New Mexico Professional Surveyor No. 22909, do hereby certify that this exhibit was prepared from field notes of an actual ground survey performed by me or under my direction; meets the minimum requirements for surveys in New Mexico, and is true and accurate to the best of my knowledge and belief.

Robert Fierro

Robert J. Fierro

N.M.P.S. No. 22909



Fierro & Company
 ENGINEERING | SURVEYING

3201 4TH ST. NW, SUITE C, ALBQ., NM 87107

NO. REVISION	DATE
PROJ. NO:	22075
DATE:	AUGUST 2023

EXHIBIT "A"

TRACT 1
BULK LAND PLAT OF TRACT 1 AND 2
OUR LADY OF GUADALUPE
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO

DESCRIPTION

A 5-FOOT WIDE PUBLIC WATER AND PUBLIC SEWER EASEMENT SITUATE WITHIN THE ELENA GALLEGOS LAND GRANT, PROJECTED SECTION 31, TOWNSHIP 11 NORTH, RANGE 3 EAST, N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING OF A PORTION OF TRACT ONE (1) OF THE BULK LAND PLAT OF TRACTS 1 AND 2, OUR LADY OF GUADALUPE, BEING A REPLAT OF TRACTS 143, 144A2, 144B3, 167A, 168A1, 168A2, 168A3, 168A4, 169, 170A, 171, 175 M.R.G.C.D. MAP NO. 31 AND S.40' OF LOT 3-A, CORDOVA'S SUBDIVISION, WITHIN THE ELENA GALLEGOS GRANT, PROJECTED SECTION 31, TOWNSHIP 11 NORTH, RANGE 3 EAST, N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON JUNE 21, 2022 IN MAP BOOK 2022C, FOLIO 60 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHWEST CORNER OF THE HEREIN DESCRIBED EASEMENT, ALSO BEING THE NORTHWEST CORNER OF SAID TRACT 1, WHICH LIES S31°00'18"E, A DISTANCE OF 1,395.68 FEET FROM ALBUQUERQUE CONTROL MONUMENT "11-F13R";

THENCE, S65°53'28"W, A DISTANCE OF 5.00 FEET TO THE NORTHEAST CORNER OF THIS EASEMENT;

THENCE, S24°57'30"W, A DISTANCE OF 155.69 FEET TO A CORNER OF THIS EASEMENT;

THENCE, S23°13'16"W, A DISTANCE OF 168.81 FEET TO A POINT OF CURVATURE OF THIS EASEMENT;

THENCE, 227.80 FEET ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 179.98 FEET AND A CHORD BEARING S13°02'32"E, A DISTANCE OF 212.90 FEET TO THE SOUTHEAST CORNER OF THIS EASEMENT;

THENCE, S47°53'21"W, A DISTANCE OF 5.04 FEET TO THE SOUTHWEST CORNER OF THIS EASEMENT;

THENCE, 233.50 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 184.98 FEET AND A CHORD BEARING N12°56'41"W, A DISTANCE OF 218.30 FEET TO A CORNER OF THIS EASEMENT;

THENCE, N23°13'16"E, A DISTANCE OF 168.88 FEET TO A CORNER OF THIS EASEMENT;

THENCE, N24°57'30"E, A DISTANCE OF 155.70 FEET TO THE POINT OF BEGINNING AND CONTAINING (2,776 SQ.FT.), MORE OR LESS.

LINE TABLE

LINE #	BEARING	DISTANCE
L1	S65°53'28"E	5.00
L2	S24°57'30"W	155.69
L3	S23°13'16"W	168.81
L4	S47°53'21"W	5.04
L5	N23°13'16"E	168.88
L6	N24°57'30"E	155.70

CURVE TABLE

CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	227.80	179.98	72°31'02"	S13°02'32"E	212.90
C2	233.50	184.98	72°19'19"	N12°56'41"W	218.30



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