

78 62084

UNDERGROUND EASEMENT

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THIS INDENTURE, made this 15th day of August, 1978, between Albuquerque Federal Savings & Loan Association and the parties of the first part, and PUBLIC SERVICE COMPANY OF NEW MEXICO, a New Mexico corporation, and THE MOUNTAIN STATES TELEPHONE AND TELEGRAPH COMPANY, a Colorado Corporation authorized to do business in New Mexico, parties of the second part, their successors and assigns.

WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of One Dollar to them in hand paid, and other valuable consideration, the receipt of which is hereby acknowledged, do hereby give, bargain, sell, grant and convey unto the said party of the second part an easement to build, construct, operate and maintain underground electric power transmission and communications lines, under and through the lands hereinafter described, and to install all necessary conduits, wires and other equipment and fixtures necessary to maintain the said power and communications lines, through and on the surface of said lands at or near the points hereinafter designated, as the course of said underground power and communications lines under and through said lands; together with free ingress and egress in, from, and over said easement with rights and privileges of going upon, over and across said lands for the purpose of maintaining said lines; said lands being situated in the County of

Bernalillo

State of New Mexico, and more particularly described as follows:

An easement within Tract "E" of Unit 1-A of Dale Bellamah's JEANNEDALE situate in Section 12, T.10N., R.3E., N.M.P.M., Bernalillo County, New Mexico, filed for record in the office of the county clerk in Bernalillo County in Plat Book D5, page 53 on October 4, 1972, and being more particularly described as follows:

An easement ten (10) feet wide being five (5) feet on each side of the following described centerline. Beginning at a point in the east boundary line of said Tract "E", whence the southeast corner of said Tract "E" bears S. 00° 15' 30" E., 166.15 feet distant; running thence as an easement S. 89° 44' 10" W., 82.70 feet; thence S. 00° 15' 50" E., 30.00 feet.

RIGHT-OF-WAY DEPT.
PUBLIC SERVICE COMPANY OF NEW MEXICO
P. O. BOX 2267
ALBUQUERQUE, NEW MEXICO 87103

Parties of the first part shall have the right to use the above described real estate for purposes not inconsistent with the rights hereby granted provided that parties of the first part shall not erect or construct any building, pools, or other structure thereon, nor drill or operate any well thereon.

The provisions hereof shall inure to the benefit of and bind the heirs, executors, administrators, successors and assigns of the parties hereto.

WITNESS YOUR hand and seal this 15th day of August, 1978

(SEAL)

Jack Mulcahy
Jack Mulcahy

(SEAL)

(SEAL)

Administrative Vice President (SEAL)

Albuquerque Federal Savings & Loan Assn.

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO

COUNTY OF Bernalillo

ss.

The foregoing instrument was acknowledged before me this 15th day of August, 1978 by Jack Mulcahy

My commission expires: July 23, 1980
(Seal)

Elizabeth A. Romero
Notary Public
Elizabeth A. Romero

ACKNOWLEDGMENT FOR CORPORATION

STATE OF NEW MEXICO

COUNTY OF Bernalillo

ss.

The foregoing instrument was acknowledged before me this 15th day of August, 1978, by Jack Mulcahy

(Name of Officer)
Admin. Vice Pres. of Albuq. Federal Sav. & Loan Assn.
(Title of Officer) (Corporation Acknowledging)
a corporation, on behalf of said corporation.

My commission expires: July 23, 1980
(Seal)

Elizabeth A. Romero
Notary Public
Elizabeth A. Romero

STATE OF NEW MEXICO
COUNTY OF BERNALILLO
FILED FOR RECORD

AUG 22 1 10 PM 1978

EMMA C. GONZALES
CO. CLERK & RECORDER

DEPUTY