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RETURN TO ALBUQUERQUE TITLE  
COURTESY RECORDING  
TI # NO TITLE LIABILITY  
DOWN TOWN OFFICE

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**DECLARATION OF PRIVATE COMMON ACCESS EASEMENT**

THIS EASEMENT is made and executed this 4<sup>th</sup> day of December, 1991, by New Mexico Educators Federal Credit Union, a New Mexico Corporation (hereinafter called "NMEFCU").

1. NMEFCU is the owner of the following described real property within the City of Albuquerque, New Mexico:

Tract E-3, JEANNEDALE ADDITION, Replat of Tracts E & F, Unit 1A, as shown on the plat of said subdivision filed in the Office of the County Clerk of Bernalillo County, New Mexico on December 12, 1986, in Volume C-32, Folio 83 as document number 86-122811,

(hereinafter called "Tract E-3"), and

Tract F-2, JEANNEDALE ADDITION, Replat of Tracts E & F, Unit 1A, as shown on the plat of said subdivision filed in the Office of the County Clerk of Bernalillo County, New Mexico on December 12, 1986, in Volume C-32, Folio 83 as document number 86-122811,

(hereinafter called "Tract F-2").

2. NMEFCU does hereby establish a private common access easement across all of Tract E-3 for the use of itself, subsequent lessees, owners, mortgagees and others having or acquiring an interest in Tract F-2.

3. The easement, rights and privileges granted hereby shall be for the benefit of and be restricted solely to the owner or owners from time to time of all or any portion of Tract F-2, but such owner or owners may grant the benefit of such easement, rights and privileges to its tenants, or affiliates, now or hereafter occupying a building or portions thereof on Tract F-2 for the period of such tenancy, and to the customers, employees and business invitees of said owner or owners and tenants or affiliates, but the same is not intended, and shall not be construed as creating any rights in and for the benefit of the general public. The easement, rights and privileges herein granted shall be used and enjoyed in such a manner as to cause the least possible interference with reasonable business uses of Tract E-3.

4. The owner of Tract E-3 shall be solely responsible for maintaining the surface of the common access driveway areas in a good, safe and servicable condition.

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
FILED FOR RECORD

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GRACIE S. DAVIS  
CLERK & RECORDER

*[Signature]*  
COTY

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5. The easement created and granted hereby shall be an easement and covenant running with the land, and shall enure to the benefit of, and be binding upon NMEFCU and all future owners of all or any portion of Tract E-3, their successors and assigns, and all persons claiming under them.

WITNESS its hand and seal on the day and year first set out above.

For NEW MEXICO EDUCATORS FEDERAL CREDIT UNION  
a New Mexico Corporation

By :  
Joseph S. Coey  
President



ACKNOWLEDGEMENT

STATE OF NEW MEXICO    )  
COUNTY OF BERNALILLO ) SS

4th The foregoing instrument was acknowledged before me this  
day of December, 1991, by Joseph S. Coey, President  
of New Mexico Educators Federal Credit Union, a New Mexico  
Corporation.



Notary public

My Commission Expires:

February 28, 1994