

## PUBLIC ROADWAY EASEMENT

PROJECT NO: M14-001

Grant of Public Roadway Easement, between Love's Travel Stops & Country Stores, Inc. ("Grantor"), whose address is 10601 N. Pennsylvania Ave., Oklahoma City, Oklahoma 73120, Attn: Legal Department 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 Public Roadway Easement, ("Easement") subject to existing rights of record, 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 a roadway, utilities, drainage, sidewalk, trail and other related uses; with the right and privilege of going upon, over and across adjoining lands of Grantor for the purposes set forth herein, together with the right to remove trees, bushes, undergrowth and any other obstacles upon the Property if and to the extent that the City determines they interfere with the rights granted to the City hereunder for the use of the Easement.

In the event Grantor constructs any improvements ("Improvements") within the Easement, the City shall have 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 affects 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 in the signature block below.

GRANTOR:  
LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.

By: [Signature]  
Name: Tim Doty  
Title: Vice President  
Date: 04/23/25

GRANTOR'S NOTARY

STATE OF Oklahoma )  
 ) ss  
COUNTY OF Oklahoma )

This instrument was acknowledged before me on 23<sup>rd</sup> day of April, 2025, by Tim Doty, Vice President of Love's Travel Stops & Country Stores, Inc., an Oklahoma corporation, on behalf of the corporation.

(SEAL)



[Signature]  
Notary Public

My Commission Expires: 02/10/2029

CITY OF ALBUQUERQUE:

By: [Signature]  
Shahab Biazar, P.E., City Engineer

Date: 5/5/25

DS  
KV

Initial  
SS

CITY'S NOTARY

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

This instrument was acknowledged before me on this 5th day of May, 2025, by Shahab Biazar, P.E., City Engineer of the City of Albuquerque, a municipal corporation on behalf of said corporation.

(SEAL)

STATE OF NEW MEXICO  
NOTARY PUBLIC  
Rachael Miranda  
Commission No. 1119740  
November 09, 2025

[Signature]  
Notary Public

My Commission Expires: 11-9-2025

(EXHIBIT "A")

A VARIABLE WIDTH ACCESS EASEMENT LYING AND SITUATE WITHIN SECTION 32, TOWNSHIP 10 NORTH, RANGE 3 EAST, N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, COMPRISING OF A PORTION OF TRACT U SCHWARTZMAN PACKING COMPANY AS THE SAME IS DESIGNATED ON THE WARRANTY DEED THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON DECEMBER 2, 2015, AS DOCUMENT NUMBER 2015103991, AND SHOWN AND DESIGNATED ON THE PLAT THEREOF FILE IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON APRIL 17, 1961 IN BOOK D2, PAGE 133, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY NEW MEXICO STATE PLANE COORDINATE SYSTEM GRID BEARINGS (NAD 83-CENTRAL ZONE) AND GROUND DISTANCES (US SURVEY FEET) AS FOLLOWS:

BEGINNING AT THE SOUTHERNMOST CORNER OF DESCRIBED EASEMENT FROM WHENCE A TIE TO FOUND A.R.G.S. MONUMENT "7\_M14" BEARS S 67°23'46" W, A DISTANCE OF 1075.02 FEET;

THENCE FROM SAID POINT OF BEGINNING, N 13°09'41" W, A DISTANCE OF 84.39 FEET TO AN ANGLE POINT, MARKED BY A FOUND NO. 5 REBAR WITH YELLOW PLASTIC CAP "HUGG LS 9750";

THENCE N 03°03'39" E, A DISTANCE OF 322.83 FEET TO AN ANGLE POINT, MARKED BY A FOUND NO. 5 REBAR WITH YELLOW PLASTIC CAP "HUGG LS 9750";

THENCE N 09°12'27" E, A DISTANCE OF 581.30 FEET TO THE NORTHWEST CORNER OF DESCRIBED EASEMENT, LYING ON THE SOUTH RIGHT OF WAY LINE OF SUNPORT BOULEVARD, S.E.;

THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING AN ARC LENGTH OF 21.63 FEET, A RADIUS OF 2180.00 FEET, A DELTA ANGLE OF 00°34'07", A CHORD BEARING OF S 82°30'56" E, AND A CHORD LENGTH OF 21.63 FEET, TO THE NORTHEAST CORNER OF DESCRIBED EASEMENT;

THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE, S 09°08'37" W, A DISTANCE OF 502.29 FEET TO A POINT OF CURVATURE;

THENCE ALONG A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 161.85 FEET, A RADIUS OF 1470.00 FEET, A DELTA ANGLE OF 06°18'31", A CHORD BEARING OF S 05°59'22" W, AND A CHORD LENGTH OF 161.77 FEET, TO A POINT OF TANGENCY;

THENCE S 02°50'07" W, A DISTANCE OF 319.13 FEET TO THE POINT OF BEGINNING, CONTAINING 0.4845 ACRES (21,104 SQUARE FEET), MORE OR LESS.

-and-

A VARIABLE WIDTH ACCESS EASEMENT LYING AND SITUATE WITHIN SECTION 32, TOWNSHIP 10 NORTH, RANGE 3 EAST, N.M.P.M., BERNALILLO COUNTY, NEW MEXICO, COMPRISING OF A PORTION OF THE REMAINING PORTION OF TRACT U SCHWARTZMAN PACKING COMPANY 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 APRIL 17, 1961 IN BOOK D2, PAGE 133, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY NEW MEXICO STATE PLANE COORDINATE SYSTEM GRID BEARINGS (NAD 83-CENTRAL ZONE) AND GROUND DISTANCES (US SURVEY FEET) AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF DESCRIBED EASEMENT, LYING ON THE NORTH RIGHT OF WAY LINE OF A.T.&S.F. STOCK DRIVE FROM WHENCE A TIE TO FOUND A.R.G.S. MONUMENT "7\_M14" BEARS S 89°58'14" W, A DISTANCE OF 911.93 FEET;  
THENCE FROM SAID POINT OF BEGINNING, LEAVING SAID NORTH RIGHT OF WAY LINE N 02°50'07" E, A DISTANCE OF 735.33 FEET TO A POINT OF CURVATURE;  
THENCE ALONG A CURVE TO THE RIGHT, HAVING AN ARC LENGTH OF 168.46 FEET, A RADIUS OF 1530.00 FEET, A DELTA ANGLE OF 06°18'31", A CHORD BEARING OF N 05°59'22" E, AND A CHORD LENGTH OF 168.38 FEET, TO A POINT OF TANGENCY;  
THENCE N 09°08'37" E, A DISTANCE OF 500.02 FEET TO THE NORTHWEST CORNER OF DESCRIBED EASEMENT, LYING ON THE SOUTH RIGHT OF WAY LINE OF SUNPORT BOULEVARD, S.E.;  
THENCE ALONG SAID SOUTH RIGHT OF WAY LINE, ALONG A NON-TANGENT CURVE TO THE RIGHT, HAVING AN ARC LENGTH OF 38.41 FEET, A RADIUS OF 2180.00 FEET, A DELTA ANGLE OF 01°00'34", A CHORD BEARING OF S 83°18'17" E, AND A CHORD LENGTH OF 38.41 FEET THE NORTHEAST CORNER OF DESCRIBED EASEMENT;  
THENCE LEAVING SAID SOUTH RIGHT OF WAY LINE, S 09°12'27" W, A DISTANCE OF 581.30 FEET TO AN ANGLE POINT, MARKED BY A FOUND NO. 5 REBAR WITH YELLOW PLASTIC CAP "HUGG LS 9750";  
THENCE S 03°03'39" W, A DISTANCE OF 322.83 FEET TO AN ANGLE POINT, MARKED BY A FOUND NO. 5 REBAR WITH YELLOW PLASTIC CAP "HUGG LS 9750";  
THENCE S 13°09'41" E, A DISTANCE OF 84.39 FEET TO AN ANGLE POINT;  
THENCE S 02°50'07" W, A DISTANCE OF 413.61 FEET TO THE SOUTHEAST CORNER OF DESCRIBED EASEMENT, LYING ON THE NORTH RIGHT OF WAY LINE OF A.T.&S.F. STOCK DRIVE;  
THENCE N 89°37'57" W, A DISTANCE OF 60.06 FEET TO THE POINT OF BEGINNING, CONTAINING 1.4446 ACRES (62,925 SQUARE FEET), MORE OR LESS.