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PERMANENT EASEMENT

MCMAHON EQUITIES LTD.CO.

Grant of Permanent Easement, between a NM limited liability company ("Grantor"), whose address is POBox 30107, Albuquerque NM 87190, and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P. O. Box 1293, Albuquerque, New Mexico 87103.

Grantor grants to the City 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 Sanitary Sewer, Water and Storm Drain easement, 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 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 affects any Improvements or Encroachments made by the Grantor, the City will not be financially or otherwise responsible for rebuilding or repairing of 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 land for the benefit of the City and its successors and assigns until terminated.

WITNESS my hand and seal this 3 day of 3, 1999.

GRANTOR:

(Individual)

GRANTOR:

MCMAHON EQUITIES LTD.CO.

By James R. Achen
Its: Managing Member
(Corporation or Partnership)



done

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5196897
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83/22/1999 03:22P
Bk-9984 Pg-8828
Judy D. Woodward Bern. Co. ERSE R 13.68

CORPORATION

STATE OF NEW MEXICO)
) SS
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on Mar 3rd, 1999, by
James R. Achen Managing Member of
McMahon Equities Ltd. Co. a New Mexico corporation, on behalf of the
~~superior~~ LLC.

My Commission Expires: 1-25-2002

Anna G. Sawyer
Notary Public

PARTNERSHIP

STATE OF _____)
) SS
COUNTY OF _____)

This instrument was acknowledged before me on _____, 199__, by
_____, partner(s), on behalf of the partnership.

My Commission Expires: _____

Notary Public

INDIVIDUAL

STATE OF _____)
) SS
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 199__, by
_____, of _____.

My Commission Expires: _____

Notary Public

(EXHIBIT "A" ATTACHED)



Judy D. Woodward

Bern. Co. ERSE

R 13.00

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5188897
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03/22/1999 03:22P
81-9984 Pg-8828

DATE	11/2
CONTRACT	11/2
TIME	11/2

WESTSIDE BOULEVARD, NW
(104' R/W - 22E-34)

PARCEL 1
LANDS OF A.M.A.F.C.A.
NOT A P A R

NOT A PART.

PARCEL 28 (~Q~)
LANDS OF LINCOLN ROAD LTD
(12-14-84, BK 027A PG 848 &)
(1-24-85, BK 230A, PG 990)
(8.8J155 AC)

... PARCEL 2 ...
LANDS OF A.M.A.F.C.A.

OF A PARTY

PARCEL 3
LANDS OF A.M.A.F.C.A.
NOT A PART

PARCEL 30 ("U")
LANDS OF LINCOLN ROAD LTD

(5895'30"W 449.84)

TRACT 2A
LANDS OF SMITH
(12-14-64 BK 0327A PG 650)

TRACT 2A
LANDS OF SMITH
(12-14-64 BK 0327A PG 650)

STATE WORN "PROJECT" SECTION 1, 700, DEL. MAPA
TOWN OF ALABAMA WASH
HERRINGVILLE COUNTY, NEW MEXICO
FEBRUARY 1900

A BLANKET SAS, WATER & STORM DRAIN EASEMENT
COMPRISING OF TRACT 26, 28 & 29 AS SHOWN IN
THE BOUNDARY SURVEY PLAT RECORDED 2/5/99
BOOK:99S; PAGE 29

community
sciences
corporation

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5199887
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Bk-9904 Pg-8828

Judy O. Woodward Bern. Co. ERSE R 13.00