

EASEMENT

6/13/08/1
606981

THIS GRANT OF EASEMENT between THE CITY OF ALBUQUERQUE, a New Mexico municipal corporation ("Grantor"), and the CITY OF ALBUQUERQUE, a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, New Mexico, 87103.

1. **Grant of Easement.** The Grantor grants to the City an exclusive permanent public drainage easement for a ("Public Improvement") on, over, across and through the property described below and on attached Exhibit A (pages 1 and 2) ("Property"), together with the right of the City to operate, maintain, repair, replace and construct the Public Improvement and 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 the easement. The Property is described as follows:

A portion of Tract B-9E, Seven Bar Ranch recorded with the City of Albuquerque, Bernalillo County on December 21, 1989 in Volume C40, Folio 75.

2. **Binding on Grantor's Property.** The grant and other provisions of this Easement constitute covenants running with title to the Property for the benefit of the City and its successors and assigns until terminated.

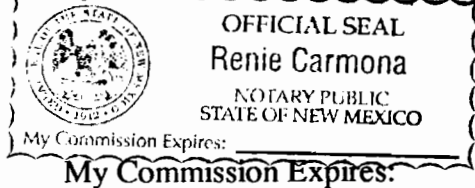
WITNESS my hand and seal this 4 Day of May

GRANTOR:

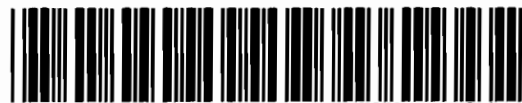
By: [Signature]

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

This instrument was acknowledged before me on May 4, 1999
by Lawrence Paul Chuy Admin on behalf of said corporation.



[Signature]
Notary Public



Judy D. Woodward Bern. Co. EASE R 11.00

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Page: 1 of 3
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EXHIBIT A

LEGAL DESCRIPTION

That certain parcel of land situate within the Town of Alameda Grant in projected Sections 5 and 6, Township 11 North, Range 3 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, said parcel being a portion of Tract B-9E, Seven Bar Ranch, as the same is shown and designated on the plat entitled "TRACTS B-9D THRU B-9K, SEVEN-BAR RANCH, (BEING A REPLAT OF TRACT B-9, SEVEN BAR RANCH), CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO", filed in the office of the County Clerk of Bernalillo County, New Mexico, on December 21, 1989, in Volume C40, Folio 75, and being more particularly described as a permanent public drainage easement as follows:

Beginning at the southeasterly corner, said point being the Point of Beginning of the permanent public drainage easement, said point being on the southerly line of said TRACT B-9E and also being on the northerly right-of-way line of Ellison Drive, NW, from whence a tie to Albuquerque Control Station Monument "NM 448-N12" bears S 69°38'55" E, 4,708.44 feet;

THENCE N 84°30'47" W, 572.06 feet to a point of tangent curvature;

THENCE 269.61 feet along a curve to the left, whose radius is 1,278.00 feet and whose chord bears S 89°26'57" W, through a central angle of 12°05'14" to a point of compound curvature;

THENCE 45.66 feet along a curve to the right, whose radius is 30.00 feet and whose chord bears N 53°00'11" W, through a central angle of 87°11'44" to a point of tangency, said point being on the westerly line of said TRACT B-9E and also being on the easterly right-of-way line of Cibola Loop;

THENCE N 09°24'19" W, 50.00 feet to a point;

THENCE N 12°16'04" W, 80.10 feet to a point;

THENCE N 09°24'19" W, 22.96 feet to a point;

THENCE leaving said easterly right-of-way N 80°35'41" E, 33.96 feet to a point;

THENCE S 83°54'26" E, 555.00 feet to a point;

THENCE S 11°55'12" E, 118.40 feet to a point;

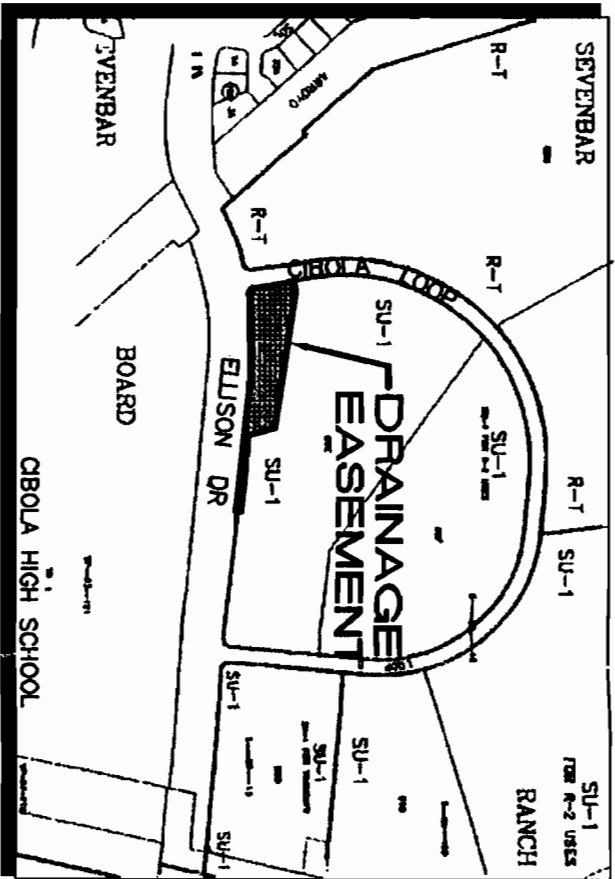
THENCE S 84°30'47" E, 294.92 feet to a point;

THENCE S 05°29'13" W, 30.00 feet to the Point of Beginning and containing 2.2511 acres more or less.

LINE TABLE		
LINE	LENGTH	BEARING
L1	30.00	S 05°28'13" W
L2	50.00	N 09°24'19" W
L3	80.10	N 12°16'04" W
L4	33.96	N 80°35'41" E
L5	22.96	N 08°24'19" W

CURVE TABLE					
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING
1	1278.00	269.61	135.31	268.11	S 89°26'57" W
2	30.00	45.66	28.57	41.38	N 53°00'11" W

SCALE:
1"=100'



TRACT B-9E
SEVEN BAR
RANCH

PROPOSED LIMITS
OF PERMANENT
PUBLIC DRAINAGE
EASEMENT

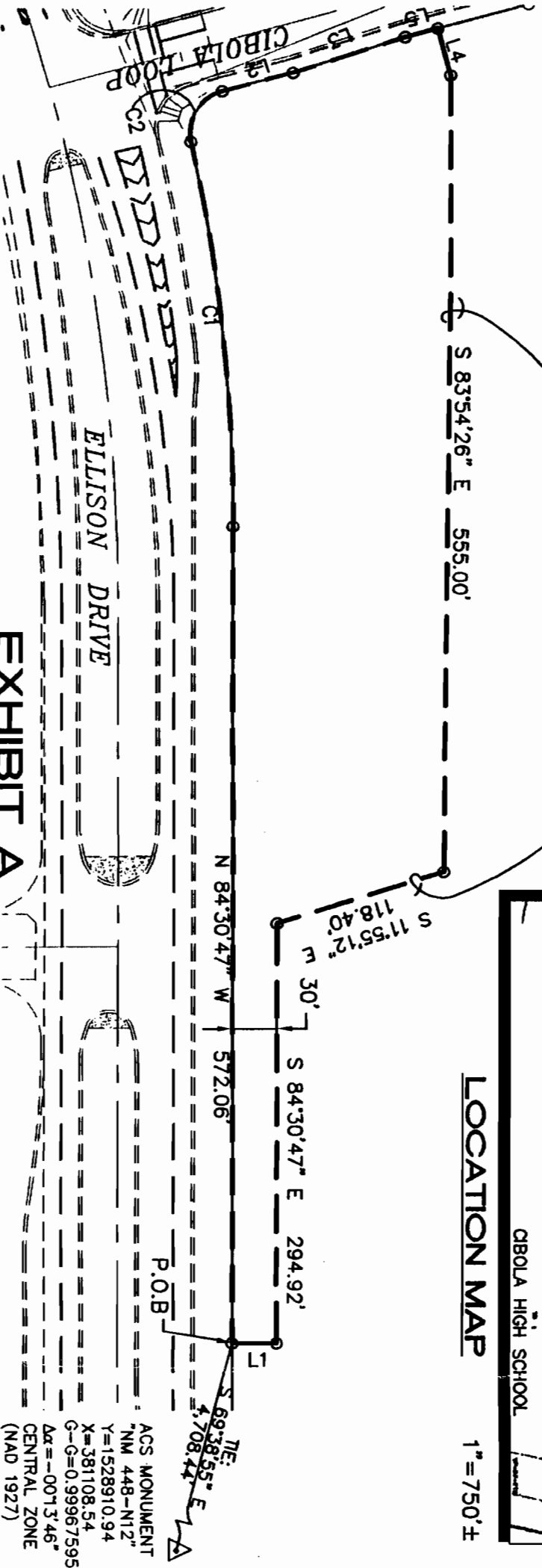
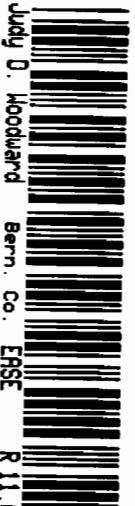


EXHIBIT A

ACS MONUMENT
NM 448-N12"
Y=1528910.94
X=381108.54
G-G=0.99967595
Δα=-00°13'46"
CENTRAL ZONE
(NAD 1927)



CITY OF ALBUQUERQUE
Albuquerque, New Mexico

Department of Family and Community Services

Albuquerque Development Services

Inter-Office Correspondence

November 5, 1998

TO: Larry Blair, Director, Public Works

FROM: Gerald Ortiz y Pino, Director

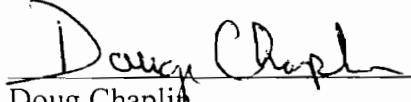
SUBJECT: Public Drainage Easement-Tract B-9E, Parcel J Seven Bar Ranch

Family Housing Development Corporation (FHDC), was recently selected to develop a mixed-income single family residential subdivision on tract B-9G (Parcel H). Special Assessment District 223 includes a drainage masterplan that requires the construction of detention ponds with the development of tracts of land in the Seven Bar Ranch area. FHDC is proposing to construct such a detention pond on our adjacent tract B-9E. This proposed detention pond will benefit the development of both tracts, and will require the granting of a public drainage easement on tract B-9E.

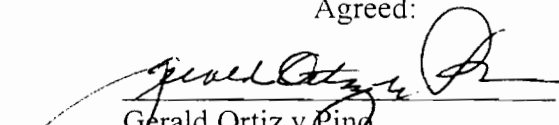
This department is in agreement with the granting of a permanent public drainage easement for the following purposes: to plan, construct and install a detention pond (the "Pond") for the purposes of capturing, detaining and discharging runoff water from Parcel J and Parcel H and certain public areas including the adjacent park and the roadways. The Pond shall be located and constructed substantially in accordance with the attached exhibit.

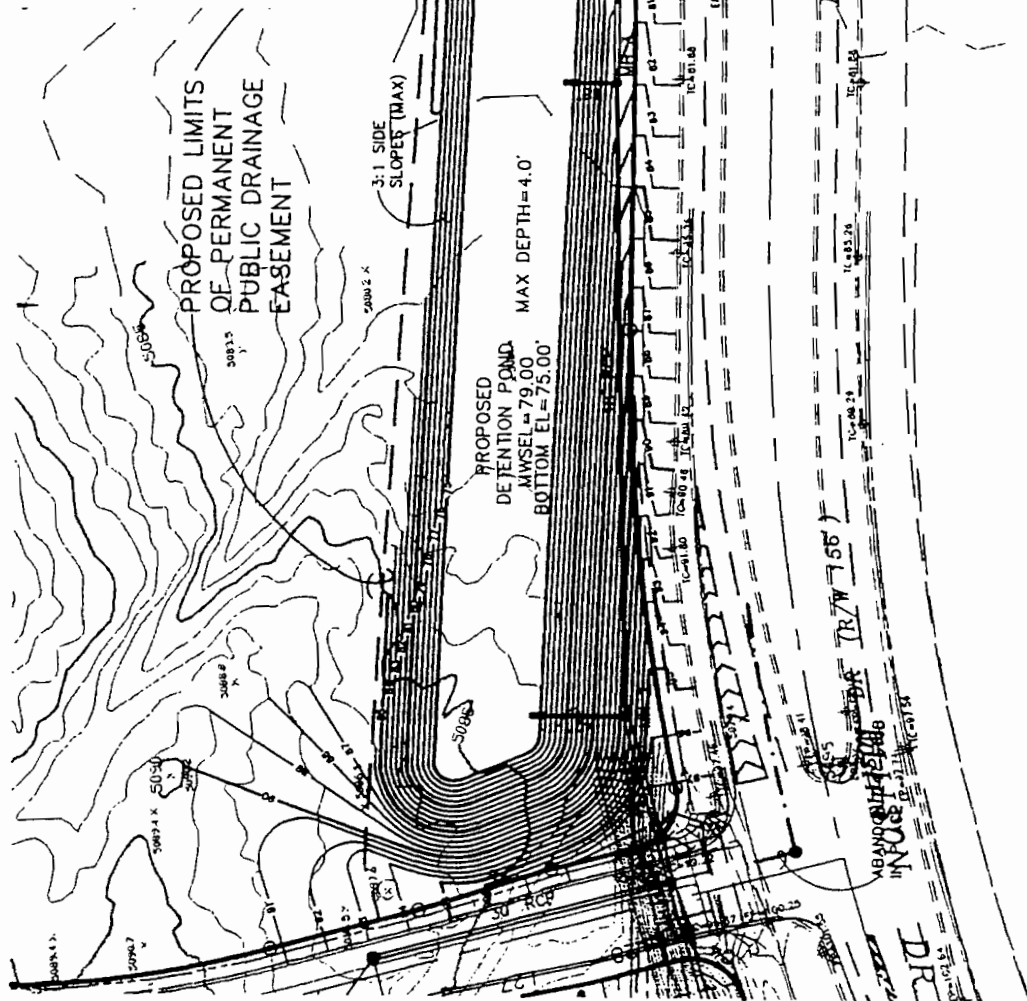
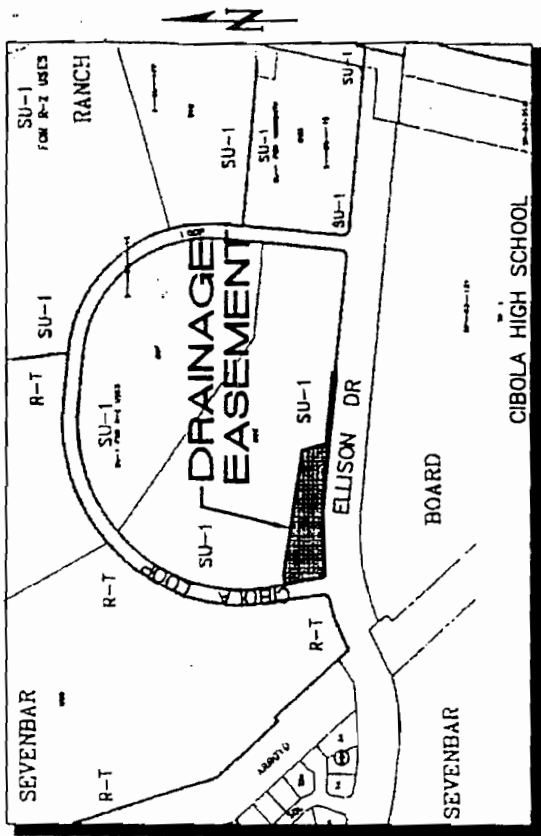
Should you have additional questions please contact Doug Chaplin at, 764-0037.

Recommended:


Doug Chaplin
Housing Development Coordinator

Agreed:


Gerald Ortiz y Pino
Director



SCALE:
1"=100'

EXHIBIT M