

PERMANENT EASEMENT

605981

Grant of Permanent Easement, between Las Ventanas Limited Partnership, a New Mexico limited partnership ("Grantor"), whose address is 10 Tramway Loop, NE, Albuquerque, NM 87122 and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is PO 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 Storm Drainage Facilities, 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 effects 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.

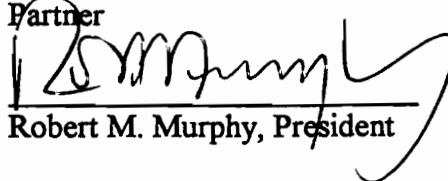
The grant and other provisions of this Easement constitute covenants running with the land for the benefit of the City and its successors and assigns until terminated.

Witness my hand and seal this 12th day of February, 1999.

GRANTOR:

LAS VENTANAS LIMITED PARTNERSHIP, a
New Mexico limited partnership

By: SANDIA PROPERTIES LTD., CO., a New
Mexico limited liability company, General
Partner

By: 
Robert M. Murphy, President



Judy D. Woodward

Bern. Co. EASE

R 13.00

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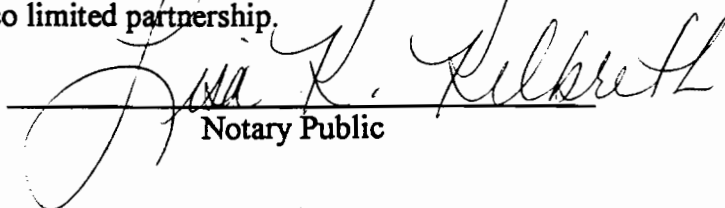
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PARTNERSHIP

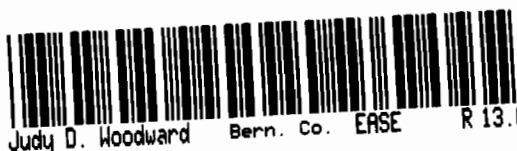
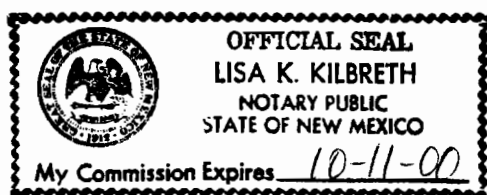
STATE OF NEW MEXICO)
)ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on the 12th day of February, 1999 by Robert M. Murphy, President, Sandia Properties Ltd., Co., General Partner on behalf of Las Ventanas Limited Partnership, a New Mexico limited partnership.

My commission expires:



Notary Public



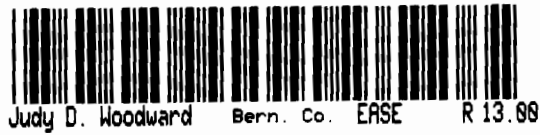
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EXHIBIT "A"



SCALE: 1" = 100'

T 11N. R2E N.M.P.M.
PROJECTED SECTION 8
PROJECTED SECTION 9



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03/26/1999 10
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TANGENT DATA		
No.	BEARING	DISTANCE
T1	N 00°20'43" E	30.00
T2	S 13°05'26" W	30.46
T3	S 00°20'42" W	0.29

TRACT 9C

PLAT OF TRACTS 9A-1,
9B & 9C
VENTANA RANCH
FILED: JANUARY 4, 1999
(99C-2)

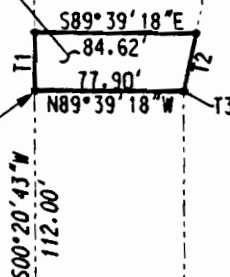
UNPLATTED LANDS

TRACT 9B

TRACT 9A-1

2437 Sq. Ft. or
0.0559 Ac.

POINT OF
BEGINNING



TRACT 8B

59 60 61 62 63 64

JOB NO. 993368309

Bohannon & Huston



Courtyard One 7500 JEFFERSON NE Albuquerque NEW MEXICO 87109

ENGINEERS PLANNERS PHOTOGRAMMETRISTS SURVEYORS LANDSCAPE ARCHITECTS

BRIAR RIDGE SUBDIVISION
AT VENTANA RANCH
FILED: MAY 21, 1998
(98C-145)

SHEET 1 OF 2

EXHIBIT "A"

DESCRIPTION

A certain tract of land situate within the Town of Alameda Grant, within projected Section 9, Township 11 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, Albuquerque, New Mexico, being Thirty (30) feet in width and being a southerly portion of Tract 9B of the PLAT OF TRACTS 9A-1, 9B & 9C, VENTANA RANCH, Albuquerque, New Mexico, as the same is shown and designated on the plat thereof, recorded in the office of the County Clerk of Bernalillo County, New Mexico on January 4, 1999 in Book 99C, Page 2 as Document No. 1999000227 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone NAD 1927) and ground distances as follows:

BEGINNING at the southwest corner of the tract herein described, a point on the Section line common to projected Sections 9 and 10, Township 11 North, Range 2 East, New Mexico Principal Meridian, also being a point on the westerly boundary line of said Tract 9B, whence the southwest corner of said Tract 9B bears $S00^{\circ}20'43''W$, a distance of 112.00 feet and from said point of beginning running thence along the westerly boundary line of said Tract 9B and also along said Section line,

$N00^{\circ}20'43''E$, a distance of 30.00 feet to the northwest corner of the tract herein described, thence leaving said westerly boundary line and said Section line and running thence along the northerly boundary line of the tract herein described,

$S89^{\circ}39'18''E$, a distance of 84.62 feet to the northeast corner of the tract herein described, a point on the easterly boundary line of said Tract 9B, thence running along the easterly boundary line of said Tract 9B,

$S13^{\circ}05'26''W$, a distance of 30.46 feet to a point; thence,

$S00^{\circ}20'42''W$, a distance of 0.29 feet to the southeast corner of the tract herein described, thence leaving said easterly boundary line and running thence along the southerly boundary line of the tract herein described,

$N89^{\circ}39'18''W$, a distance of 77.90 feet to the point and place of beginning.

Tract contains 2437 square feet or 0.0559 acre, more or less.

Bohannon Huston, Inc.
Courtyard I
7500 Jefferson Street NE
Albuquerque, NM 87109

A. Dwain Weaver

A. Dwain Weaver
N.M.P.S. No. 6544

FEB. 4, 1999

Date



JOB NO. 993368309

Bohannon & Huston



Courtyard One 7500 JEFFERSON NE Albuquerque NEW MEXICO 87109

ENGINEERS PLANNERS PHOTOGRAMMETRISTS SURVEYORS LANDSCAPE ARCHITECTS



Judy D. Woodward Bern. Co. ERSE R 13.00

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SHEET 2 OF 2

CONTRACT CONTROL FORM

PRELIMINARY REVIEW

Contact Person Terri Martin
Phone No. 924-3997

Project # 605981

CCN # 9901118

~~Not~~ Ext. # _____

Type of Agreement : PERMANENT EASEMENT

Description/Project: Ventana Ranch Tr 9A-1 + 9B

Public Works/Div.: Project Review Section

Developer: LAS VENTANAS LTD PARTNERSHIP

Contract Amount \$ 0

SIA Contract Period: 3/24/99 - Perm.

Contract Amount \$ _____

SW'S Contract Period: _____ - _____

Project Completed Date: _____

DRAFT CONTRACT:

Rec'd by Legal: _____ Rejected/Returned to Dept.: 3/18/99, KAL

Returned to Legal: 3-18-99 Approved: _____ Initials: _____

FINANCIAL GUARANTY:

Letter of Credit No.: _____ Date: _____ Attached: Yes___ No___ Initial___

Other: Type _____ Date: _____ Attached: Yes___ No___ Initial___

FINAL CONTRACT REVIEW

APPROVALS REQUIRED:

	Date Delivered	Returned to Dept.	Approved By	Approval Date:
Purchasing: <u>Hydro:</u>	<u>2-23-99</u>	<u>_____</u>	<u>SMC</u>	<u>3-15-99</u>
Asst. City Attorney:	<u>3-15-99 TBL</u>	<u>_____</u>	<u>KAL</u>	<u>3/24/99</u>
CIP:	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
City Attorney:	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
CAO:	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Other:	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
Council:	EC No.: _____	Approved: _____	Date: _____	

DISTRIBUTION:

	Date:	By:
User Department	<u>_____</u>	<u>_____</u>
Vendor	<u>_____</u>	<u>_____</u>
City Clerk	<u>5/26/99 TBL</u>	<u>LA</u>
Treasury	<u>_____</u>	<u>_____</u>
_____	<u>_____</u>	<u>_____</u>

ADDENDUM TO COVER PAGE

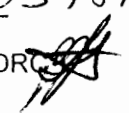
2-23-99

(Date)

TO: Kevin Curran, Assistant City Attorney, Legal Department

FROM: Project Administrator, Project Review Sec., PWD

SUBJECT: PROJECT TITLE: VENTANA RANCH TR. 9A-1 + 9B PROJECT # 605981

The attached documents have been review, approved, initialed and/or signed by Billy Goolsby, DRC Chairman and are submitted for your action as noted. 

ITEM

ACTION

Review & Approval

Reference

Procedure "A" _____
Procedure "B" _____
Procedure "B" Modified Non Work Order _____
Procedure "C" _____
Procedure "C" Modified _____
Special Agreement _____
Sidewalk Deferral Agreement _____
Amendment _____
Financial Guarantee _____
Construction Paperwork: _____
Contractors Proposal _____
Performance/Warranty Bonds _____
Labor/Material Bonds _____
Certificate of Insurance _____
Engineers Cost Estimate _____
Extension _____
Release/Agreement _____
Release/Financial Guarantee _____
Calling Notice _____
Letter of Commitment _____
Reduction Letter _____
License Agreement _____
Easement _____
Monitoring Well Permit _____
Agreement & Covenant _____
Drainage Covenant _____
Revocable Permit _____
Encroachment _____
Permanent Easement _____ ✓

Other:

1 _____
2 _____
3 _____

Please Call Terri at 924-3997 if you have any questions regarding the above or when the documents are ready to be picked up.

ATTACHMENTS (1)

