

✓ 1100

B910024

675481

TEMPORARY CONSTRUCTION EASEMENT

Grant of Temporary Construction Easement, between Mesa Verde Development Corp. ("Grantor"), whose address is PO Box 91417, Albuquerque, NM 87199 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 a temporary easement ("Easement") in, over, upon and across the real property described on Exhibit "A" attached hereto ("Property") for the purpose of using the Property to construct Temporary Drainage improvements upon real property adjoining or abutting the Property, together with the right to remove trees, bushes, undergrowth and any other obstacles if the City determines they interfere with the appropriate use of this Easement.

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 hereof and that Grantor will forever warrant and defend 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.

This Easement shall remain in effect until the permanent diversion of the El Camino is completed and operational, and accepted by AMAFCA.

Upon termination of this Easement and demand by Grantor, the City will execute and deliver to Grantor a release of this Easement.

This Easement shall not be effective unless approved by the City Engineer as shown in the signature block below.

WITNESS my hand and seal this 21 day of May, 2002.

APPROVED:

[Signature]
City Engineer

GRANTOR:

[Signature]

(Individual)

8/21/02
[Signature]

GRANTOR:

By: [Signature]
Its: V.P.
(Corporation or Partnership)

CORPORATION

STATE OF New Mexico }
COUNTY OF Bernalillo } ss

This instrument was acknowledged before me of May 21, 2002,
by John Clarke, Vice Pres.
of Mesa Verde Development Corp., a New Mexico corporation.



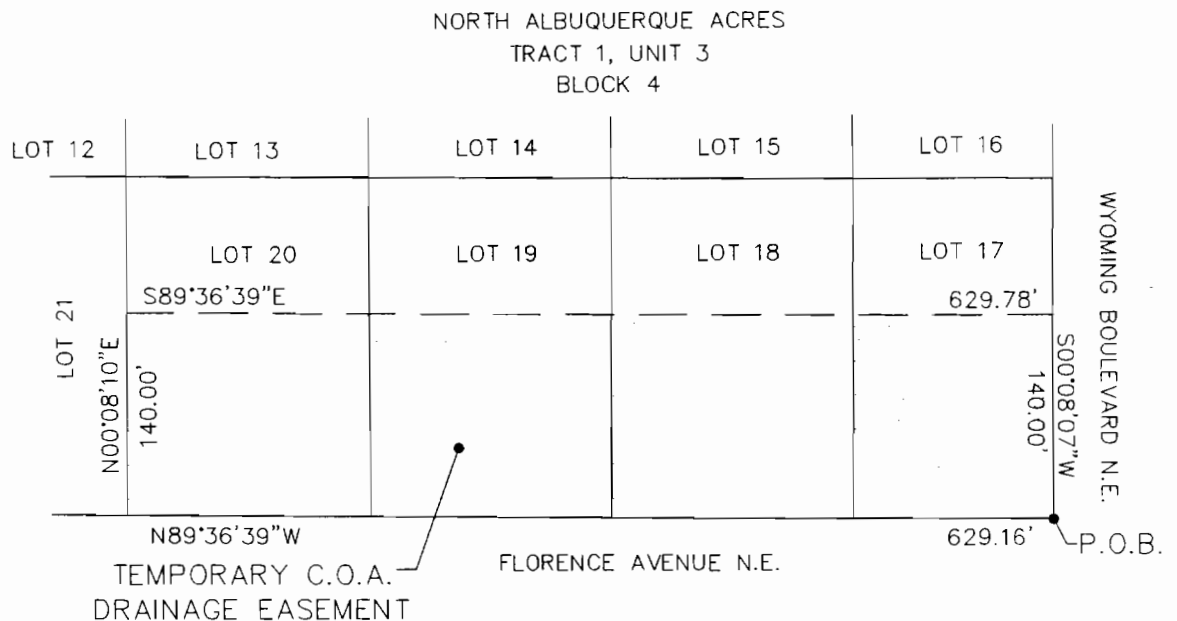
CINDY EDSON
NOTARY PUBLIC-STATE OF NEW MEXICO

My Commission Expires: 8/4/05

Cindy Edson
Notary Public

f:Wc
Mary Herrera
Bern. Co. ERSE
R 11.00
2002105416
5712569
Page: 1 of 2
08/21/2002 02:25P
Bk-A40 Pg-5110

"EXHIBIT FOR"
TEMPORARY C.O.A. DRAINAGE EASEMENT



DESCRIPTION

A Temporary City of Albuquerque Drainage Easement within the Elena Gallegos Grant, projected Section 7, Township 11 North, Range 4 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico being within LOTS 17 THRU 20, TRACT 1, UNIT 3, NORTH ALBUQUERQUE ACRES as the same is shown and designated on said plat filed for record in the office of the the County Clerk of Bernalillo County, New Mexico on September 10, 1931 in Volume D, Folio 121A and being more particularly described as follows:

BEGINNING at the southeast corner of the herein described Easement, said point being on the west right-of-way line of Wyoming Boulevard N.E. and further being on the north right-of-way line of Florence Avenue N.E. from whence the Albuquerque Control Survey Monument bears S 03°07'05" E, 1057.47 feet;

THENCE leaving said west right-of-way line N 89°36'39" W, 629.16 feet along said north right-of-way line to the southwest corner;

THENCE leaving said north right-of-way line N 00°08'10" E, 140.00 feet to the northwest corner;

THENCE S 89°36'39" E, 629.78 feet to the northeast corner, said point being on said west right-of-way line of Wyoming Boulevard N.E.;

THENCE S 00°08'07" W, 140.00 feet along said west right-of-way line to the point of beginning and containing 2.0221 acres more or less.



Mary Herrera

Bern. Co. EASE

R 11.00

2002105416
5712589
Page: 2 of 2
08/21/2002 02:25P
Bk-A40 Pg-5118

Trinity L. L.
05-22-02