

4662381

PERMANENT EASEMENT

4-19-01

BOARD OF EDUCATION OF THE

Grant of Permanent Easement, between CITY OF ALBUQUERQUE, N.M. ("Grantor"), whose address is 725 UNIVERSITY S.E. 87125 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 DRAINAGE 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 ("Improvements") within the Easement, the city has the right to enter upon Grantors 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 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 aor Encroachments.

Grantor covenants and warrants that Grantor is the owner if 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 fro 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.

WITNESS my hand and seal this 7th day of March, 2001.

APPROVED:

Mary Herrera
City Engineer

Dated

4-19-01

4-17-01
ef 4/14/01

GRANTOR:

Leonard J. Delayo, Jr.
(Individual)

GRANTOR: BOARD OF EDUCATION OF THE

CITY OF ALBUQUERQUE, NEW MEXICO

By: Leonard J. Delayo, Jr.

Its: President

~~(Corporate or Partnership)~~



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INDIVIDUAL

STATE OF New Mexico)ss
COUNTY OF Bernalillo

This instrument was acknowledged before me on 7th day of March, 2001, by Leonard J. DeLayo, Jr., President.

Nicki E. Marlow
Notary Public

My Commission Expires:

September 21, 2000

CORPORATION

STATE OF _____)
) ss
COUNTY OF _____)

This instrument was acknowledged before me on ____ day of _____, 20____, by _____,
Of _____, a _____ corporation, on behalf of the corporation.

Notary Public

My Commission Expires:

—

PARTNERSHIP

STATE OF _____)
)
COUNTY OF _____)

This instrument was acknowledged before me on ____ day of _____, 20____, by _____, partner(s), on behalf of _____, a partnership.

Notary Public

My Commission Expires:



Mary Herrera

Bern. Co. AGRE

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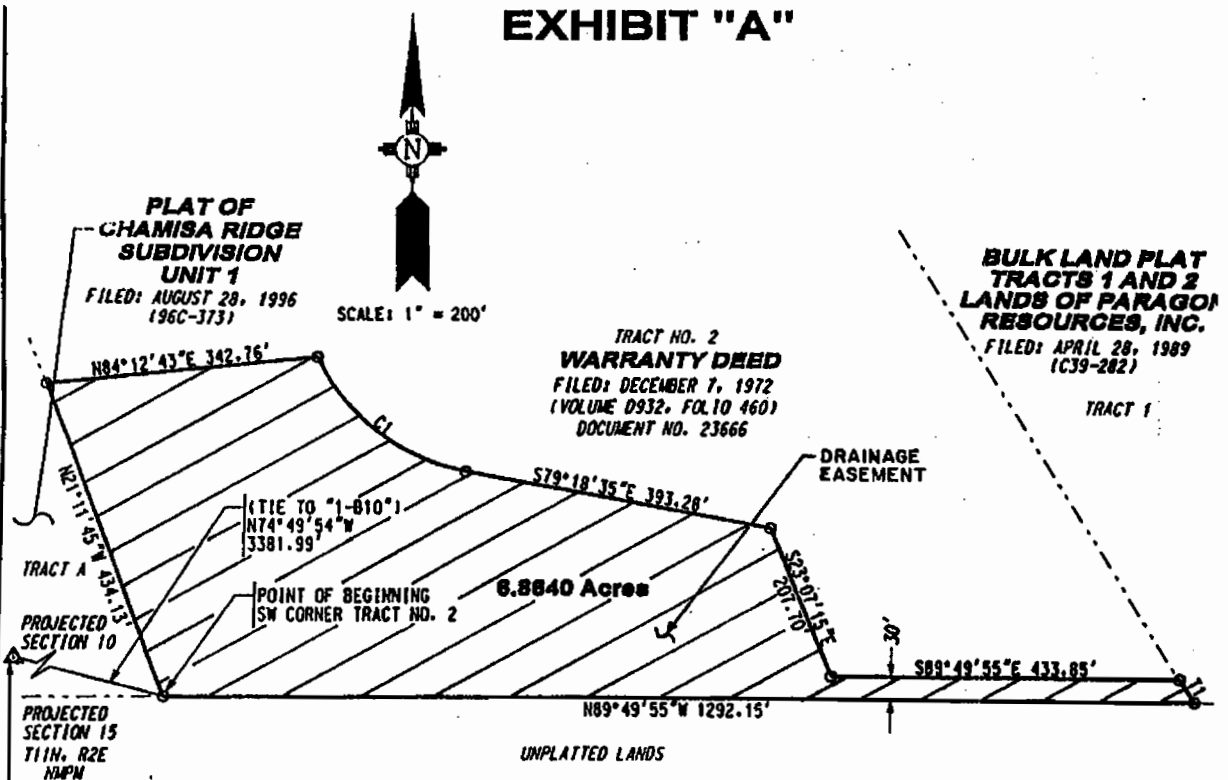
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(EXHIBIT "A" ATTACHED)

EXHIBIT "A"



| TANGENT DATA | | |
|--------------|---------------|----------|
| No. | BEARING | DISTANCE |
| T1 | S 31°28'38" E | 35.24 |

| CURVE DATA | | | | | |
|------------|-----------|---------|--------|--------|---------------|
| No. | DELTA | TANGENT | ARC | RADIUS | CHORD |
| C1 | 55°01'35" | 134.75 | 248.45 | 258.70 | 239.01 |
| | | | | | S 51°47'47" E |

ACS BRASS TABLET STAMPED "1-B10"
GEOGRAPHIC POSITION (NAD 1927)
NM STATE PLANE COORDINATES (CENTRAL ZONE)
X=357,526.69 Y=1,525,168.35
GROUND TO GRID FACTOR = 0.9996640
DELTA ALPHA = -00°16'30"
NGVD 1929 ELEVATION = 5419.522



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DESCRIPTION

A certain tract of land situate within the Town of Alameda Grant, within projected Section 10, Township 11 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico being a southwesterly portion of Tract No. 2, as the same is shown and designated on the Warranty Deed recorded in the office of the County Clerk of Bernalillo County, New Mexico on December 7, 1972 in Volume D932, Folio 460 as Document No. 23666 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 said Tract No. 2, a point on the Section line common to projected Sections 10 and 15, Township 11 North, Range 2 East, New Mexico Principal Meridian, whence the Albuquerque City Survey (ACS) monument "1-B10", a brass tablet set in concrete, having New Mexico State Plane Grid Coordinates Central Zone (NAD 1927) of X=357,526.69 and Y=1,525,168.35 bears N74°49'54"W, a distance of 3381.99 feet and from said point of beginning leaving said Section line and running thence along the westerly boundary line of said Tract No. 2, N21°11'45"W, a distance of 434.13 feet to the northwest corner of the tract herein described, thence running along the northerly boundary line of the tract herein described, N82°12'43"E, a distance of 342.76 feet to a point of curvature (non-tangent); thence, 248.45 feet along the arc of a curve to the left having a radius of 258.70 feet and a chord which bears S51°47'47"E, a distance of 239.01 feet to a point of tangency; thence, S79°18'35"E, a distance of 393.28 feet to a point; thence, S23°07'15"E, a distance of 207.70 feet to a point; thence, S89°49'55"E, a distance of 433.85 feet to a point on the easterly boundary line of said Tract No. 2, thence running along the easterly boundary line of said Tract No. 2, S31°28'38"E, a distance of 35.24 feet to the southeast corner of said Tract No. 2, a point on the Section line common to projected Sections 10 and 15, Township 11 North, Range 2 East, New Mexico Principal Meridian, thence running along the southerly boundary line of said Tract No. 2 and also along said Section line, N89°49'55"W, a distance of 1292.15 feet to the point and place of beginning.

Tract contains 6.8640 acres, more or less.



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

FEB. 1, 2001
DATE

Bohannon & Huston



Courtyard One 7500 JEFFERSON NE Albuquerque NEW MEXICO 87109