

PERMANENT EASEMENT

Grant of Permanent Easement, between Associated Home And RV Sales Inc. ("Grantor"), whose address is 12601 CENTRAL NE ALBUQUERQUE, NM 87123 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 sidewalk, 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 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 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 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 Property for the benefit of the City and its successors and assigns until terminated.

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

WITNESS my hand and seal this 19 day of December, 2007.

APPROVED:

[Signature]  
City Engineer

Date: 1-16-08

By 1/16/08

1-9-08

GRANTOR:

By: \_\_\_\_\_

(Individual)

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

GRANTOR:

By: [Signature]

(Corporation or Partnership)

Print Name: Michael T. Grier Sr.

Title: CEO / President

Date: 12/19/07



INDIVIDUAL'S NOTARY

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )ss

This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by \_\_\_\_\_.

(SEAL)

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

CORPORATION'S NOTARY

STATE OF New Mexico )  
COUNTY OF Bernalillo )ss

This instrument was acknowledged before me on 19 day of December,  
2007, by Michael T. Grier Sr., CEO/President  
of Associated Home and RV Sales Inc, a New Mexico  
corporation, on behalf of the corporation.

(SEAL)

My Commission Expires: \_\_\_\_\_

11-29-08

  
\_\_\_\_\_  
Notary Public

PARTNERSHIP'S NOTARY

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )ss

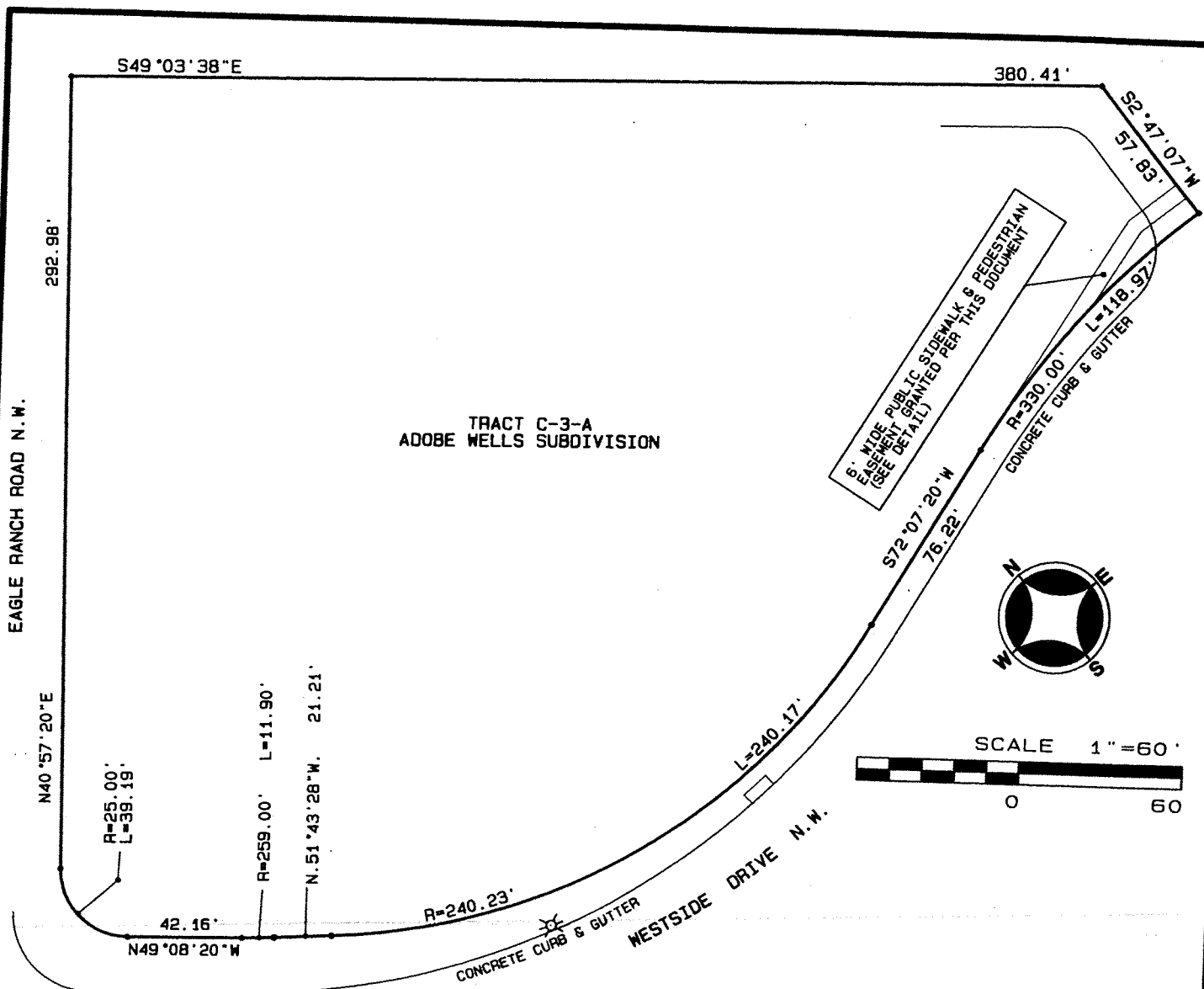
This instrument was acknowledged before me on \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_, by \_\_\_\_\_, partner(s), on behalf of  
\_\_\_\_\_, a partnership.

(SEAL)

My Commission Expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

(EXHIBIT "A" ATTACHED)



## EXHIBIT A

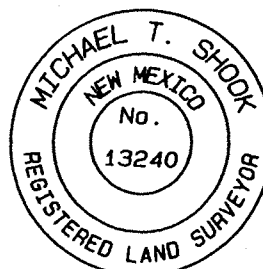
### PROPERTY DESCRIPTION

TRACT LETTERED AND NUMBERED C-THREE-A (C-3-A), OF THE PLAT OF ADOBE WELLS SUBDIVISION, AS THE SAME IS SHOWN AND DESIGNATED ON THAT CERTAIN PLAT ENTITLED "PLAT OF TRACT C-2-A AND C-3-A ADOBE WELLS SUBDIVISION ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO NOVEMBER 2006", AS FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON MARCH 14, 2007 IN PLAT BOOK 2007C, PAGE 64.

### SURVEYOR'S CERTIFICATE

I, MICHAEL T. SHOOK, NEW MEXICO PROFESSIONAL SURVEYOR NO. 13240, DO HEREBY CERTIFY THAT THIS EASEMENT EXHIBIT WAS PREPARED BY ME FROM RECORD AND/OR FIELD DATA.

*Michael T. Shook*  
 MICHAEL T. SHOOK  
 NMLS NO. 13240



*1-07-08*  
 DATE

A.M. SURVEYING CO.  
 612 Cerro de Ortega Drive S.E.  
 Rio Rancho, New Mexico 87124  
 Phone & FAX: (505) 896-1716

TRACT C-3-A  
ADOBE WELLS SUBDIVISION

6' WIDE PUBLIC SIDEWALK & PEDESTRIAN  
EASEMENT GRANTED PER THIS DOCUMENT  
(446.08 SQ FT)

S49°03'38"E

380.41'

SCALE 1"=20'



S2°47'07"W  
57.83'

EXISTING CURB & GUTTER

L1

27'

L4

E7

100.67'

32.07'

S73°03'48"W

C3

L=118.97'

EXHIBIT A - DETAIL

P.O.B. EASEMENT  
N73°03'48"E

R=330.00'

EXISTING CURB & GUTTER

C2

S72°07'20"W  
76.22'

LINE	BEARING	DISTANCE
L1	S87°19'11"E	21.68'
L2	S02°47'07"W	6.00'
L3	S02°47'07"W	7.02'
L4	N87°19'11"W	20.63'

CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	08°51'25"	330.00'	51.01'	S88°27'56"W	50.96'
C2	11°47'54"	330.00'	67.95'	S78°08'17"W	67.83'

A.M. SURVEYING CO.  
612 Cerro de Ortega Drive S.E.  
Rio Rancho, New Mexico 87124  
Phone & FAX: (505) 896-1716

**TRACT C-2-A**  
 AREA=5.0838 ACRES±  
 221,449 SQ. FT.±

A CROSS LOT DRAINAGE, AND ACCESS EASEMENT FOR  
 FOR THE BENEFIT OF TRACT C-2-A AND C-3-A, TO BE  
 MAINTAINED BY SAME, GRANTED BY THIS PLAT.

**TRACT C-3-A**  
 AREA=2.2889 ACRES±  
 99,703 SQ. FT.±  
 FORMER TRACT C-3

1" PUBLIC UTILITY EASEMENT  
 1987, C35-7)

FOUND REBAR WITH ORANGE  
 PLASTIC CAP "H Z CP"

ELLOW  
 '33"

**'ESTSIDE DRIVE N.W.**  
 (60' R.O.W.)

PUBLIC SIDEWALK EASEMENT  
 GRANTED BY THIS PLAT

FOUND REBAR WITH YELLOW  
 PLASTIC CAP "PS 6544"  
 TAG "PS 11224"

FOUND REBAR WITH YELLOW  
 PLASTIC CAP "PS 6544"

A.C.S. MONUMENT "BLACK 2"  
 STANDARD A.C.S. BRASS TABLET  
 (FOUND IN PLACE)  
 NEW MEXICO STATE PLANE COORDINATES  
 (CENTRAL ZONE-N.A.D. 1927)  
 X=372,920.43  
 Y=1,530,241.52  
 EL=5213.926 (NAVD 1929)  
 GROUND TO GRID FACTOR=0.9996784  
 DELTA ALPHA ANGLE=-0°14'43"

A.C.S. MONUMENT "NM448-N10"  
 STANDARD A.C.S. BRASS TABLET  
 (FOUND IN PLACE)  
 NEW MEXICO STATE PLANE COORDINATES  
 (CENTRAL ZONE-N.A.D. 1927)  
 X=377,788.84  
 Y=1,524,161.52  
 EL=5045.51 (NAVD 1929)  
 GROUND TO GRID FACTOR=0.99967583  
 DELTA ALPHA ANGLE=-0°14'09"

10' NEW MEXICO UTILITIES EASEMENT  
 GRANTED BY THIS PLAT

TRACT 2-A-1  
 KEN JOHNS  
 WESTSIDE  
 AUTO CENTER  
 (06/21/1988, C36-171)

FOUND REBAR WITH YELLOW  
 PLASTIC CAP "PS 10855"

PLASTIC CAP "PS 10855"  
 TAG "PS 11224"

## Line Table

LINE	BEARING
L1	N 51°43'28" W
L2	N 49°08'20" W
L3	N 74°56'49" W
L4	S 40°56'22" W
L5	S 49°03'38" E
L6	N 40°56'22" E
L7	S 74°56'49" E
L8	S 46°17'44" E
L9	S 02°47'07" W
L10	N 48°10'22" W
L11	N 41°49'38" E
L12	N 48°10'22" W
L13	S 40°57'20" W
L14	S 41°49'38" W
L15	N 40°57'20" E
L16	S 40°02'01" W
L17	N 40°56'32" E
L18	S 49°03'38" E
L19	N 77°25'33" E
L20	N 40°11'31" E
L21	S 49°48'29" E
L22	N 40°11'31" E

## Curve Table

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD L
C1	330.00'	158.03'	27°26'16"	80.56'	156.52'
C2	240.23'	240.16'	57°16'49"	131.20'	230.29'
C3	259.00'	11.90'	02°38'00"	5.95'	11.90'
C4	25.00'	39.19'	89°49'09"	24.92'	35.30'
C5	35.00'	39.16'	64°06'50"	21.92'	37.15'
C6	15.00'	16.78'	64°06'50"	9.39'	15.92'
C7	330.00'	39.07'	06°46'58"	19.56'	39.04'
C8	330.00'	118.96'	20°39'18"	60.13'	118.32'
C9	330.00'	18.91'	03°17'01"	9.46'	18.91'
C10	23.95'	8.23'	19°40'44"	4.15'	8.19'
C11	18.16'	7.67'	24°11'36"	3.89'	7.61'
C12	330.00'	9.05'	01°34'19"	4.53'	9.05'

**PRECISION**  
 SURVEYS, INC.