

PERMANENT EASEMENT

Grant of Permanent Easement, between The Trails, LLC ("Grantor"), whose address is 3077 East Warm Springs Road, Las Vegas, Nevada, 89120 and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, NM, 87103.

Subject to existing rights of record, 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 Public 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 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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

CITY OF ALBUQUERQUE:

By: [Signature]  
Richard Dourte City Engineer  
Date: 11-8-11

GRANTOR

By [signature]: \_\_\_\_\_

Date: \_\_\_\_\_ 11-4-11

GRANTOR: The Trails, LLC

By[signature]: [Signature]

Name [print]: Kelly Calhoun

Title: Vice President of Longford Group, Inc., its Manager

Date: August 11, 2011

Doc# 2011102117

11/08/2011 04:12 PM Page: 1 of 4  
EASE R: \$25.00 M. Toulouse Oliver, Bernalillo County



INDIVIDUAL'S NOTARY

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

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
by \_\_\_\_\_ (name of individual).

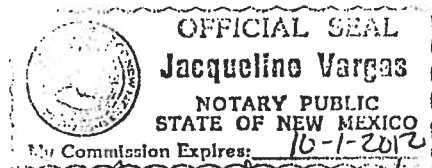
(SEAL)

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

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

CORPORATION'S NOTARY

STATE OF New Mexico )  
 )ss  
COUNTY OF Bernalillo )



This instrument was acknowledged before me on 11 day of August, 2011,  
by Kelly Calhoun (name), Vice President (title)  
of Longford Group Inc., manager of The Trails, LLC (entity), a Nevada Corporation  
(i.e. a New Mexico) corporation, on behalf of the corporation.

(SEAL)

My Commission Expires: 10-1-12

Jacqueline Vargas  
Notary Public

PARTNERSHIP'S NOTARY

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

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

(SEAL)

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

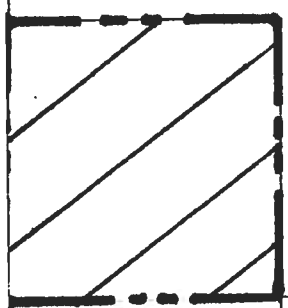
\_\_\_\_\_  
Notary Public

(EXHIBIT "A" ATTACHED)

## **EXHIBIT A**

### **LEGAL DESCRIPTION**

A blanket easement on and over Tracts 2, 3 and 4 of The Trails, Unit 4, as the same as is shown on the plat entitled "Bulk Land Plat of The Trails Unit 4 (being a re-plat of un-platted deed parcels) within the town of Alameda Grant in the projected Section 15, Township 11 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico", which was recorded in the office of the Bernalillo County Clerk on December 28, 2007, Doc. #2007173084, pages 1 thru 4, as shown on sheet 2 of this exhibit.



PUBLIC DRAINAGE  
EASEMENT

