

Deed File No. _____
RETURN TO
MCCLELLAN, INC. A T. & S. F. RY. CO., TOPEKA

86039

397

EASEMENT

LOOP DEVELOPMENT COMPANY, INC., a New Mexico corporation, ASSOCIATED INVESTORS, a partnership, and FIRST NATIONAL BANK IN ALBUQUERQUE, Title Agent, parties of the first part, for and in consideration of the sum of One Dollar (\$1.00), the receipt of which is heroby acknowledged, do hereby give, grant and convey unto THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, a Delaware corporation, party of the second part, its successors and assigns, easements and rights of way for the construction, maintenance and operation of a railroad track, and drainage structures (hereinafter called "improvements") through, along, upon and across the property of the parties of the first part in Bernalillo County, State of New Mexico, described as follows, to-wit:

A strip of land 14 feet in width, lying in the Southwest Quarter (SW¹/₄) of Section 14, Township 11 North, Range 1 East of the New Mexico Principal Meridian, the same lying and being 17 feet on each side of the following described centerline of Railroad Lead Track, commencing at the Southwest corner of said Southwest quarter of Section 14; thence North 0°17' East along the west line of said Section 14 a distance of 112 feet to a point on the north line of Los Angeles Road N.E. ~~The same line also being the south~~

904
(112)

~~property line of Loop Development Company, Inc.~~ J-6-A
KLB
 thence South $89^{\circ}43'$ East along said north line
 of Los Angeles Road N.E. a distance of 1033.07
 feet to the intersection of said centerline of
 track, said point also being the Point of Begin-
 ning of required easement; thence Northeasterly
 along a curve to the left having a radius of
 601.41 feet an arc distance of 160.45 feet to
 end of curve; thence North $44^{\circ}50'20''$ East along
 a line tangent to last described course a dis-
 tance of 567.11 feet to a point of curve; thence
 Northeasterly along a curve to the left having
 a radius of 603.81 feet an arc distance of 200.23
 feet to end of curve; thence North $25^{\circ}50'20''$ East
 along a line tangent to last described course a
 distance of 298.46 feet to a Point on the North
 property line of said Loop Development Company,
 Inc.; containing an area of 41692.50 square feet
 or (0.96 of an acre) of land, more or less, and
 as is shown in red color on Exhibit "A" dated
 June 15, 1967, attached hereto and made a part
 hereof.

TOGETHER with the right of ingress and egress over,
 upon, across and through the lands of the parties of the
 first part for the purpose of constructing and maintaining
 said Improvements.

SUBJECT to an existing easement dated January 6,
 1966 granted to the Albuquerque Metropolitan Arroyo Flood
 Control Authority by Associated Investors, a partnership,
 for the construction and maintenance of a drainage channel.

TO HAVE AND TO HOLD the said right and easement for

the uses and purposes aforesaid unto the said party of the second part, its successors and assigns for so long as above described land shall be used for the above mentioned purpose.

Excepting and reserving unto the parties of the first part their successors or assigns, the right from time to time, to construct, operate, maintain, renew and relocate upon, over or under the surface of the above described land such roadway crossings, pipe lines, wire lines, drainage structures or other facilities as will not unreasonably interfere with the use of said land by said party of the second part as herein provided.

Each and every covenant of this agreement shall run with the land, shall be binding upon the successors and assigns of the parties of the first part to the same extent and with like effect as they are binding upon the parties of the first part and shall inure to the benefit of the successors and assigns of the party of the second part.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed on the 12 day of May, 1970.

LOOP DEVELOPMENT COMPANY, INC.

By Jack M. Clifford
 its President
 Jack M. Clifford

ATTEST:

Jasper L. Hawley
 Secretary
 Jasper L. Hawley

ASSOCIATED INVESTORS, a partnership

By Jackson B. Akin
 Jackson B. Akin Partner

FIRST NATIONAL BANK IN ALBUQUERQUE

By Kenneth A. Krahn
 Vice President and Trust Officer
 Kenneth A. Krahn

STATE OF New Mexico

COUNTY OF Santa Fe

The foregoing instrument was acknowledged before me this 22 day of May, 1970, by Jack M. Clifford, President of LOOP DEVELOPMENT COMPANY, INC., a New Mexico corporation, on behalf of said corporation.

Charlotte M. Hutchman
 NOTARY PUBLIC
 Charlotte M. Hutchman

My Commission expires:

1/31/72

STATE OF California)
COUNTY OF San Diego) ss.

The foregoing instrument was acknowledged before me this 2nd day of July, 1970, by John J. ... Partner on behalf of ASSOCIATED INVESTORS, a partnership.

Charles E. ...
NOTARY PUBLIC

My commission expires: Charlotte E. ...

State of New Mexico) ss.
County of Bernalillo)

This instrument was filed for record on

JUL 29 1970

at 10:00 a.m. Recorded at Vol. ...
of records of said County of Bernalillo
by ... Clerk & Recorder
County Clerk

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

The foregoing instrument was acknowledged before me this 2nd day of July, 1970, by ... Vice President and Trust Officer of ALFRED ... a corporation organized under the laws of the United States, on behalf of said corporation.

...
NOTARY PUBLIC

My commission expires:

...

RECORDED
INDEXED
FILED
JUL 29 1970
COUNTY CLERK

APPROVED AS TO FORM
...
COUNTY CLERK

Size Section 14
T.1111-2.3.3

PLANNED INDUSTRIAL SITE
AT 100' LEAD TRACK
EASTERN
WITH
LOW DEVELOPMENT CORNER
SOUTH
June 15, 1967

102

