

F.l.r

LLAVE CONSTRUCTION, INC.
P.O. BOX 93642
ALBUQUERQUE, NM 87199
OFFICE: (505) 856-4076
FAX: (505) 858-1702
MOBILE: (505) 249-1502

Ms. Lynn Mazar
c/o AMAFCA
2600 Prospect Ave. NE
Albuquerque, NM 87107
Phone: (505) 884-2215

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(3 pages including cover)

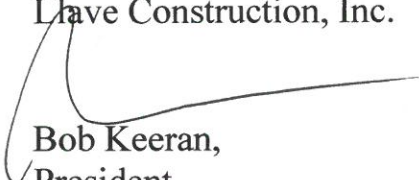
Re: Daskalos Parcel along proposed La Cueva Channel

Dear Lynn:

Enclosed please find a copy of the Temporary Public Drainage Easement executed by Pete and Soula Daskalos for your records. Are there any other documents that you need to place us on the agenda in February?

If you have any questions, please don't hesitate to call me @ 249-1502.

Sincerely,
Llave Construction, Inc.



Bob Keeran,
President

Cc: David Soule, Rio Grande Engineering
Brad Bingham, City of Albuquerque

TEMPORARY PUBLIC DRAINAGE EASEMENT

THIS GRANT OF TEMPORARY EASEMENT, by and between Pete Daskalos ^{*d Sgals*} ~~Individual~~ ^{*and Sgals*} ("Grantor"), whose address is 5321 Menaul NE, Albuquerque, New Mexico, 87110, and the City of Albuquerque, a New Mexico Municipal Corporation ("City"), whose address is P.O. Box 1293, Albuquerque, New Mexico 87103.

1. Grant of Temporary Public Drainage Easement. The Grantor grants to the City an exclusive, temporary public drainage easement (“Easement”), for **THE LA CUEVA ARROYO** (“Public Improvement”), on, over, across, and through the property described below (“Property”), together with the right of the City to operate, maintain, repair, replace and construct the Public Improvement and 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. The Property described as follows:

**LOT 3, BLOCK 2, NORTH ALBUQUERQUE ACRES, TRACT 3, UNIT 3
SEE ATTACHED EXHIBIT "A"**

2. Warranties. Grantor covenants and warrants that it is the owner in fee simple of the Property and that it 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.

3. Binding on Grantor's Property. The grant and other provisions of this Easement constitute covenants running with title to the Property for the benefit of the City and its successors and assigns until terminated.

4. Temporary. This easement will be released by the City when the City Engineer determines that the Easement is no longer required.

WITNESS my hand and seal this 13th day of JANUARY 2005

GRANTOR: Pete & Soula Dascales

BY: Joseph G. Lusk

STATE OF NEW MEXICO)

COUNTY OF Sebastian) ss.

The foregoing instrument was acknowledged before me this 13th day of January, or by Pete mo Souza Dos Santos, its n/a, on behalf of n/a.

My commission expires: 9-19-2009

Notary Public

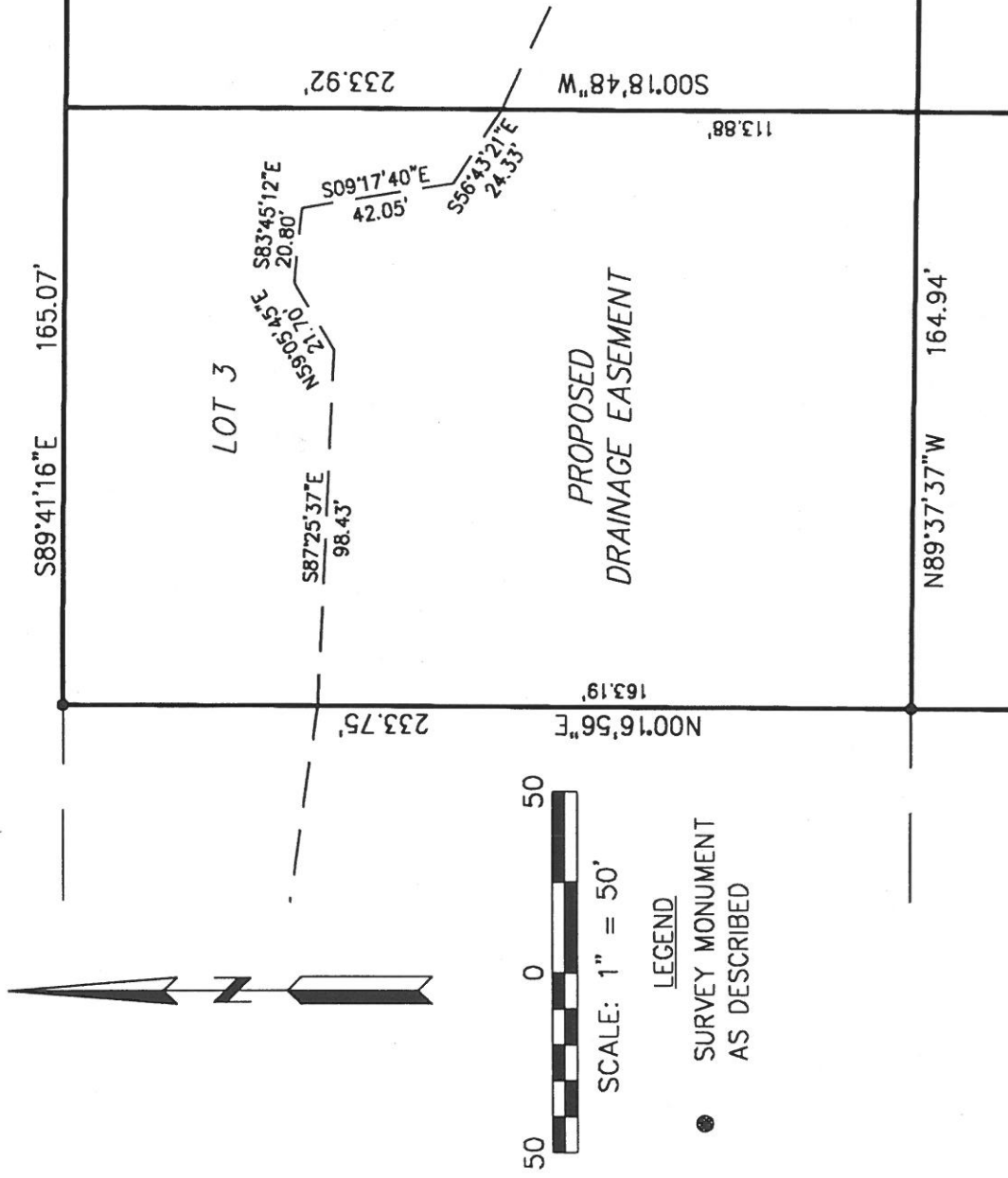


x all

EXHIBIT "A"
TEMPORARY DRAINAGE EASEMENT
LOT 3, BLOCK 2
UNIT 3, TRACT 3
NORTH ALBUQUERQUE ACRES
ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO
JUNE 2004

LEGAL DESCRIPTION: LOT NUMBER THREE (3) OF BLOCK NUMBER TWO (2) OF UNIT THREE (3) OF TRACT THREE (3) OF NORTH ALBUQUERQUE ACRES, AS SHOWN AND DESIGNATED ON THE PLAT FILED SEPTEMBER 9, 1931, IN VOLUME D, FOLIO 121 OF THE RECORDS OF BERNALILLO COUNTY, NEW MEXICO.

EAGLE ROCK AVE, NE
60' R/W



SURVEYOR'S CERTIFICATION

I, PHILIP W. TURNER, A LAND SURVEYOR LICENSED IN ACCORDANCE WITH THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS EASEMENT EXHIBIT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION, FROM THE RETURNS OF AN ACTUAL SURVEY PERFORMED ON THE GROUND ON OCTOBER 7, 2003, THAT I AM RESPONSIBLE FOR THIS SURVEY, THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT IT SATISFIES THE MINIMUM STANDARDS FOR SURVEYS AS DETERMINED BY THE NEW MEXICO BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS. THIS SURVEY IS NOT A SUBDIVISION NOR A LAND DIVISION AS DEFINED BY THE NEW MEXICO SUBDIVISION STATUTE.

Philip W. Turner
PHILIP W. TURNER

6-29-04
DATE

N.M.P.S. 10204



PREPARED BY:
TERRAMETRICS OF NEW MEXICO
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