

D10D003A

PERMANENT EASEMENT

693391

#18

Grant of Permanent Easement, between Metro Real Estate, LLC., a limited liability company, ("Grantor"), whose address is 8860 Desert Finch Lane., Albuquerque, NM 87122, and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, New Mexico, 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, 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 or encroachments.

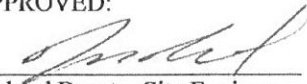
Grantor covenants and warrants that Grantor is the owner in fee simple of the Property, that Grantor has a good lawful right to convey the Property or any part thereof and that Grantor will forever warrant and defend the title to the Property against all claims from all persons or entities.

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.

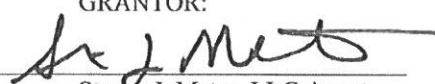
WITNESS my hand and seal this _____ day of _____, 2012.

APPROVED:

for 
Richard Dourte, City Engineer

Jan 4, 2013
Date

GRANTOR:


Steven J. Metro, LLC Agent

STATE OF NEW MEXICO

COUNTY OF BERNALILLO

This instrument was acknowledged before me on 02 day of November, 2012, by Steven J. Metro, LLC Agent.


Notary Public

My Commission Expires:

2-24-13

Doc# 2013001868

01/07/2013 12:41 PM Page: 1 of 3
EASE R:\$25.00 M. Toulouse Oliver, Bernalillo County



PUBLIC DRAINAGE EASEMENT
(EXHIBIT 'A' ATTACHED)

EXHIBIT "A"

LEGAL DESCRIPTION
PUBLIC DRAINAGE EASEMENT

A tract of land being designated as a "Public Drainage Easement" and being part of **LOT 8, BLOCK 9, UNIT 18 VOLCANO CLIFFS SUBDIVISION**, a plat of the same filed in the Office of the Bernalillo County Clerk on **JANUARY 19, 1971** at **Book D04, Page 106**, being more particularly described as follows:

BEGINNING at the Northeastern corner of the easement herein described, said point being a point on the Southwesterly right of way line of Papagayo Road NW and said point being the Northwestern corner of a 15' Public Waterline Easement; thence along said Southwesterly right of way line of Papagayo Road NW,

N.67°13'54"E. a distance of 20.00 feet; thence

S.22°46'20"E a distance of 145.00 feet; thence

S.67°13'54"W. a distance of 45.00 feet; thence

39.27 feet along the arc of a non-tangent curve to the left that has a Radius of 25.00 feet, a Central Angle of 90°00'00" and a Chord bearing of N.22°13'40"E.; thence

N.22°46'20"W a distance of 120.00 feet to the Point or Place of Beginning;

Said tract contains 3034 Square Feet or 0.0697 Acres, more or less.

SEE ATTACHED EXHIBIT A SHEET 2 OF 2

Surveyor's Certification

I, Steven J. Metro, New Mexico Professional Surveyor No. 10025, do hereby certify that this Legal Description and Exhibit were prepared by me or under my supervision, meets the minimum requirements for surveys in New Mexico, and is true and accurate to the best of my knowledge and belief.


Steven J. Metro, N.M.P.S. No. 10025

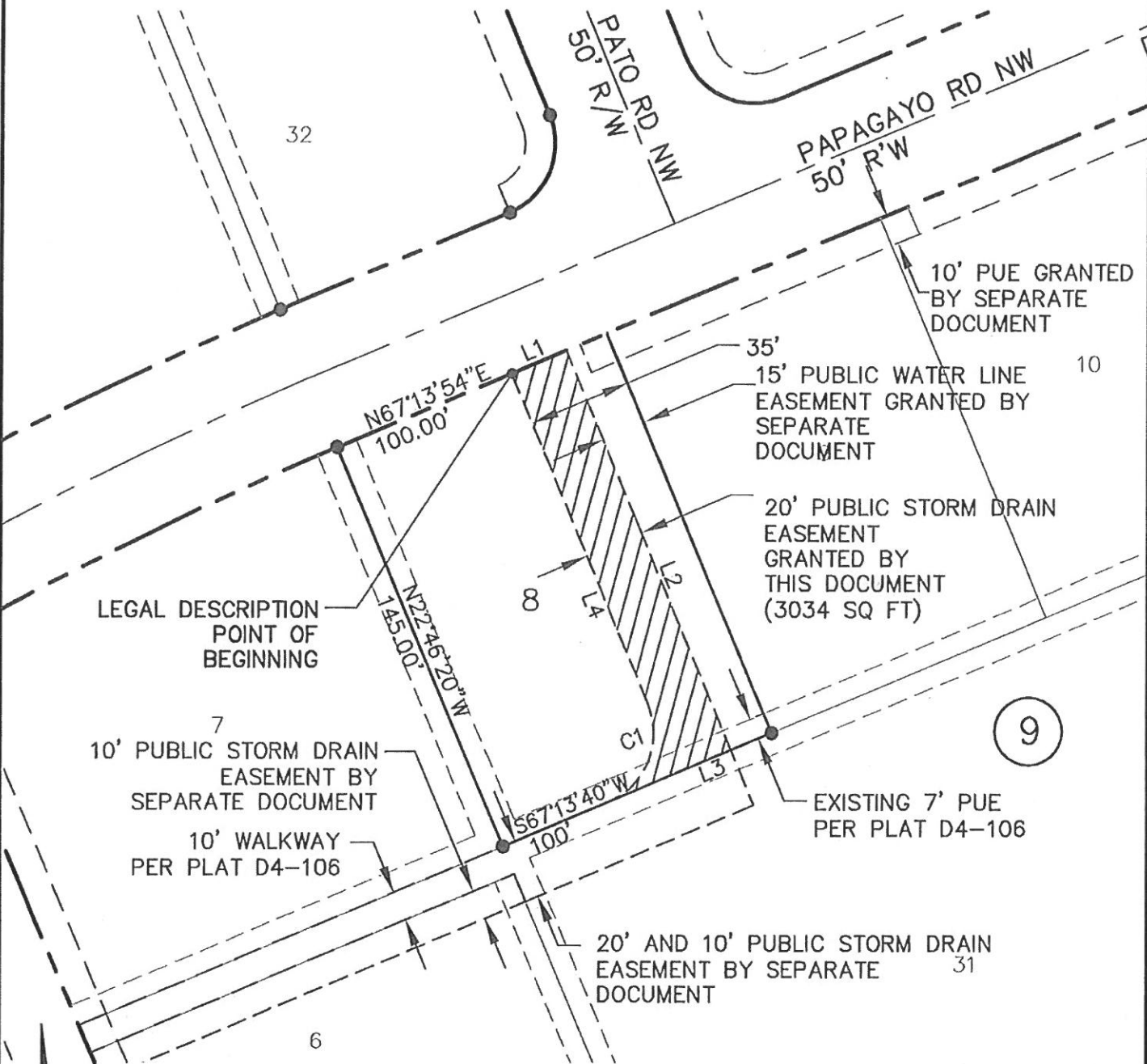
11-2-12

Date



**PUBLIC STORM DRAIN EASEMENT
SITUATE WITHIN LOT 8, BLOCK 9
VOLCANO CLIFFS SUBDIVISION
UNIT 18**

M:\RR\08-400-104-00\DOCS\EASEMENTS\SD_SAS\8104BSE_ESMT_SD_SAS.dwg 11/01/2012 12:24:00 PM MDT



LINE TABLE		
LINE	LENGTH	BEARING
L1	20.00	N67°13'54"E
L2	145.00	S22°46'20"E
L3	45.00	S67°13'40"W
L4	120.00	N22°46'20"W

CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD
C1	39.27'	25.00'	S22°13'40"W	35.36'

LEGEND

- FOUND REBAR

NOTE:

1. BEARINGS ARE NEW MEXICO STATE PLANE GRID BEARINGS
2. ALL DISTANCES ARE GROUND DISTANCES

EXHIBIT "A"
SHEET 2 OF 2
WILSON & COMPANY

ITEM #117

SCALE:
1 inch = 50 ft.