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682281

PERMANENT EASEMENT

3/19/2002

Grant of Permanent Easement, between **VISTA DEL NORTE DEVELOPMENT, LLC**, a New Mexico limited liability company, whose address is c/o P.O. Box 3671, Alb., NM, 87103 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 SANITARY SEWER, 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 aor Encroachments.

Grantor covenants and warrants that Grantor is the owner if 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 fro 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.

WITNESS my hand and seal this 13th day of March, 2002.

APPROVED:

[Signature]
City Engineer

3-19-02
Dated

GRANTOR:

[Signature]
3/19/02

(Individual)

GRANTOR: **VISTA DEL NORTE DEVELOPMENT, L.L.C.**
A New Mexico limited liability company

By: *[Signature]*
Its: **John A. Myers, Assistant Manager Pro Tem**
(Corporation or Partnership)

[Handwritten] 3/18/02

INDIVIDUAL

STATE OF _____)
COUNTY OF _____)ss

This instrument was acknowledged before me on _____ day of _____, 20____, by

Notary Public

My Commission Expires:

CORPORATION

STATE OF NEW MEXICO
COUNTY OF BERNALILLO

This instrument was acknowledged before me on 13th day of March, 2002, by
John A. Myers, Assistant Manager Pro Tem
Of Vista del Norte Development, L.L.C., ~~corporation, on behalf of the corporation~~
a New Mexico limited liability company

Karen Lee Hoffman
Notary Public

My Commission Expires:

11-18-2005

PARTNERSHIP

STATE OF _____)
COUNTY OF _____)

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

Notary Public

My Commission Expires:

(EXHIBIT "A" ATTACHED)

-2-



Mary Herrera

Bern. Co. EASE

R 13.00

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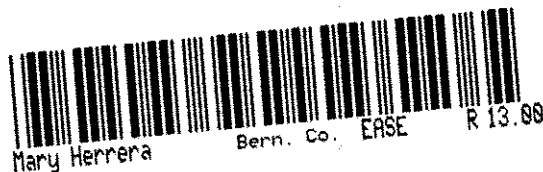
Bk-A33 Pg-6139

EXHIBIT "A"



SCALE: 1" = 100'

TRACT T-2-A-1
VISTA DEL NORTE
FILED: JUNE 19, 2001
(2001C-171)



Mary Herrera

Bern. Co. ERSE

R 13.00

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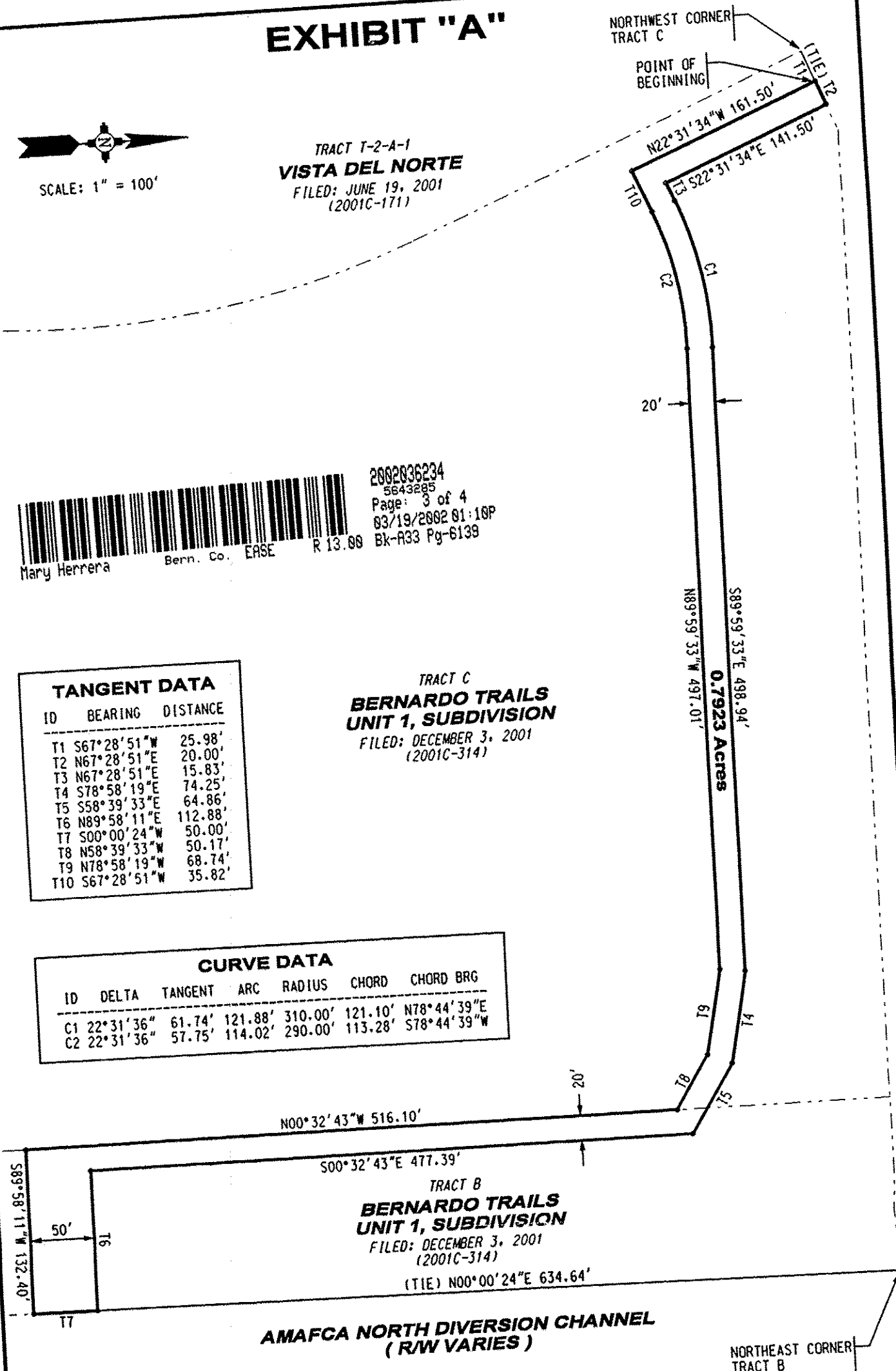
TANGENT DATA

ID	BEARING	DISTANCE
T1	S67°28'51"W	25.98'
T2	N67°28'51"E	20.00'
T3	N67°28'51"E	15.83'
T4	S78°58'19"E	74.25'
T5	S58°39'33"E	64.86'
T6	N89°58'11"E	112.88'
T7	S00°00'24"W	50.00'
T8	N58°39'33"W	50.17'
T9	N78°58'19"W	68.74'
T10	S67°28'51"W	35.82'

TRACT C
**BERNARDO TRAILS
UNIT 1, SUBDIVISION**
FILED: DECEMBER 3, 2001
(2001C-314)

CURVE DATA

ID	DELTA	TANGENT	ARC	RADIUS	CHORD	CHORD BRG
C1	22°31'36"	61.74'	121.88'	310.00'	121.10'	N78°44'39"E
C2	22°31'36"	57.75'	114.02'	290.00'	113.28'	S78°44'39"W



Bohannon & Huston



Courtyard One
7500 JEFFERSON NE
Albuquerque
NEW MEXICO 87109

ENGINEERS PLANNERS PHOTOGRAMMETRISTS
SURVEYORS SOFTWARE DEVELOPERS

EXHIBIT "A"

DESCRIPTION

A certain tract of land situate within the Elena Gallégo Grant, within the East one-half (E1/2) of projected Section 22, Township 11 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, Albuquerque, New Mexico, being and comprising a northerly portion of Tracts A and B of the PLAT FOR BERNARDO TRAILS UNIT 1 SUBDIVISION, Albuquerque, New Mexico as the same is shown and designated on the plat thereof, recorded in the office of the County Clerk of Bernalillo County, New Mexico on December 3, 2001 in Book 2001C, Page 314 as Document No. 2001143436 and being more particularly described by plat bearings and ground distances as follows:

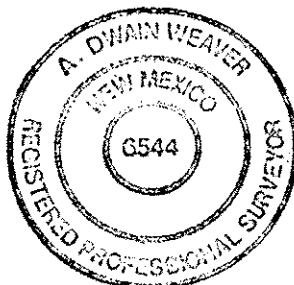
BEGINNING at the northwest corner of the tract herein described, a point on the northerly boundary line of said Tract C, whence the northwest corner of said Tract C bears S67°28'51"W, a distance of 25.98 feet and from said point of beginning running thence along the northerly boundary line of said Tract C, N67°28'51"E, a distance of 20.00 feet, thence leaving said northerly boundary line and running thence along the northerly boundary line of the tract herein described,
S22°31'34"E, a distance of 141.50 feet to a point; thence,
N67°28'51"E, a distance of 15.83 feet to a point of curvature; thence,
121.88 feet along the arc of a curve to the right having a radius of 310.00 feet and a chord which bears N78°44'39"E, a distance of 121.10 feet to a point of tangency; thence,
S89°59'33"E, a distance of 498.94 feet to a point; thence,
S78°58'19"E, a distance of 74.25 feet to a point; thence,
S58°39'33"E, a distance of 64.86 feet to a point; thence,
S00°32'43"E, a distance of 477.39 feet to a point; thence,
N89°58'11"E, a distance of 112.88 feet to the northeast corner of the tract herein described, a point on the easterly boundary line of said Tract B, a point on the westerly right-of-way line of the AMAFCA North Diversion Channel, thence running along the easterly boundary line of said Tract B and said right-of-way line,
S00°00'24"W, a distance of 50.00 feet to the southeast corner of the tract herein described, thence leaving said easterly boundary line and said right-of-way line and running thence along the southerly boundary line of the tract herein described,
S89°58'11"W, a distance of 132.40 feet to a point; thence,
N00°32'43"W, a distance of 516.10 feet to a point; thence,
N58°39'33"W, a distance of 50.17 feet to a point; thence,
N78°58'19"W, a distance of 68.74 feet to a point; thence,
N89°59'33"W, a distance of 497.01 feet to a point of curvature; thence,
114.02 feet along the arc of a curve to the left having a radius of 290.00 feet and a chord which bears S78°44'39"W, a distance of 113.28 feet to a point of tangency; thence,
S67°28'51"W, a distance of 35.82 feet to a point; thence,
N22°31'34"W, a distance of 161.50 feet to the point and place of beginning.

Tract contains 0.7923 acre, more or less.

A. Dwain Weaver

A. Dwain Weaver
N.M.P.S. No. 6544

Date: January 28, 2002



Bohannon & Huston



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