

PERMANENT EASEMENT

Grant of Permanent Easement, between DEREK AND MEGAN DETEMPLE ("Grantor"), whose address is 10501 SANTA MONICA DR NE 87122 and whose telephone number is _____ 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 DRAINAGE STRUCTURE, 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 11 day of July, 2022

CITY OF ALBUQUERQUE:

By: _____
Shahab Biazar, P.E., City Engineer
Date: _____

GRANTOR:

By [signature]: [Signature]
Name [print]: Derek H. Detemple
Title: _____
Date: July 11, 2022

M Detemple
Megan Detemple
July 11, 2022

Doc# 2022071792

1



D21 D030

PERMANENT EASEMENT

Grant of Permanent Easement, between **DEREK AND MEGAN DETEMPLE** ("Grantor"), whose address is **10501 SANTA MONICA DR NE 87122** and whose telephone number is _____ 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 **DRAINAGE STRUCTURE**, 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 11 day of July, 2022

CITY OF ALBUQUERQUE:

By: Shahab Biazar
 Shahab Biazar, City Engineer
 Date: 7/25/2022 9:03 AM MDT

GRANTOR:

By [signature]: [Signature]
 Name [print]: Derek H. Detemple
 Title: _____
 Date: July 11, 2022

M Detemple
Megan Detemple
July 11, 2022

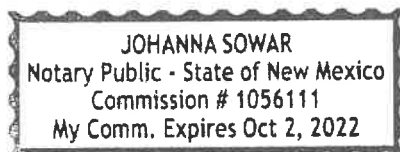
County Clerk's Recording Label

GRANTOR'S NOTARY

STATE OF New Mexico
COUNTY OF Bernalillo) ss

This instrument was acknowledged before me on 11 day of July, 2022
by Johanna Sower (name), Financial Consultant (title)
of Nusenda Credit Union (entity), a Notary Public (i.e. a
New Mexico) corporation, on behalf of the corporation.

(SEAL)



Johanna Sower
Notary Public

My Commission Expires: 10-2-2022

(EXHIBIT "A" ATTACHED)

PUBLIC DRAINAGE EASEMENT IN LOT 19, BLOCK 17, NORTH ALBUQUERQUE ACRES
TRACT 3, UNIT 2, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 19,
THENCE, N00°00'00"E, A DISTANCE OF 143.28 FEET;
THENCE, S90°00'00"E, A DISTANCE OF 10.00 FEET;
THENCE, S00°00'00"W, A DISTANCE OF 143.28 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF
SANTA MONICA AVENUE N.E.;
THENCE, ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, N90°00'00"W, A DISTANCE OF 10.00 FEET TO THE
POINT OF BEGINNING.

LOT 15

LOT 14

LOT 13

(S90°00'00"E)

(165.00')

LOT 18

(234.00')

N90°00'00"E

10'

143.28'

143.28'

10'

EXISTING DRAINAGE EASEMENT
(0.3/20/2019; DOC. #2019021426)

PUBLIC DRAINAGE EASEMENT
(0.0330 AC)

(N0°00'00"E)

(S0°00'00"W)

LOT 19, BLOCK 17

LOT 20

(234.00')

(S0°00'00"W)

POINT OF BEGINNING
SOUTHWEST CORNER OF LOT 19

(N90°00'00"W)

(165.00')

LICENSED PROFESSIONAL SURVEYOR
NEW MEXICO
12649
7/8-2022
ANDREW S. MEDINA

N

SANTA MONICA AVENUE, N.E.
(60' R/W)