

**GRANT OF DRAINAGE EASEMENT
LOT 5A BOSQUE PLAZA**

Jim W. Shull, Jr. and Christen Shull (Grantors), being the owner(s) of the property described herein, for good and valuable consideration, the receipt of which is hereby acknowledged, does grant, bargain, sell and convey unto Chylan Out, Inc. (Grantee), and its successors and assigns; the permanent right and easement for drainage, flood control, and conveyance of storm water and the construction, reconstruction, operation and maintenance of and access to such facilities on, in, under, over and across the following described real estate:

Lot 5A, Bosque Plaza, filed in the office of the County Clerk, Bernalillo County in Book 2005C, page 270 on May 25, 2005.

The land in which the foregoing rights and easements are granted is located within the City of Albuquerque, in Bernalillo County, New Mexico and is more particularly described in Exhibit A pages 1 through 3 attached herein for reference.

Except by the written approval of Grantee, no fence, building or other obstruction may be placed or maintained in said easement, except those noted on the approved Site Plan for Subdivision, dated March 1998. The granting of this easement shall not obligate the Grantee to maintain drainage channels or facilities that do not meet the City of Albuquerque standards for design and construction, nor shall this granting require the protection of property outside of the easement granted.

To have and to hold the said right and easement for the uses and purposes aforesaid, unto the Grantee, its successors and assigns, forever, except that any and all portions of the easement granted herein shall revert to the Grantor, its successors and assigns, as and to the extent said portion is declared unnecessary for flood control or drainage by the City of Albuquerque.

The Grantor reserves the right use said lands for open space, landscaping, parking and other purposes which will not interfere with the rights and easements hereby granted

Witness its hand and seal this 3rd day of May, 2006

By: [Signature]

Title: Owner

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)

)

COUNTY OF BERNALILLO)

The foregoing instrument was acknowledged before me this 3rd day of May, 2006, by Jim W. Shull, Jr. (person), owner (title)

Keli D. Krueger
Notary Public

My Commission Expires: March 6, 2010



OFFICIAL SEAL
KELI D. KRUEGER
NOTARY PUBLIC - STATE OF NEW MEXICO
My Commission Expires: 3-6-2010



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LEGAL DESCRIPTION

That certain parcel of land situate within Section 25, Township 11 North, Range 2 East, New Mexico Principal Meridian, City of Albuquerque, Bernalillo County, New Mexico, comprising a portion of Lot 5-A, Bosque Plaza, as the same is shown and designated on the plat entitled "LOTS 5-A AND 6-A, BOSQUE PLAZA (BEING A REPLAT OF LOTS 5 AND 6, BOSQUE PLAZA), WITHIN SECTION 25, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, JANUARY, 2005", filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 25, 2005, in Volume 2005C, Folio 170, being more particularly described by survey performed by Russ P. Hugg, New Mexico Professional Surveyor Number 9750 using New Mexico State Plane Grid Bearings (Central Zone - NAD27) and ground distances as follows:

Beginning at the Northeast corner (a 5/8" rebar with cap stamped "L.S. 9750", found in place) of the parcel herein described, said point being a point on the Southerly boundary line of Tract A, Bosque Plaza, as the same is shown and designated on the plat entitled "BOSQUE PLAZA (BEING A REPLAT OF LOTS 1, 2, 3, 4, 5, 6A, 7A 8 AND 9, LANDS OF MARTIN L. TAYLOR) WITHIN SECTION 25, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, JUNE, 2004", filed in the office of the County Clerk of Bernalillo County, New Mexico, on September 9, 2004, in Volume 2004C, Folio 287, said point being the Northwest corner of Lot 4, Bosque Plaza as the same is shown and designated on the plat entitled "BOSQUE PLAZA (BEING A REPLAT OF LOTS 1, 2, 3, 4, 5, 6A, 7A 8 AND 9, LANDS OF MARTIN L. TAYLOR) WITHIN SECTION 25, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, JUNE, 2004", filed in the office of the County Clerk of Bernalillo County, New Mexico, on September 9, 2004, in Volume 2004C, Folio 287; Thence,

S 00°09'45" W, 139.89 feet along the Westerly boundary line of said Lot 4, to the Southeast corner (a 5/8" rebar with cap stamped "L.S. 5949", found in place) of the parcel herein described, said point being the Southwest corner of said Lot 4, said point also being a point on the Northerly boundary line of Riverside Plaza, as the same is shown and designated on the plat entitled "TRACTS 1-A THRU 8-A, RIVERSIDE PLAZA (BEING A REPLAT OF TRACTS 1 THRU 8, RIVERSIDE PLAZA) WITHIN SECTION 25, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, BERNALILLO COUNTY, NEW MEXICO, MARCH, 2000", filed in the office of the County Clerk of Bernalillo County, New Mexico, on June 1, 2000, in Volume 2000C, Folio 148; Thence,



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N 89°50'15" W, 134.00 feet along said Northerly boundary line of said Riverside Plaza to the Southwest corner (a 5/8" rebar with cap stamped "L.S. 9750", found in place) of the parcel herein described, said point also being the Southeast corner of Lot 6-A, Bosque Plaza, as the same is shown and designated on the plat entitled "LOTS 5-A AND 6-A, BOSQUE PLAZA (BEING A REPLAT OF LOTS 5 AND 6, BOSQUE PLAZA), WITHIN SECTION 25, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, JANUARY, 2005", filed in the office of the County Clerk of Bernalillo County, New Mexico, on May 25, 2005, in Volume 2005C, Folio 170; Thence,

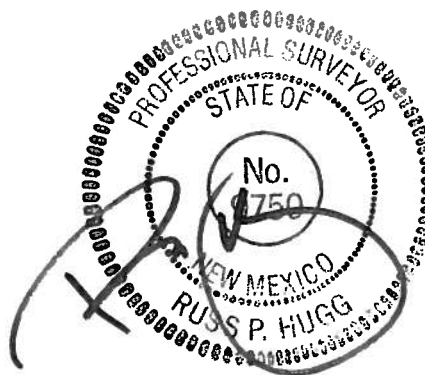
N 00°09'45" E, 7.00 feet along the Easterly boundary line of said Lot 6-A, to a point; Thence,

S 89°50'15" E, 127.00 feet to a point; Thence,

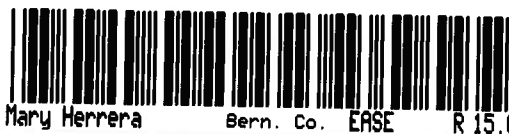
N 00°09'45" E, 132.89 feet to a point on said Southerly boundary line of said Tract A; Thence,

S 89°50'15" E, 7.00 feet along said Southerly boundary line of said Tract A to the point of beginning of the parcel herein described.

Said parcel contains 0.0429 acres more or less.



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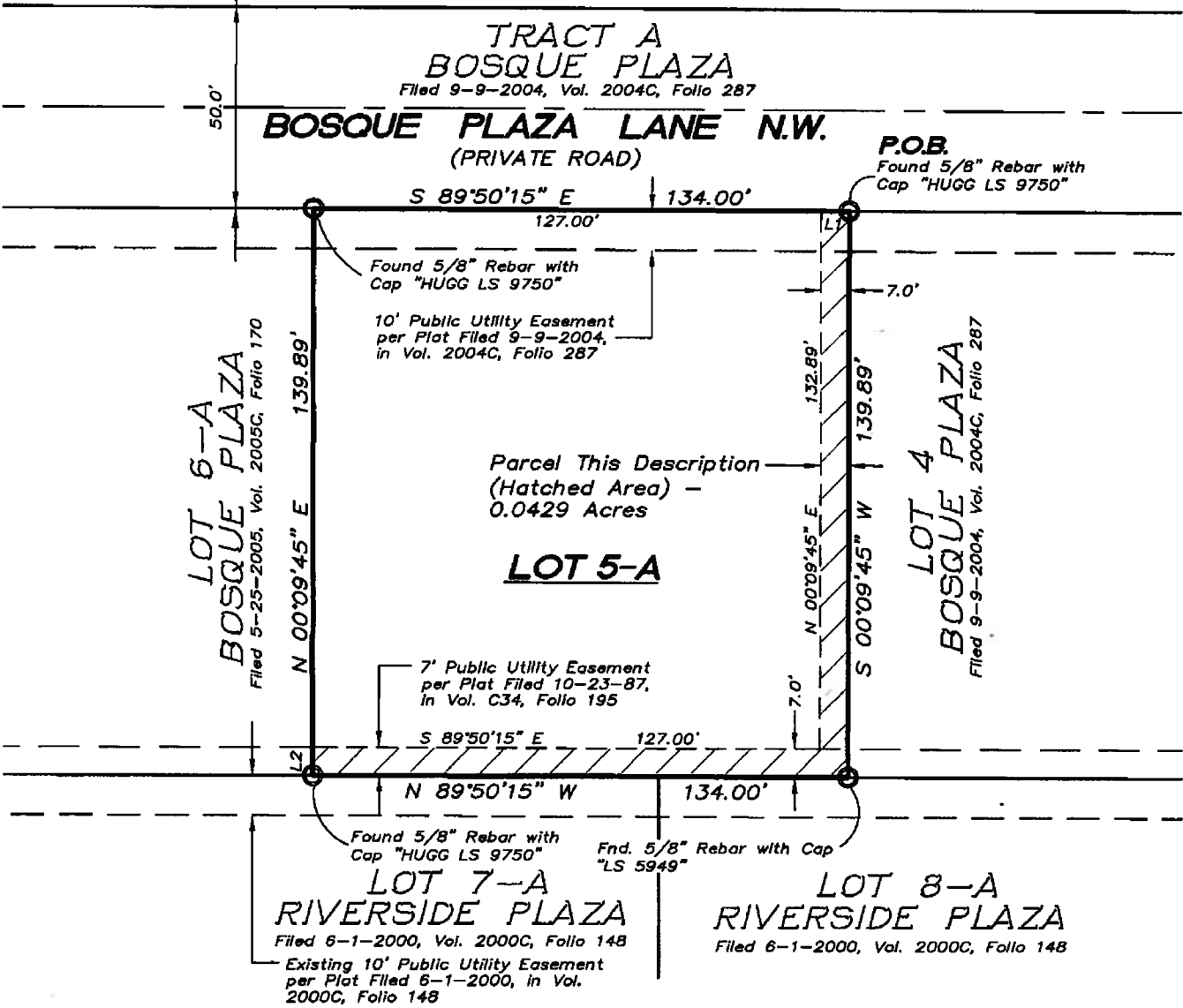
LINE TABLE

LINE	LENGTH	BEARING
L1	7.00'	S89°50'15"E
L2	7.00'	N00°09'45"E



Scale 1" = 40'

Remaining Portion of Existing 50'
Private Access Road, Public Utility,
Private Drainage, and City of
Albuquerque Water & Sewer Easement
per Plat Filed 10-23-87, in Vol. C34,
Folio 195, to Remain.



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EXHIBIT.DWG
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SURV TEK, INC.

Consulting Surveyors

9384 Valley View Drive N.W. Albuquerque, New Mexico 87114

Phone: 505-897-3386

Fax: 505-897-3377