

PERMANENT EASEMENT

Grant of Permanent Easement, between Bosque School, a New Mexico nonprofit corporation ("Grantor"), whose address is 4000 Learning Rd. NW, Albuquerque, NM 87120 and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, NM 87103.

WHEREAS, Grantor is the owner of certain real property described as Tract 1-A, Bosque School, as the same is shown and designated on the plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico on August 24, 2009, in Volume 2009C, Folio 0133 (the "Bosque Property"); and

WHEREAS, Silver Leaf Ventures, LLC, a New Mexico limited liability company ("Silver Leaf"), Andalucia Villas, LLLP, a New Mexico limited liability partnership ("Andalucia Villas"), and U.S. New Mexico Federal Credit Union, a federally chartered credit union ("Credit Union") or their assigns and successors are the owners (collectively, "Owners") of certain real property adjacent to the Bosque Property and described as follows:

Tracts 1, 2, 3 and 4, North Andalucia at La Luz, as the same is shown and designated on the plat thereof, filed in the office of the County Clerk, Bernalillo County, New Mexico on October 13, 2005, in Plat Book 2005C, Folio 342 (owned by Silver Leaf);

Tract 6 North Andalucia at La Luz, as the same is shown and designated on the plat thereof, filed in the office of the County Clerk, Bernalillo County, New Mexico on October 13, 2005, in Plat Book 2005C, Folio 342 (owned by Andalucia Villas); and

Tracts 5-A and 5-B, North Andalucia at La Luz, as the same is shown and designated on the plat thereof, filed in the office of the County Clerk, Bernalillo County, New Mexico on August 24, 2012, in Map Book 2012C, Folio 100 (owned by the Credit Union);

WHEREAS, as a condition to certain City approvals granted by City to Owners, Owners have requested that Grantor grant this Easement to the City; and

WHEREAS, Grantor, City and Owners have entered into a Covenant and Agreement (City Project # 730884) (the "Agreement") of even date herewith, pursuant to which City and Grantor reserve certain rights and owners have certain obligations with respect to the Bosque Property.

THEREFORE, subject to existing rights of record, Grantor grants to the City an exclusive, permanent easement ("Easement") in, over, upon and across the Bosque Property as described on Exhibit "A" attached hereto for the maintenance, repair, modification, replacement and operation of storm drainage improvements in accordance with the North Andalucia Drainage Master Plan* prepared by Bohannon Huston, Inc., Engineer's Stamp date 2-19-13, as it may be amended after the date hereof (the "Drainage Plan"), together with the right to remove trees, bushes, undergrowth and any other obstacles upon the Bosque Property if the City determines they interfere with the appropriate use of this Easement. Grantor reserves the right to use the Bosque Property so long as such use does not interfere with the Drainage Plan or with City's rights under this Easement.

**(CoA Hydrology File E12/D015)*

Notwithstanding any provision of the Agreement to the contrary, Grantor agrees that the

failure of Owners to perform any duty or obligations under the Agreement shall not affect the validity of this grant of the Easement.

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

The grant and other provisions of this Easement constitute covenants running with the Bosque 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.

APPROVED:

24 km
* Richard Dourte, City Engineer

Date: 5/22/15

* Shahab Biazar

GRANTOR: Bosque School

By: CB

Its Head of School

Date: 10/16/17

CORPORATION'S NOTARY

STATE OF NEW MEXICO)
)ss
COUNTY OF BERNALILLO)

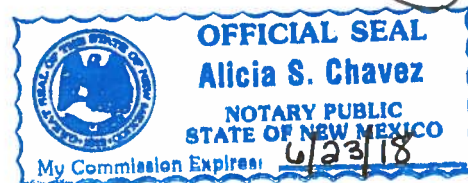
This instrument was acknowledged before me on 16th day of October, 2014, by William B Handmaker Head of Bosque School, a New Mexico not for profit corporation, on behalf of the corporation.

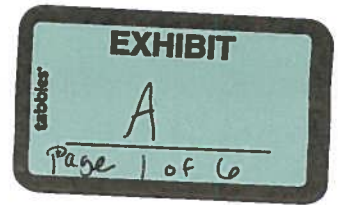
(SEAL)

My Commission Expires:

6/23/18
Notary Public

Alicia S. Chavez
Notary Public





Legal Description
Portion of Tract 1-A, Bosque School

AN EASEMENT LYING AND SITUATE WITHIN SECTION 36, TOWNSHIP 11 NORTH, RANGE 2 EAST, NEW MEXICO PRINCIPAL MERIDIAN, CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING A PORTION OF TRACT 1-A, BOSQUE SCHOOL, AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON AUGUST 24, 2009, IN VOLUME 2009C, FOLIO 0133, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY NEW MEXICO STATE PLANE COORDINATE SYSTEM GRID BEARINGS (CENTRAL ZONE-NORTH AMERICAN DATUM OF 1983) AND GROUND DISTANCES (US SURVEY FOOT) AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF DESCRIBED EASEMENT MARKED BY A FOUND NUMBER 5 REBAR WITH PLASTIC CAP "PS 7482", IDENTICAL TO THE SOUTHEAST CORNER OF SAID TRACT 1-A FROM WHENCE A TIE TO ALBUQUERQUE GEOGRAPHIC REFERENCE SURVEY MONUMENT "14_F13" BEARS N 85°15'49" E, A DISTANCE OF 6240.32 FEET;

THENCE FROM SAID POINT OF BEGINNING, N 89°16'24" W, A DISTANCE OF 23.29 FEET TO A FOUND PK NAIL WITH WASHER FOR THE SOUTHWEST CORNER OF DESCRIBED EASEMENT;

THENCE THE FOLLOWING ALONG THE WEST PROPERTY LINE OF SAID TRACT 1-A FOR THE NEXT THREE COURSES:

N 03°44'11" W, A DISTANCE OF 458.33 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH PLASTIC CAP "PS 11993;

THENCE N 21°29'10" E, A DISTANCE OF 412.57 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH PLASTIC CAP "PS 11993;

THENCE N 51°54'24" E A DISTANCE OF 254.27 FEET TO AN ANGLE POINT MARKED BY A FOUND NO. 4 REBAR WITH PLASTIC CAP "PS 11993;

THENCE LEAVING SAID WEST PROPERTY LINE, N 21°38'26" E, A DISTANCE OF 127.40 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE N 01°48'38" W, A DISTANCE OF 56.88 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE N 51°15'52" E, A DISTANCE OF 64.30 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

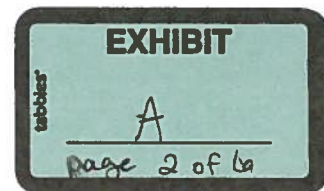
THENCE N 23°18'34" W, A DISTANCE OF 100.93 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE S 86°36'29" W, A DISTANCE OF 79.97 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE N 40°09'40" W, A DISTANCE OF 46.36 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE N 36°16'37" E, A DISTANCE OF 214.36 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

EXHIBIT A,
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THENCE S 53°43'23" E, A DISTANCE OF 89.03 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE N 36°16'49" E, A DISTANCE OF 80.00 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE N 53°43'11" W, A DISTANCE OF 89.06 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE N 36°16'49" E, A DISTANCE OF 426.01 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE S 42°01'31" E, A DISTANCE OF 26.91 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE N 49°13'21" E, A DISTANCE OF 51.84 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE N 30°11'58" E, A DISTANCE OF 36.18 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE N 60°51'02" W, A DISTANCE OF 34.40 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

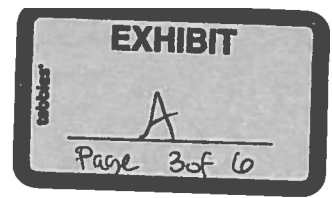
THENCE N 36°16'37" E, A DISTANCE OF 28.76 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE N 22°47'18" E, A DISTANCE OF 261.50 FEET TO AN ANGLE POINT OF DESCRIBED EASEMENT;

THENCE N 00°51'42" E, A DISTANCE OF 26.72 FEET TO A POINT COINCIDENT WITH THE NORTH PROPERTY LINE OF SAID TRACT 1-A BEING THE NORTHWEST CORNER OF DESCRIBED EASEMENT;

THENCE ALONG SAID NORTH PROPERTY LINE, S 89°43'45" E, A DISTANCE OF 119.81 FEET TO THE NORTHEAST CORNER OF DESCRIBED EASEMENT, ALSO BEING THE NORTHEAST CORNER OF SAID TRACT 1-A, MARKED BY A FOUND NO. 5 REBAR WITH NO CAP (BENT) LYING ON THE WEST RIGHT OF WAY LINE OF THE MRGCD LOWER CORRALES RIVERSIDE DRAIN EXTENSION FOR AN ANGLE POINT OF DESCRIBED EASEMENT;

EXHIBIT A,



THENCE ALONG SAID RIGHT OF WAY LINE S 22°47'24" W, A DISTANCE OF 2462.62 FEET TO THE POINT OF BEGINNING, CONTAINING 400,498 SQUARE FEET (9.1942 ACRES), MORE OR LESS, ALL AS SHOWN ON PAGES 5 AND 6.

Surveyor's Certificate

I, LARRY W. MEDRANO LICENSED UNDER THE LAWS OF THE STATE OF NEW MEXICO, DO HEREBY CERTIFY THAT THIS LEGAL DESCRIPTION, EXHIBIT AND EASEMENT SURVEY WAS PREPARED BY ME OR UNDER MY DIRECTION FROM NOTES OF AN ACTUAL FIELD SURVEY, AND THE SURVEY MEETS THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

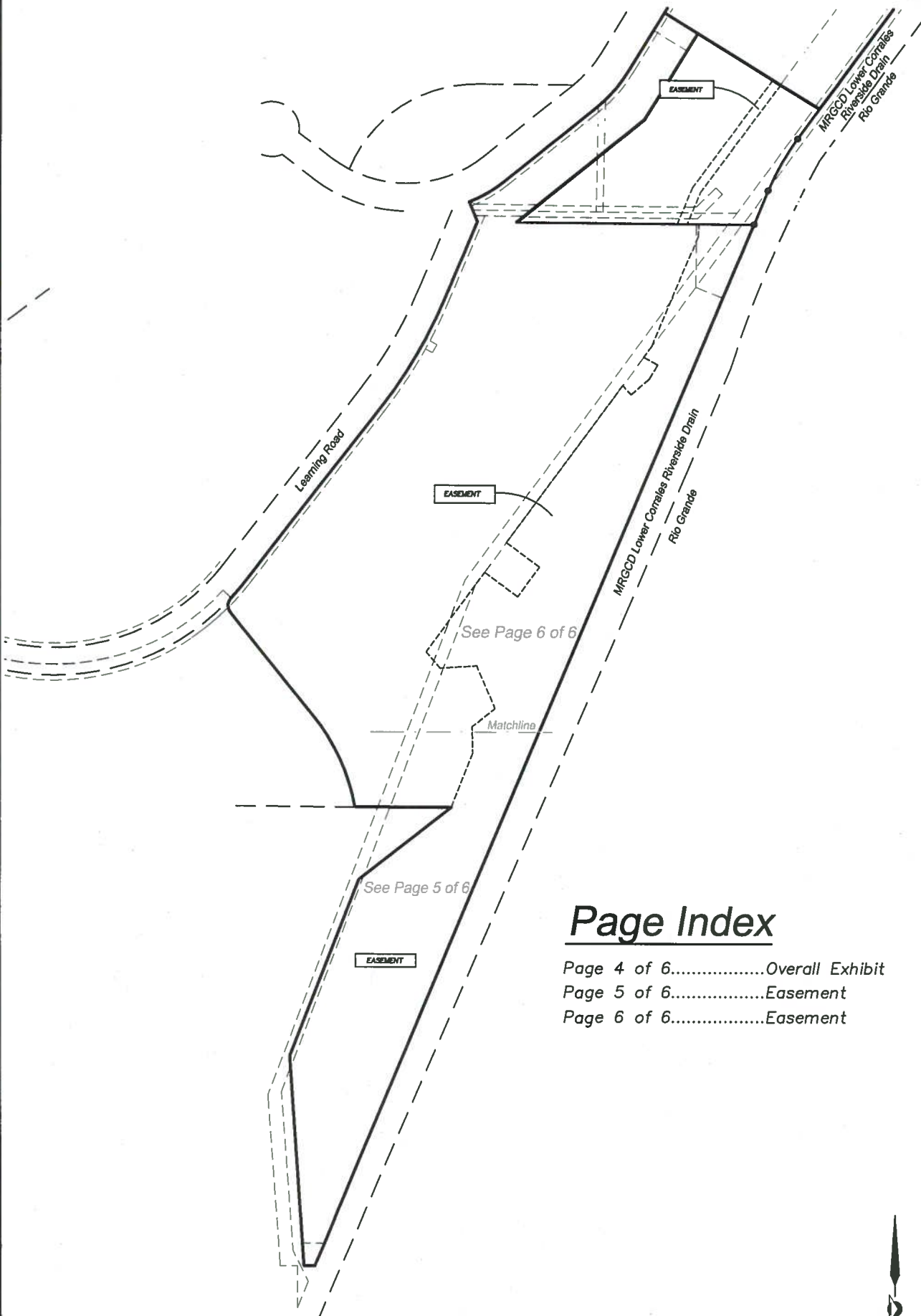
Digitally signed by Larry Medrano
Location: Albuquerque, NM
Reason: I attest to the accuracy and integrity of this document
Date: 2013.02.06 08:28:41-07'00'

LARRY W. MEDRANO
N.M.P.S. NO. 11993

DATE



EXHIBIT A,
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Surveyor's Certificate

I, LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS EXHIBIT (UN-CLASSIFIED SURVEYING SURVEY) WAS PREPARED FROM FIELD NOTES OF AN ACTUAL SURVEY MEETING THE MINIMUM REQUIREMENTS FOR THIS CLASSIFICATION OF SURVEY AS PER THE MINIMUM STANDARDS FOR LAND SURVEYING IN NEW MEXICO AS ADOPTED BY THE N.M. BOARD OF LICENSURE FOR ENGINEERS AND SURVEYORS, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature]

Digitally signed by Larry Medrano
 Location: Albuquerque, NM
 Reason: I attest to the accuracy and integrity of this document
 Date: 2013.02.08 08:29:22-0700

LARRY W. MEDRANO
 N.M.P.S. No. 11993

DATE



PRECISION
 SURVEYS, INC.

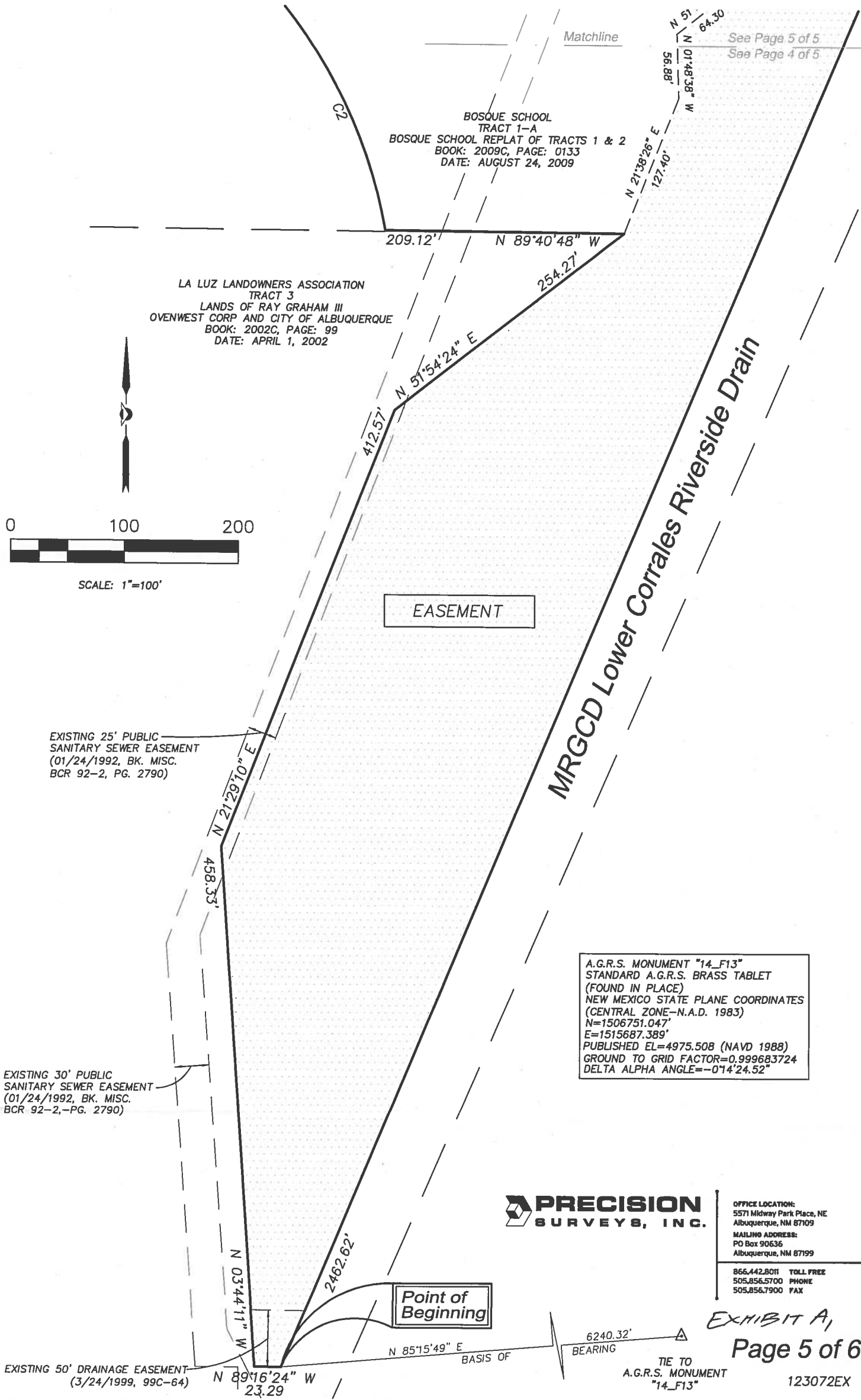
SCALE: 1"=300'

OFFICE LOCATION:
 5571 Midway Park Place, NE
 Albuquerque, NM 87109
 MAILING ADDRESS:
 PO Box 90636
 Albuquerque, NM 87199

866.442.8011 TOLL FREE
 505.856.5700 PHONE
 505.856.7900 FAX

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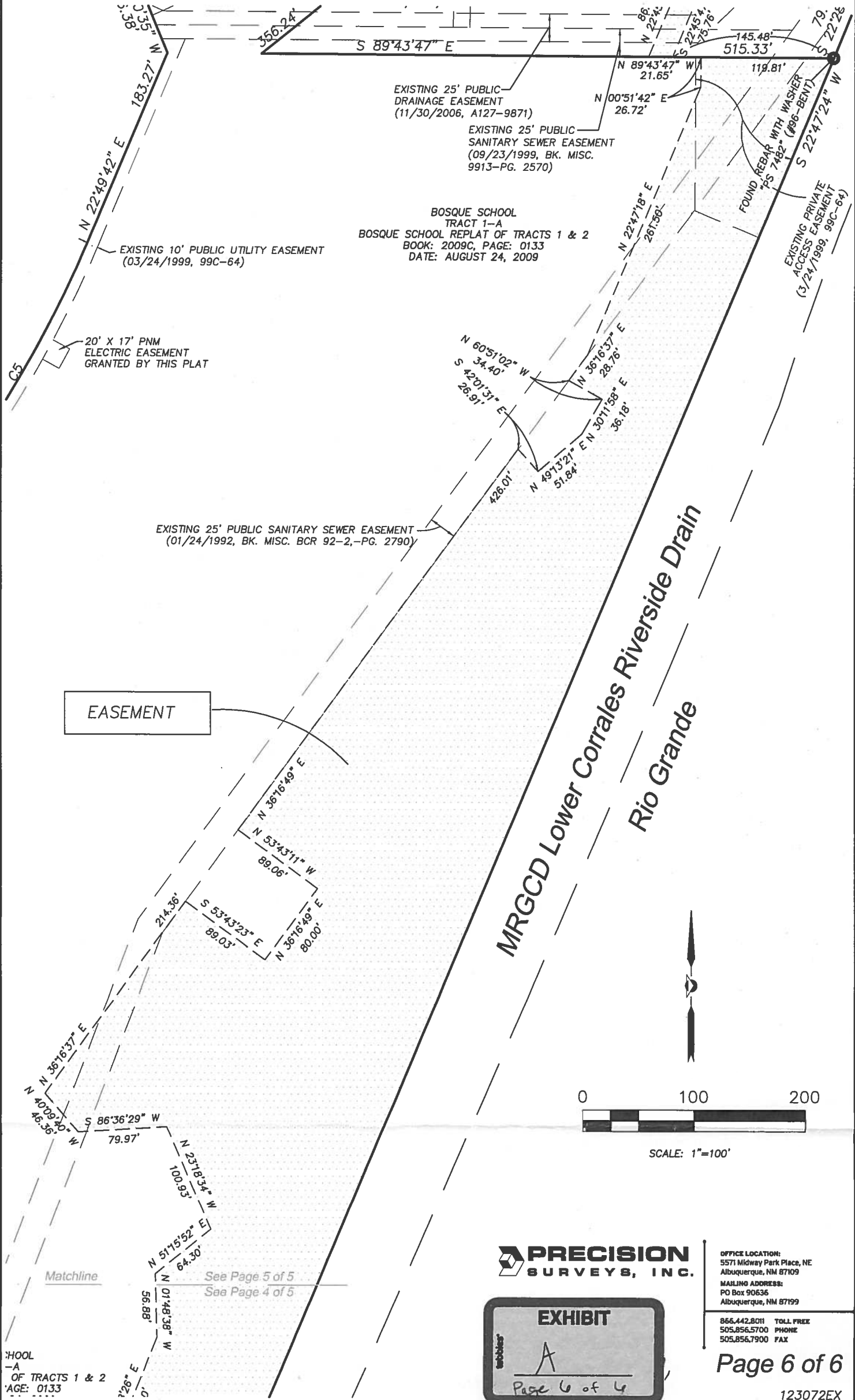


A.G.R.S. MONUMENT "14_F13"
STANDARD A.G.R.S. BRASS TABLET
(FOUND IN PLACE)
NEW MEXICO STATE PLANE COORDINATES
(CENTRAL ZONE-N.A.D. 1983)
N=1506751.047'
E=1515687.389'
PUBLISHED EL=4975.508 (NAVD 1988)
GROUND TO GRID FACTOR=0.999683724
DELTA ALPHA ANGLE=-0°14'24.52"

PRECISION
SURVEYS, INC.

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5571 Midway Park Place, NE
Albuquerque, NM 87109
MAILING ADDRESS:
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EXISTING 25' PUBLIC DRAINAGE EASEMENT (11/30/2006, A127-9871)

EXISTING 25' PUBLIC SANITARY SEWER EASEMENT (09/23/1999, BK. MISC. 9913-PG. 2570)

BOSQUE SCHOOL TRACT 1-A
BOSQUE SCHOOL REPLAT OF TRACTS 1 & 2
BOOK: 2009C, PAGE: 0133
DATE: AUGUST 24, 2009

EXISTING 10' PUBLIC UTILITY EASEMENT (03/24/1999, 99C-64)

20' X 17' PNM ELECTRIC EASEMENT GRANTED BY THIS PLAT

EXISTING 25' PUBLIC SANITARY SEWER EASEMENT (01/24/1992, BK. MISC. BCR 92-2, -PG. 2790)

EASEMENT

MRGCD Lower Corrales Riverside Drain
Rio Grande

FOUND REBAR WITH WASHER "PS 7482" (#96-BENT)
EXISTING PRIVATE ACCESS EASEMENT (3/24/1999, 99C-64)

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Albuquerque, NM 87109
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PO Box 90636
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123072EX

PRECISION SURVEYS, INC.

