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GRANT OF EASEMENT  
FOR  
STORM DRAINAGE

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RECEIVED  
DEC 04 1979  
CITY ENGINEER

THIS INDENTURE made and executed on the day or date noted below by Sandia Foundation, a New Mexico non-profit corporation (herein called "Owner"), Galles Oldsmobile-Cadillac Co., a New Mexico corporation, H. Lee Galles III and Glynnelle Galles (herein collectively called "Lessees"), in the County of Bernalillo and State of New Mexico (Owner and Lessees hereinafter sometimes collectively called the "Grantors").

WHEREAS, Owner is the owner of Parcel "B" (Trinchera Ranch), Lands of Hugh B. Woodward, within the Elena Gallegos Grant, as designated on the plat thereof filed with the Bernalillo County Clerk on March 22, 1965 (C6-63), Bernalillo County, New Mexico; and

WHEREAS, Lessees hold leasehold interest in such land under a long-term lease herein called "Lease"), described in the Memorandum of Lease, dated January 5, 1979 and filed with the County Clerk, at Book Misc. 662, page 852, Bernalillo County, New Mexico; and

WHEREAS, the Grantors desire to grant an easement for Storm Drainage to the City of Albuquerque, State of New Mexico, a municipal corporation (herein called "Grantee").

WITNESSETH:

That for good and valuable consideration the receipt of which is hereby acknowledged the Grantors hereby grant and convey unto Grantee a storm drainage easement including the right to enter upon the real estate hereinafter described at any time that it may see fit and construct, maintain and repair, drainage ditches, through, and under the lands hereinafter described and the further right to remove trees,

bushes, undergrowth and obstructions interfering with the location, construction and maintenance of said drainage.

The land affected by the grant of this easement is located in the County of Bernalillo and State of New Mexico and is more particularly described as follows:

#### DESCRIPTION FOR STORM DRAINAGE EASEMENT

A certain tract or parcel of land situate in Parcel "B" ("Trinchera Ranch) Lands of Hugh B. Woodard, within the Elena Gallegos Grant, filed with the County Clerk on March 22, 1965 (C6-63) Bernalillo County, New Mexico and being more particularly described as follows:

Beginning at a point on the west right-of-way line of San Mateo Boulevard N.E. from whence the projected corner common to Section 25, 26, 35 and 36 T. 11 N., R. 3 E., N.M.P.M. bears S 02° 33' 46" E, a distance 1739.73 feet; thence,

S 86° 04' 45" W, a distance 55.00 feet to a point on a curve; thence,

Along a curve to the left (said curve having a radius of 1342.40 feet, a central angle of 10° 00' 49", and a chord bearing N 00° 55' 39" W, a distance 234.31 feet) a distance 234.61 feet; thence,

N 30° 24' 37" W, a distance 1.86 feet; thence,

N 86° 22' 23" W, a distance 0.42 feet to a point on a curve; thence,

Along a curve to the left (said curve having a radius of 1080.92 feet, a central angle of 08° 18' 41", and a chord bearing S 44° 46' 51" W, a distance 156.66 feet) a distance 156.80 feet; thence,

N 49° 22' 30" W, a distance 15.00 feet to a point on a curve and a point on the easterly right-of-way line of N.M. State Road 422 and San Mateo Interchange; thence,

Along a curve to the right along said right-of-way (said curve having a radius of 1095.92 feet, a central angle of 08° 38' 04", and a chord bearing N 44° 56' 26" E, a distance 165.00 feet) a distance 165.10 feet; thence,

S 86° 22' 23" E, along the north boundary of said Parcel "B", a distance 278.86 feet to a point on a curve on the west right-of-way line of San Mateo Boulevard N.E.; thence,

Along a curve to the right along said right-of-way (said curve having a radius of 1357.40 feet, a central angle of 11° 59' 15", and a chord bearing S 09° 54' 53" E, a distance 283.48 feet) a distance 284.00 feet to the point of beginning and containing .2486 acres more or less.

TO HAVE AND TO HOLD the said right and easement for the uses and purposes aforesaid, unto Grantee its successors and assigns for so long as said easement shall not be abandoned for use as a right-of-way for storm drainage or for so long as the Lease shall exist, whichever is sooner.

As a part of the consideration for this grant, the Grantors do hereby release any and all claims for damages for whatsoever cause incidental to the exercise of the rights herein granted, provide however, that the Grantee agrees to save Grantors harmless from any and all liability that may arise as a result of the construction and use of the easement for the purposes set forth.

IN WITNESS WHEREOF, the parties have set their hands and seals on the day or dates noted below.

SANDIA FOUNDATION, a New Mexico non-profit corporation

By John Perovich  
Date Signed Feb. 28, 1979

GALLES OLDSMOBILE-CADILLAC CO., a New Mexico corporation

By H. Lee Galles III  
its President  
Date Signed Feb. 28, 1979

H. Lee Galles III  
Date Signed Feb. 28, 1979

Glynnelle Galles  
Glynnelle Galles  
Date Signed Feb. 28, 1979

STATE OF NEW MEXICO )  
COUNTY OF BERNALILIO ) ss.

The foregoing instrument was acknowledged before me this 1st day of March, 1979 by John Perovich, President of Sandia Foundation, a New Mexico non-profit corporation, on behalf of said corporation.

Patricia A. Johnston  
Notary Public

(SEAL)

My Commission Expires:

12-22-79

STATE OF NEW MEXICO )  
COUNTY OF BERNALILLO ) ss.

950

The foregoing instrument was acknowledged before me this  
28<sup>th</sup> day of February, 1979 by H. Lee Galles, III,  
President of Galles Oldsmobile-Cadillac Co., a  
New Mexico corporation, on behalf of said corporation.

James R. Hall  
Notary Public

(SEAL)

My Commission Expires: 08/03/79

STATE OF NEW MEXICO )  
COUNTY OF BERNALILLO ) ss.

The foregoing instrument was acknowledged before me this  
28<sup>th</sup> day of February, 1979, by H. Lee Galles III.

James R. Hall  
Notary Public

(SEAL)

My Commission Expires: 08/03/79

STATE OF NEW MEXICO )  
COUNTY OF BERNALILLO ) ss.

The foregoing instrument was acknowledged before me this  
28<sup>th</sup> day of February, 1979, by Lynnelle Galles.

James R. Hall  
Notary Public

(SEAL)

My Commission Expires: 08/03/79

STATE OF NEW MEXICO  
COUNTY OF BERNALILLO  
FILED FOR RECORD

MAR 5 10 14 AM '79  
EX-673 PG. 947-950  
TERRY C. CULP  
CLERK OF RECORD  
DEPUTY