

735186

PERMANENT EASEMENT

Grant of Permanent Easement, between **MOUNTAIN WEST LODGING LLC** ("Grantor"), whose address is **5400 SAN ANTONIO DR NE ALBUQUERQUE NM 87109** and 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 **STORM DRAIN**, 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 19 day of April, 2018.

APPROVED:

[Signature]
Shahab Diaza, P.E. City Engineer
Date: 4/19/18

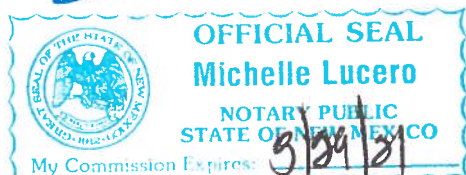
Sarita Nair, CAO

GRANTOR:

By: _____
(Individual)
Print Name: _____
Date: _____

GRANTOR:

By: [Signature]
(Corporation or Partnership)
Print Name: VINODH PERMAL
Title: MANAGER
Date: 03-22-18



Doc# 2018035481



Shahab Biazar, P.E., City Engineer

CITY'S ACKNOWLEDGMENT

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss

This instrument was acknowledged before me on this ____ day of _____, 20__, by Sarita Nair, Chief Administrative Officer for the City of Albuquerque, a New Mexico municipal corporation, on behalf of the corporation.

SEAL

My Commission Expires: _____
Notary Public: _____

USER'S ACKNOWLEDGMENT

[illegible]

This instrument was acknowledged before me on this 22 day of MARCH, 2018, by Vinodh Permal, (name of person signing) Manager
(title of person signing) on behalf of Mayraan West Lodging, LLC (User).

My Commission Expires: 10-8-19
Notary Public

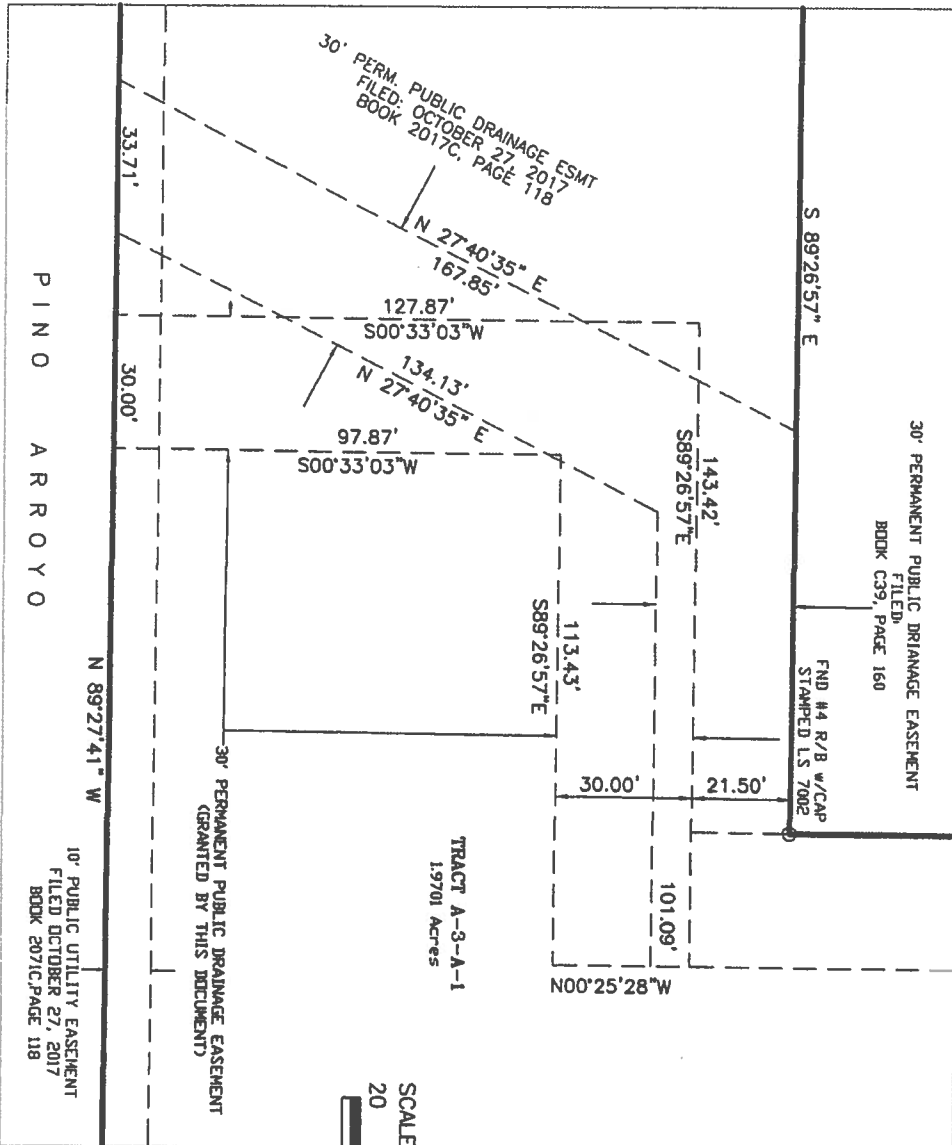


OFFICIAL SEAL
AUTUMN WHITSON
NOTARY PUBLIC-State of New Mexico
My Commission Expires

EXHIBIT A

PLAT OF
EASEMENT WITHIN
TRACT A-3-A-1
J GROUP ADDITION

WITHIN THE
ELENA GALLEGOS GRANT
TOWNSHIP 11 NORTH, RANGE 3 EAST, N.M.P.M.
CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
FEBRUARY, 2018



SCALE 1 INCH = 40 FEET
20 0 20 40

N



03/21/18