

PERMANENT EASEMENT

Project # 631771

Grant of Permanent Easement, between Clean Machine IV, LLC
("Grantor"), whose address is 3301 N. Hayden Road - Scottsdale, AZ 85251
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 overland drainage course 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.

APPROVED:



Shahab Biazar, City Engineer

Date: 6/23/17

GRANTOR: Clean Machine IV, LLC

By: 
Print Name: ROBERT POWELL

Title: MANAGING PARTNER
Date: 6-23-17

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EASE R: \$25.00 Linda Stover, Bernalillo County

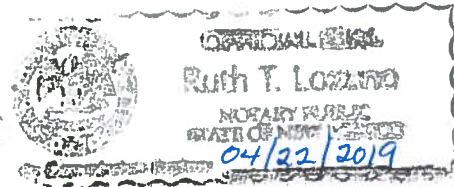


GRANTOR'S NOTARY

STATE OF NEW MEXICO)
)ss
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on 8th day of June, 2017,
by Robert Powers (name), Managing Member (title)
of Clean Machine IV, LLC (entity), a limited liability (i.e.
a New Mexico) corporation, on behalf of the corporation.

(NOTARY SEAL)



Ruth T. Lozano
Ruth T. Lozano Notary
Public

My Commission Expires: April 22, 2019

(EXHIBIT "A" ATTACHED)

EXHIBIT "A"

LEGAL DESCRIPTION - PUBLIC DRAINAGE EASEMENT

An easement comprising a Southerly portion of Lot One-A (1-A) in Block Forty-eight (48), Altamont Addition Unit No.4 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 April 28, 1970 in Volume A3, folio 7 more particularly described using grid bearings and ground distances as follows:

BEGINNING at the Southwest corner of said Lot 1-A, a point on the Easterly right of way line of San Mateo Boulevard N.E.; Thence running as an easement:

N 00°22'56" E, 20.00 feet along said Easterly right of way line of San Mateo Boulevard N.E. to the Northwest corner of the easement herein described; Thence,

S 89°47'32" E, 284.39 feet to a point; Thence,

N 71°44'58" E, 31.58 feet to a point on the Easterly line of said Lot 1-A and the Northeast corner of the easement herein described; Thence,

S 00°01'37" E, 30.00 feet along said Easterly line of Lot 1-A to the Southeast corner of said Lot 1-A and the Southeast corner of the easement herein described; Thence,

N 89°47'32" W, 314.53 feet along the Southerly line of said Lot 1-A to the Southwest corner and point of beginning of the easement herein described.

