

SHARED ACCESS AGREEMENT

IN CONJUNCTION WITH THE DEVELOPMENT OF THE NEW PASCETTI STEEL BUILDING, LOCATED AT 2114 CLAREMONT NE, (THE "PROPERTY") FOR WHICH THE LEGAL DESCRIPTION IS ATTACHED AS EXHIBIT A, ITEM #1, PASCETTI INVESTMENTS, LLC ("OWNER #1, @ 2110 CLAREMONT AVE, NE") HAS AGREED WITH PASCETTI CLAREMONT, LLC ("OWNER #2, @ 2114 CLAREMONT AVE, NE") TO PROVIDE AN ACCESS ROAD ACROSS 2110 CLAREMONT AVE, NE, AS SHOWN IN EXHIBIT B ATTACHED HERETO, FOR THE FIRE MARSHALL AND SOLID WASTE DEPARTMENTS TO ACCESS THE REAR OF THE "PROPERTY". THE ACCESS ROAD SHALL BE 30 FOOT WIDE AS SHOWN.

THE OWNERS (#1 AND #2), AND THEIR SUCCESSORS AND ASSIGNS, AGREE THAT THEY WILL NOT CHANGE THE TENANT USES AT THE "PROPERTY" IN A MANNER THAT REDUCES THE ACCESS ROAD UNLESS AN ACCEPTABLE REVISED ACCESS ROAD IS PROVIDED.

FURTHERMORE, THE OWNERS AGREE THE PROPERTY SHALL OPERATE AN OPEN/SHARED ACCESS AGREEMENT, WHEREBY, THE OWNERS SHALL NOT SEGREGATE THE PROPERTY ACCESS RIGHTS OR SIGNIFICANTLY IMPAIR ACCESS ON THE PROPERTY BY USERS OF ANY PORTION OF THE PROPERTY.

NO SALE OR TRANSFER OF ALL OR ANY PORTION OF THE PROPERTY SHALL BE DEEMED VOID OR VIOLATE THIS AGREEMENT. THE TERMS OF THIS AGREEMENT SHALL BIND THE OWNERS, SUCCESSORS AND ASSIGNS. THIS AGREEMENT CAN BE AMENDED BY MUTUAL CONSENT OF THE OWNERS AND THE CITY OF ALBUQUERQUE. THIS AGREEMENT SHALL BE RECORDED WITH THE BERNALILLO COUNTY CLERK'S OFFICE PRIOR TO ISSUANCE OF THE BUILDING PERMIT FOR THE PROPERTY.

IN WITNESS WHEREOF, THE PARTIES HAVE EXECUTED THIS AGREEMENT ON THE DATE BELOW.


OWNER #1 LOT H
PASCETTI INVESTMENTS, LLC

8/24/2020
DATE


OWNER #2 LOT J-1
PASCETTI CLAREMONT, LLC

8/24/2020
DATE

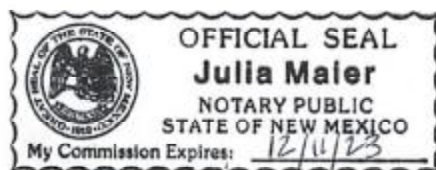
STATE OF NEW MEXICO)
) SS.
COUNTY OF BERNALILLO)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THE 24 DAY OF August 2020 BY
Damian Pascetti ON BEHALF OF THE OWNERS.

MY COMMISSION EXPIRES

12/11/2023


NOTARY



[illegible]

 8/24

ACCESS AGREEMENT EXHIBIT A

ITEM #1:

LEGAL DESCRIPTION FOR 2114 CLAREMONT NE:

LOTS J-1, REPLAT OF TRACT 'J', MENAUL DEVELOPMENT AREA
ALBUQUERQUE, NEW MEXICO

ITEM #2:

LEGAL DESCRIPTION FOR 2118 CLAREMONT NE:

LOTS H, REPLAT OF TRACT 'J', MENAUL DEVELOPMENT AREA
ALBUQUERQUE, NEW MEXICO

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