

# 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, @ 2114 CLAREMONT AVE, NE") HAS AGREED WITH STEVE KOBURI ("OWNER #2, @ 2118 CLAREMONT AVE, NE") EXHIBIT A, ITEM 2, TO MAINTAIN A DRIVEPAD ON THE NORTHEAST CORNER OF 2114 CLAREMONT AVE, NE, AS SHOWN IN EXHIBIT B ATTACHED HERETO, FOR ACCESS TO THE PROPERTY AT 2118 CLAREMONT AVE. NE

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 UNLESS AN ACCEPTABLE REVISED ACCESS IS PROVIDED.

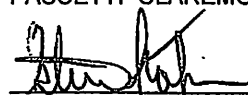
FURTHERMORE, THE OWNERS AGREE THE PROPERTY SHALL OPERATE AN OPEN/SHARED ACCESS AGREEMENT, WHEREBY, THE OWNERS SHALL NOT SEGREGATE THE PROPERTY ACCESS RIGHTS OR SIGNIFICANTLY IMPAIR ACCESS ON THE PROPERTY BY USERS OF ANY PORTION OF THE PROPERTY.

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 J-1  
PASCETTI CLAREMONT, LLC

Sept 9/2020  
DATE

  
OWNER #2 LOT J-2  
STEVE KOBURI

SEP 9/2020  
DATE


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

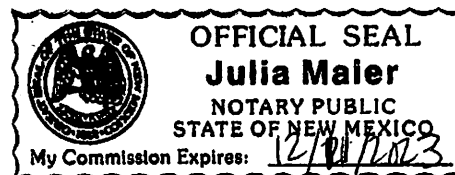
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THE 9 DAY OF SEP, 2020 BY

Dominic Pascetti ON BEHALF OF THE OWNERS.

MY COMMISSION EXPIRES

12/11/2023

  
NOTARY



# NOTARIAL PUBLIC STATE OF NEW MEXICO

I, the undersigned, Notary Public for the State of New Mexico, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of my office.

Witness my hand and the seal of my office at the City of Albuquerque, New Mexico, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Notary Public for the State of New Mexico

My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public for the State of New Mexico

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Notary Public for the State of New Mexico

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Notary Public for the State of New Mexico

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Notary Public for the State of New Mexico

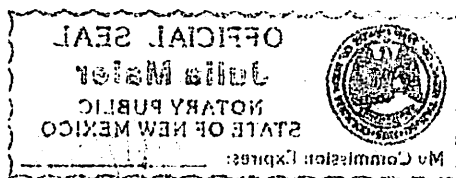
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Notary Public for the State of New Mexico

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Notary Public for the State of New Mexico

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Notary Public for the State of New Mexico



# **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 J-2, REPLAT OF TRACT 'J', MENAUL DEVELOPMENT AREA**

**ALBUQUERQUE, NEW MEXICO**

**SITE PLAN**

NTS