

PRIVATE DRAINAGE EASEMENT

This Private Drainage Easement is made by and between George Gonzales, a _____ man [dealing in his sole and separate property] ("Grantor"), whose address is 7814 Menaul, NE, Suite C, Albuquerque, NM 87110 and Steven P. Williams and Laura A. Williams, husband and wife ("collectively Grantee").

Recitals

- A. Grantor is the owner of the following described property:

Certain real property located at 7814 Menaul, NE, Albuquerque, NM 87110 and more particularly described as Lot 4, Block 2, Inez Addition - filed in Bernalillo County Clerk's office 10/6/49, Book D, Pg. 66 in Bernalillo County, New Mexico ("Grantor's Property").

- B. Grantee is the owner of the following described property:

Certain real property located at 7900 Menaul, NE, Albuquerque, NM 87110 and more particularly described as Lot 1-A, Block 2, Inez Addition - filed in Bernalillo County Clerk's office 10/6/49, Book D, Pg. 66 ("Grantee's Property").

C. Grantee intends to improve Grantee's Property by constructing an office building thereon and requires certain drainage easements over and across Grantor's Property for the purpose of accommodating runoff from the Grantee's Property. Grantor is willing to grant such drainage easement on the terms and conditions provided herein.

THEREFORE, for good and valuable consideration, the adequacy and receipt of which the parties hereby acknowledge, the parties agree as follows:

1. Grant of Easement. The Grantor hereby grants and conveys to the Grantee a non-exclusive private easement ("Easement") over, upon and across the Grantor's Property for the purposes of providing storm water drainage from the Grantee's Property in an amount not to exceed .758 cfs. The Easement shall be composed of two sections: (1) an approximate forty (40) foot wide easement along the northerly boundary of the Grantor's Property and (2) an approximate fifteen (15) foot wide easement along the southerly boundary of the Grantor's Property. The location of the Easement is depicted on the plat map attached hereto as Exhibit A.

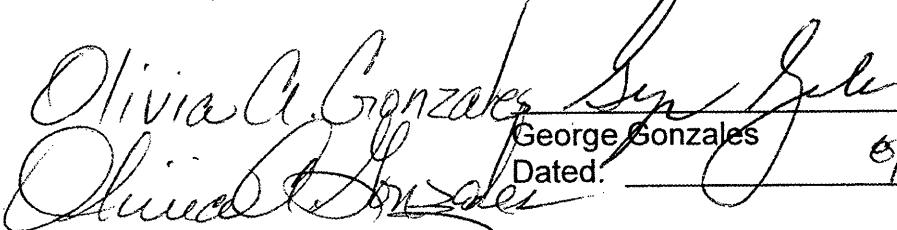
2. Warranty. Grantor covenants that he is the Owner in fee simple of the Grantor's Property and that it has a good and lawful right to grant the Easement and that the Grantor's Property is free from all reservations, restrictions, easements and encumbrances, except for such reservations, restrictions, easements, and encumbrances of record and real property taxes due and owing.

3. Indemnification. Grantee shall indemnify and hold Grantor, its successors, and assigns, harmless from and against any damages, losses (including attorney's fees), claims, actions, suits or other proceedings arising from or out of any willful, reckless, or negligent acts or omissions of the Grantee, its agents, employees, or representatives in connection with any use of the Easement or arising from any act or omission pertaining to the Easement.

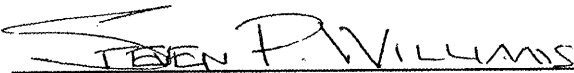
4. Burden and Benefit of Easement. The parties intend that the burdens and benefits of the Easement shall run with the land. The burden of the Easement shall be appurtenant to the Grantor's Property and shall be binding on Grantor, his heirs, representatives, successors and assigns. The benefit of the Easement and the obligations hereunder shall be appurtenant to the Grantee's Property and the benefit shall inure to and the obligations shall be binding upon the Grantee, his heirs, representatives, successors and assigns.

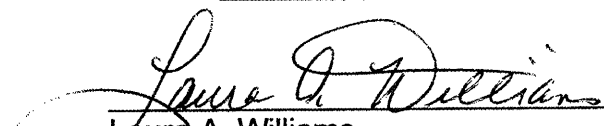
5. Attorneys Fees. In the event of any dispute with respect to the Easement or this agreement, the prevailing party shall be entitled to its costs, including reasonable attorneys' fees.

GRANTOR:


George Gonzales
Dated: 8/28/98

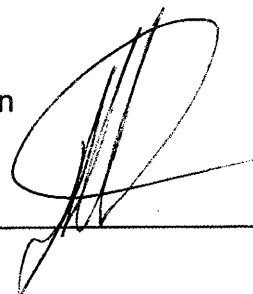
GRANTEE:


Steven P. Williams
Dated: 24 AUG. 98


Laura A. Williams
Dated: Aug 24, 1998

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

8/28/98 This instrument was acknowledged before me on
 1998 by George Gonzales.



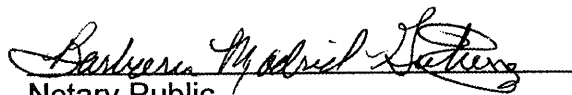
Notary Public

My Commission Expires:

10 June 2002

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

X This instrument was acknowledged before me on August 24, 1998
by Steven P. Willaims.



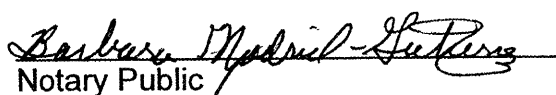
Notary Public

My Commission Expires:

9-10-2002

STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

> This instrument was acknowledged before me on August 24, 1998
by Laura A. Williams.



Notary Public

My Commission Expires:

9-10-2002



City of Albuquerque

P.O. BOX 1293 ALBUQUERQUE, NEW MEXICO 87103

July 7, 1999

Mark Goodman, P.E.
Mark Goodwin & Assoc.
P.O. Box 90606
Albuquerque, NM 87199


***RE: MENAUL CENTRE (H19-D41). ENGINEER'S CERTIFICATION FOR
CERTIFICATE OF OCCUPANCY APPROVAL. ENGINEER'S STAMP DATED
JUNE 28, 1999.***

Dear Mr. Goodwin:

Based on the information provided on your June 28, 1999 submittal, the above referenced project is approved for Certificate of Occupancy.

If I can be of further assistance, please feel free to contact me at 924-3984.

Sincerely,


John P. Murray, P.E.
Hydrology

✓ c: File

DRAINAGE INFORMATION SHEET

PROJECT TITLE: Manual Centre ZONE ATLAS#: H19 041
DRB#: _____ EPC# _____ WORK ORDER#: _____
LEGAL DESCRIPTION: Lot 1-A4, Block 2, Inez addition, City of Albuquerque, Bernalillo County, New Mexico
CITY ADDRESS: _____

ENGINEERING FIRM:	<u>Mark Goodwin & Associates, PA</u>	CONTACT:	<u>Mark Goodwin, PE</u>
ADDRESS:	<u>P.O. Box 90606, Albuquerque, NM 87199</u>	PHONE:	<u>828-2200</u>
OWNER:	<u>Steven Williams</u>	CONTACT:	<u>Steven Williams</u>
ADDRESS:	<u>2700 Alejandro Lane NW, Albuquerque, NM 87104</u>	PHONE:	<u>344-3232</u>
ARCHITECT:	<u>Steven Williams</u>	CONTACT:	<u>Steven Williams</u>
ADDRESS:	<u>2700 Alejandro Lane NW, Albuquerque, NM 87104</u>	PHONE:	<u>344-3232</u>
SURVEYOR:	<u>Scannell Surveying Inc.</u>	CONTACT:	_____
ADDRESS:	<u>2108 Pajarito SW</u>	PHONE:	<u>877-3558</u>
CONTACTOR:	<u>Steven Williams</u>	CONTACT:	<u>Steven Williams</u>
ADDRESS:	<u>2700 Alejandro Lane NW, Albuquerque, NM 87104</u>	PHONE:	<u>344-3232</u>

TYPE OF SUBMITTAL:

☐ DRAINAGE REPORT
☐ DRAINAGE PLAN
☐ CONCEPTUAL GRADING & DRAINAGE PLAN
☐ GRADING PLAN
☐ EROSION CONTROL
☒ ENGINEER'S CERTIFICATION
☐ OTHER
☐ EASEMENT VACATION

PRE-DESIGN MEETING:

☐ YES
☒ NO
☐ COPY PROVIDED

CHECK TYPE OF APPROVAL SOUGHT:

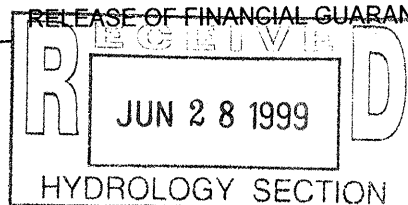
☐ SKETCH PLAT APPROVAL
☐ PRELIMINARY PLAT APPROVAL
☐ S. DEV. PLAN FOR SUB'D APPROVAL
☐ S. DEV. PLAN FOR BLDG PERMIT APPROVAL
☐ SECTOR PLAN APPROVAL
☐ FINAL PLAT APPROVAL
☐ FOUNDATION PERMIT APPROVAL
☐ BUILDING PERMIT APPROVAL
☒ CERTIFICATION OF OCCUPANCY APPROVAL
☐ GRADING PERMIT APPROVAL
☐ PAVING PERMIT APPROVAL
☐ S.A.D. DRAINAGE REPORT
☐ DRAINAGE REQUIREMENTS
☐ OTHER

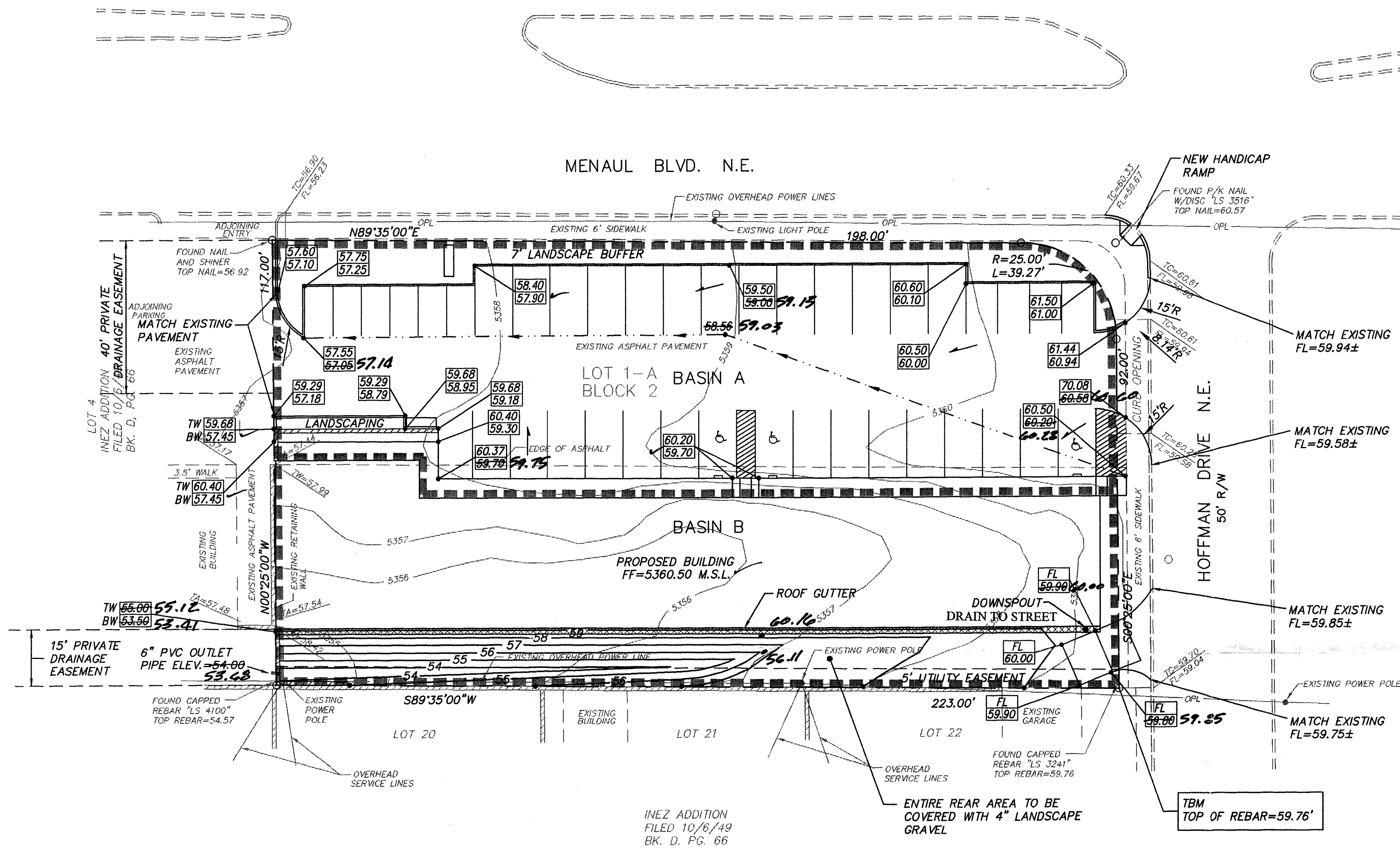
RELEASE OF FINANCIAL GUARANTY

DATE SUBMITTED: 6/2/99

BY: Mark Goodwin

Mark Goodwin, PE





DRAINAGE CALCULATIONS

$P_{60}=2.14$
 $P_{360}=2.60$
 $P_{1440}=3.1$
 $D_t = 0.033 \text{ HR}$
 $T_p = 0.133 \text{ HR}$

EXISTING CONDITIONS

BASIN A- FRONT HALF OF LOT
 AREA = 0.00046 SQ MI
 TYPE "A" = 00.0 %
 TYPE "B" = 00.0 %
 TYPE "C" = 00.0 %
 TYPE "D" = 100.0 %
 $Q_{100} = 1.49 \text{ CFS}$

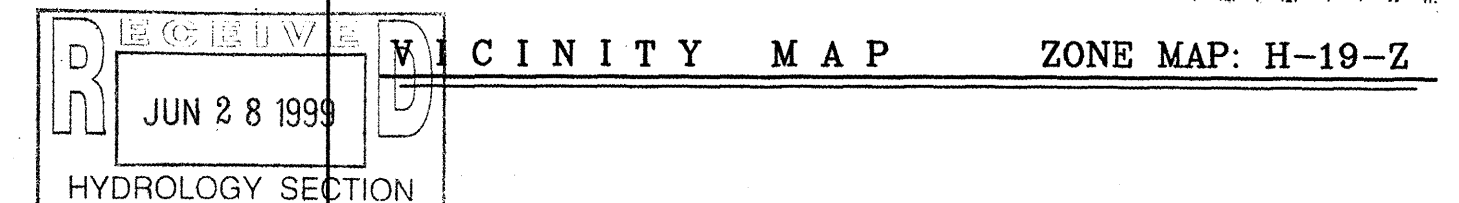
BASIN B- BACK HALF OF LOT
 AREA = 0.00046 SQ MI
 TYPE "A" = 00.0 %
 TYPE "B" = 100.0 %
 TYPE "C" = 00.0 %
 TYPE "D" = 00.0 %
 $Q_{100} = .77 \text{ CFS}$

PROPOSED CONDITION

BASIN A- FRONT HALF OF LOT
 AREA = 0.00046 SQ MI
 TYPE "A" = 00.0 %
 TYPE "B" = 15.0 %
 TYPE "C" = 00.0 %
 TYPE "D" = 85.0 %
 $Q_{100} = 1.39 \text{ CFS}$

BASIN B- BACK HALF OF LOT DRAINING TO WEST
 AREA = 0.00872 SQ MI
 TYPE "A" = 00.0 %
 TYPE "B" = 00.0 %
 TYPE "C" = 100.0 %
 TYPE "D" = 00.0 %
 $Q_{100} = 0.37 \text{ CFS}$

BASIN B- BACK HALF OF LOT DRAINING TO HOFFMAN
 AREA = 0.0800 SQ MI
 TYPE "A" = 00.0 %
 TYPE "B" = 00.0 %
 TYPE "C" = 00.0 %
 TYPE "D" = 100.0 %
 $Q_{100} = .95 \text{ CFS}$



T B M (TEMPORARY BENCHMARK)

CAPPED REBAR "LS 3241" TOP OF REBAR ELEVATION=5359.76 IS THE SOUTHEAST PROPERTY CORNER ON HOFFMAN DRIVE.

ACS BENCHMARK

STATION IS LOCATED APPROXIMATELY 5.2 MILES NORTHEAST OF DOWNTOWN ALBUQUERQUE.

TO REACH STATION FROM INTERSECTION OF CENTRAL AVE. AND PENNSYLVANIA ST. GONORTH ON PENNSYLVANIA ST. 1.30 MILE TO THE BRIDGE CROSSING OVER U.S. HIGHWAY I-40. THE STATION IS LOCATED AT THIS POINT, AT THE SOUTHEAST CORNER OF THE BRIDGE.

STATION MARK IS A STANDARD NMSHC BRASS TABLET STAMPED "STA. I-40-6" AND SET IN CONCRETE MONUMENT FLUSH WITH GROUND.

$X=407,609.42$ $Y=1,489,329.46$ ELEVATION=5330.03'

LEGAL DESCRIPTION

LOT 1-A, BLOCK 2 INEZ ADDITION ALBUQUERQUE, NEW MEXICO

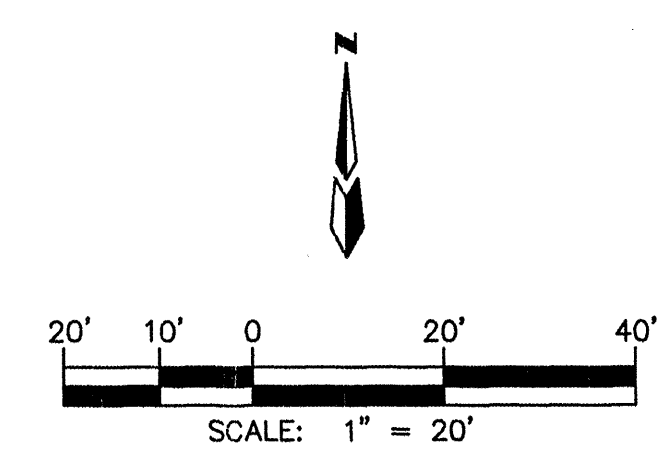
LEGEND

- AS-Built PROPOSED TOP OF CURB AND FLOW LINE SPOT ELEVATION
- EXISTING TOP OF CURB AND FLOW LINE SPOT ELEVATION
- PROPERTY LINE
- PROPOSED CURB
- EXISTING CURB
- EXISTING CONTOUR
- EXISTING OVER HEAD POWER LINE
- ASPHALT SWALE
- PROPOSED RETAINING WALL
- FF=5360.50 M.S.L. FINISHED FLOOR ELEVATION
- NEW FLOW ARROW
- BASIN DRAINAGE BOUNDARY

RECORD DRAWING

I hereby certify that the information contained on this drawing has been revised in accordance with information furnished by the contractor, Steven Williams Designer/Builder, and by the surveyor, Edward Ross Elder, and reflects the construction as actually accomplished. This plan as constructed is in substantial compliance with the Approved Plan.

Mark Goodwin 6/23/99
 Mark Goodwin NMPE 8948



SITE PLAN: MENAULSITE.DWG 4-1-98
 8029MC\8029GD20\09-02-98\WLV

MENAUL CENTRE GRADING AND DRAINAGE

dmG MARK GOODWIN & ASSOCIATES, P.A.
 CONSULTING ENGINEERS
 P.O. BOX 90606
 ALBUQUERQUE, NEW MEXICO 87199
 (505)828-2200, FAX (505)797-9539

Designed: DPS Drawn: WLV Checked: DMG Sheet 1 of 1
 Scale: 1" = 20' Date: 6/98 Job: 98029