

## GRANT OF TEMPORARY CONSTRUCTION EASEMENT

Grant of Temporary Construction Easement by Ryan Darby ("Grantor"), as Grantor, whose address is 222 E. 5<sup>th</sup> Street Tucson, AZ 85705, to the City of Albuquerque, a New Mexico municipal corporation ("City"), as Grantee, whose address is P.O. Box 1293, Albuquerque, New Mexico 87103.

### 1. Recitals.

A. Grantor is the owner of certain real property in Bernalillo County, New Mexico ("Property"), which is described on Exhibit A attached hereto.

B. The City wishes to enter the Property for the purpose of constructing driveway improvements ("Project"). The City will require the use of the Property to complete the Project.

2. Grant of Easement. Grantor hereby grants ("Grant") to the City a temporary easement ("Easement") in, over, upon and across the Property for such uses of the Property as are reasonably necessary for the City to complete the Project. This Grant of the Easement is temporary and will remain in effect until the Project is completed.

The grant of the Easement includes the right of the City to remove trees, bushes, undergrowth and any other obstacles if the City determines removal is necessary and the right of access to the Property across the Grantor's adjoining property.

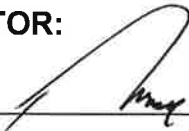
3. Ownership. Grantor warrants that the Grantor is the owner in fee simple of the Property and has a good and lawful right to convey the Property or any part thereof.

4. Termination. Upon the completion of the Project, the City will execute and deliver to the Grantor, upon the Grantor's request, a release of this Easement.

5. Binding Effect. The Grant and other provisions of this Easement constitute covenants running with the Property and are binding on and the benefits inure to the parties and their successors and assigns. The Easement constitutes the entire agreement of the parties, is governed by the laws of New Mexico, and may be modified only in writing signed by the parties.

WITNESS my hand and seal this 3<sup>rd</sup> day of March, 2026.

GRANTOR:

  
\_\_\_\_\_

(Corporate acknowledgement)

STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on 3<sup>rd</sup> day of March, 2006,  
by Ryan Darby of Mister Car Wash, a SVP corporation, on behalf of the  
corporation.

My Commission Expires:  
03.29.26

[Signature]  
Notary Public



(Partnership acknowledgement)

STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_, 200\_,  
by \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ partnership, on behalf of the  
partnership.

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

\_\_\_\_\_  
Notary Public

(Individual acknowledgement)

STATE OF NEW MEXICO )  
 ) ss  
COUNTY OF BERNALILLO )

This instrument was acknowledged before me on \_\_\_\_ day of \_\_\_\_\_, 200\_,  
by \_\_\_\_\_.

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

\_\_\_\_\_  
Notary Public

**EXHIBIT A**  
**(attached)**

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