

PUBLIC SIDEWALK EASEMENT

PROJECT NO: BP-2021-18764

Grant of Sidewalk Easement, between Old Coors Bronco, LLC ("Grantor"), whose address is PO Box 6653 Albuquerque, NM 87197 and whose telephone number is (505) 506-9144 and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P.O. Box 1293, Albuquerque, NM, 87103.

Grantor, for and in certain valuable non-monetary consideration received from the City, the receipt of which is acknowledged by Grantor, does hereby give, bargain, sell, grant and convey unto City an exclusive, perpetual sidewalk 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 Sidewalk, 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.

WITNESS my hand and seal this 19th day of July, 2021.

CITY OF ALBUQUERQUE:

By: _____
Shahab Biazar, P.E., City Engineer
Date: _____

GRANTOR: OLD COORS BRONCO

By [signature]: Dan S. Chini
Name [print]: DANIEL CHINI
Title: MEMBER
Date: 7.19.21

Doc# 2021087828

07/26/2021 01:13 PM Page: 1 of 5
EASE R:\$25.00 Linda Stover, Bernalillo County



GRANTOR'S NOTARY

STATE OF New Mexico)
COUNTY OF Bernalillo) SS



This instrument was acknowledged before me on 19th day of July, 2021,
by Dominican Chiment (name), owner (title)
of Insight Construction (entity), a _____ (i.e. a
New Mexico) corporation, on behalf of the corporation.

(SEAL)

Veronica K. Herrera
Notary Public

My Commission Expires: 06/01/25

(EXHIBIT "A" ATTACHED)

CITY OF ALBUQUERQUE:

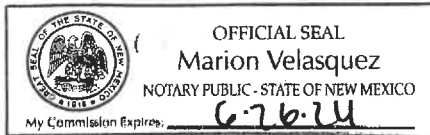
By: DocuSigned by: Shahab Biazar
C7E4C8541E54185
Shahab Biazar, P.E., City Engineer
7/23/2021 | 9:13 AM MDT
Date: _____

DocuSign
Shahab Biazar

CITY'S NOTARY

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

This instrument was acknowledged before me on this 23rd day of July, 2021, by Shahab Biazar, P.E., City Engineer of the City of Albuquerque, a municipal corporation, on behalf of the municipal corporation.



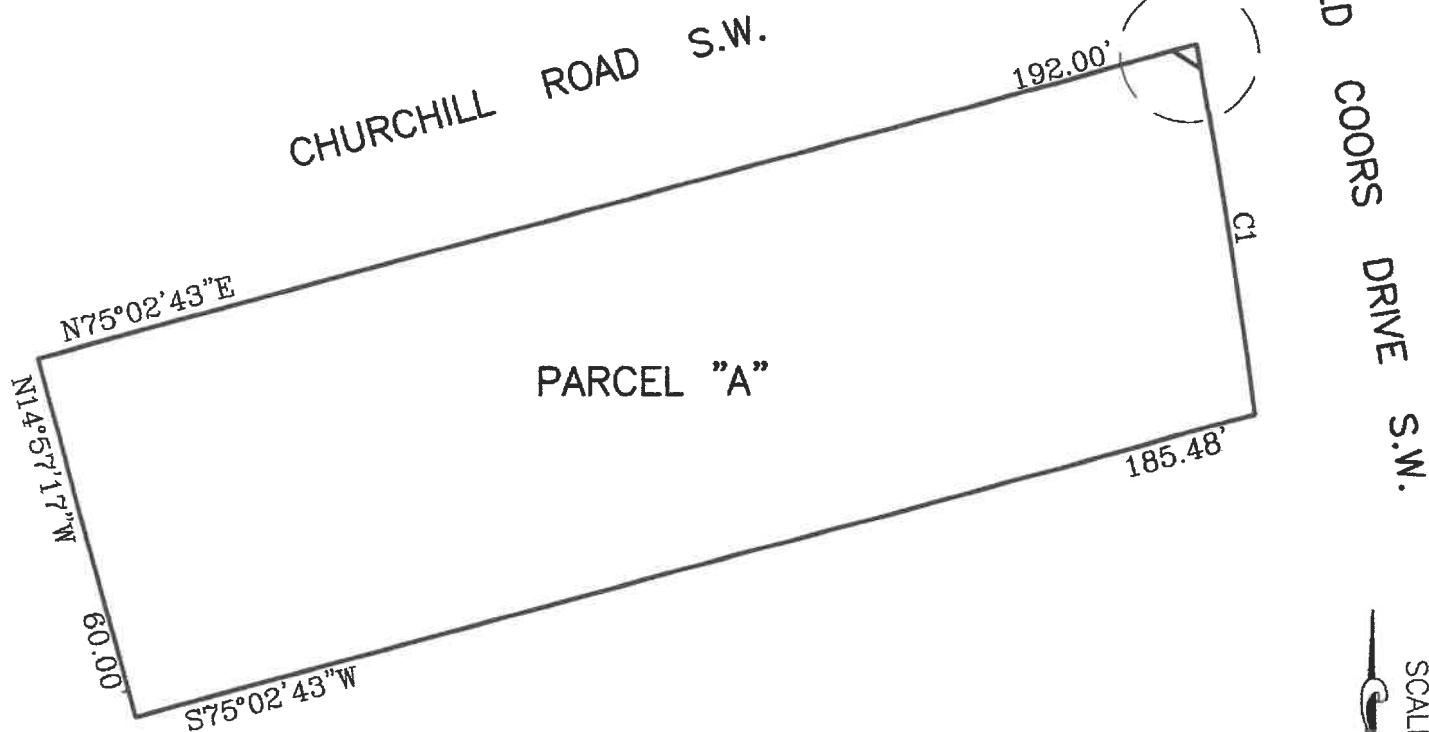
[Signature]
Notary Public

My Commission Expires: June 26, 2024

SIDEWALK EASEMENT GRANTED PER THIS DOCUMENT

NOTE:

BEARINGS, DISTANCES, AND CURVE DATA ARE TAKEN FROM THE PLAT TITLED "A.L.T.A. / N.S.P.S. LAND SURVEY OF PARCEL "A" THE NORTHERLY 60' OF LOT 99 & THE EAST 1/2 OF VACATED ALLEY RIO GRAND ESTATES CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO MARCH 2021", BY P.S. ANTHONY L. HARRIS #11463.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	1096.00'	60.36'	60.35'	S08°44'57"E	03°09'19"	30.19'
C2	1096.00'	4.00'	4.00'	S10°13'20"E	00°12'33"	2.00'

SCALE 1" = 30'

EXHIBIT "A"

PARCEL "A" - THE NORTHERLY 60' OF LOT 99 &
THE EAST 1/2 OF VACATED ALLEY, RIO GRANDE ESTATES



VICINITY MAP No. K-11

LEGAL DESCRIPTION:

PARCEL "A"
THE NORTHERLY SIXTY FEET (60') OF LOT NUMBERED NINETY-NINE (99) AND THE EASTERLY ONE-HALF (1/2) OF LOT NUMBERED ONE HUNDRED (100) OF THE EIGHTH ADDITION TO THE CITY OF ALBUQUERQUE, NEW MEXICO, AS THE SAME ARE SHOWN AND DESIGNATED ON THE PLAT THEREOF, FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON FEBRUARY 12, 1948, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
BEGINNING AT THE NE CORNER OF SAID LOT 99 AND RUNNING THENCE IN A SOUTHERLY DIRECTION ALONG THE WESTERLY RIGHT OF WAY OF COORS BLVD. SW. A DISTANCE OF 80.92 FEET ALONG CHURCHILL ROAD HAVING A RADIUS OF 1006.0 FEET; THENCE S 74°54' W. 194.42 MORE OR LESS; THENCE N 15°08' W. 60.00 FEET ALONG THE CENTERLINE OF SAID VACATED ALLEY; THENCE N 74°54' E. 192.0 FEET TO THE POINT OF BEGINNING.

A.L.T.A. / N.S.P.S. LAND TITLE SURVEY

OF

PARCEL "A"

THE NORTHERLY 60' OF LOT 99 &
THE EAST 1/2 OF VACATED ALLEY
RIO GRANDE HEIGHTS

CITY OF ALBUQUERQUE
BERNALILLO COUNTY, NEW MEXICO
MARCH 2021

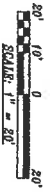
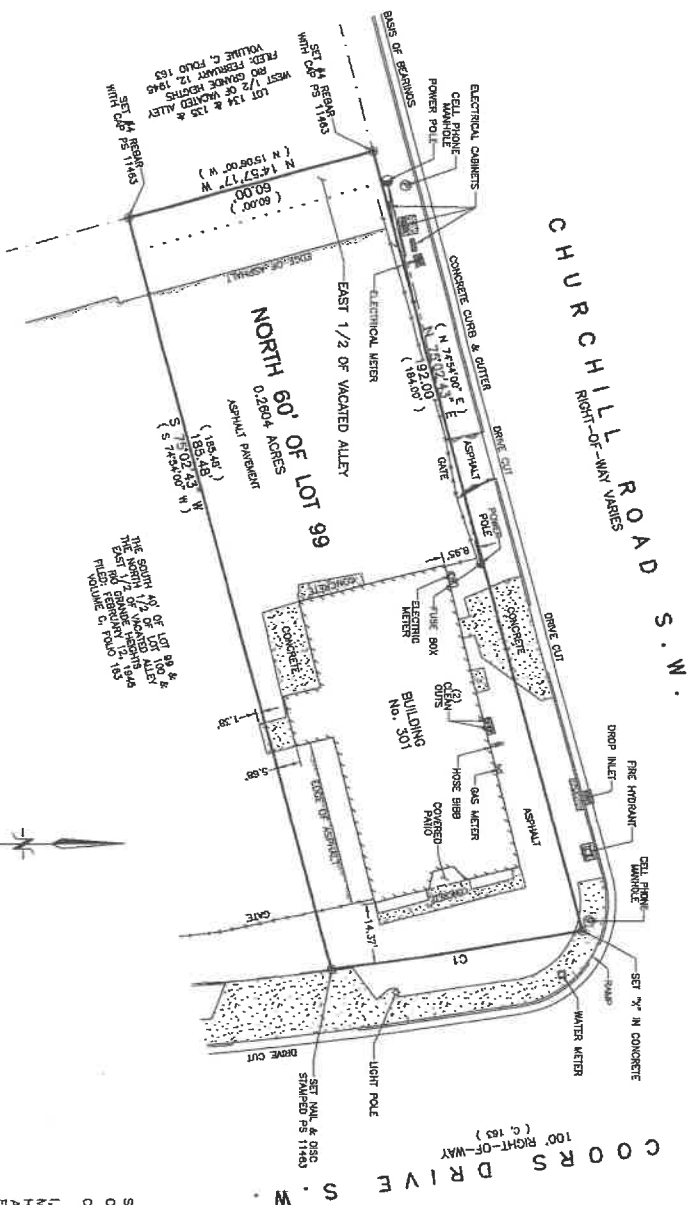
GENERAL NOTES:

1. OWNER OF RECORD PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
TITLE BINDER DATED: NOVEMBER 20, 2020 IS
DENNIS GARCIA AND ELIZA L. GARCIA, HIS WIFE, AS JOINT TENANTS, A 1/2 TENANT IN COMMON INTEREST,
AND OLIVER BURTON CORNEL AND ELIZABETH J. CORNEL, HIS WIFE, AS JOINT TENANTS, A 1/2 TENANT
IN COMMON INTEREST, AS TO PARCEL A, AND DENNIS GARCIA AND OLIVER BURTON CORNEL, AS TENANTS
IN COMMON, AS TO PARCEL B
2. LEGAL DESCRIPTION AND EASEMENTS SHOWN WERE PROVIDED BY
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT No. 220261
3. PLATS USED TO ESTABLISH BOUNDARY:
A: RIO GRANDE HEIGHTS
FEBRUARY 12, 1948 IN VOLUME C, FOLIO 163
4. FIELD WORK PERFORMED ON: MARCH 2021
5. PARKING
HANDICAP: 2
REGULAR: 2
TOTAL: 4
6. CURRENT ZONING: RE-LM

SCHEDULE B NOTES:

ITEM #9 ARE THE RESERVATIONS CONTAINED IN THE PLAT FROM THE UNITED STATES OF AMERICA, RECORDED
IN PLAT #1, 1905 IN BOOK 38, PAGE 57, RECORDS OF BERNALILLO COUNTY, NEW MEXICO. NO EASEMENTS ARE
NOTED.

ITEM #10 ARE EASEMENTS AND NOTES AS SHOWN, NOTED AND PROVIDED FOR ON THE PLAT OF RIO GRANDE
HEIGHTS RECORDED FEBRUARY 12, 1948 IN VOLUME C, FOLIO 163, RECORDS OF BERNALILLO COUNTY, NEW MEXICO.
NO EASEMENTS ARE SHOWN ON THIS PROPERTY.



CHURCHILL ROAD

CHURCHILL ROAD	CHURCHILL ROAD	CHURCHILL ROAD	CHURCHILL ROAD	CHURCHILL ROAD	CHURCHILL ROAD
100.00	100.00	100.00	100.00	100.00	100.00
100.00	100.00	100.00	100.00	100.00	100.00
100.00	100.00	100.00	100.00	100.00	100.00
100.00	100.00	100.00	100.00	100.00	100.00
100.00	100.00	100.00	100.00	100.00	100.00





GIVEN UNDER MY HAND AND SEAL AT ALBUQUERQUE, NEW MEXICO
THIS 15th DAY OF MARCH, 2021

Anthony L. Harris, Surveyor, Inc., Inc.
1508 CHASE BLVD. SUITE 200
ALBUQUERQUE, NM 87102

PHONE: (505) 250-2278
B-MAIL: harris@harrisurveying.com

FLOOD NOTE
THE PROPERTY SHOWN HEREON IS LOCATED WITHIN
FLOOD ZONE X-BAY AREA, WA 2500000228
DATED 8-10-2012 WHICH IS NOT CONSIDERED TO BE
WITHIN THE 100 YEAR FLOOD PLAN

CONTRACT CONTROL FORM**PRELIMINARY REVIEW****PROJECT:** 670982**CONTACT PERSON:** Curtis Cherne**CCN:** 202200112(New/Existing) NewType of Agreement: IIA-B with Financial GuarantyDescription/Project Name: Ventana Square at Ventana RanchDeveloper/Owner: Diamond tail Realty, LLCContract Amount \$832,276.90 Construction Deadline 6-30-23Contract Amount \$Other: DC \$**FINAL CONTRACT REVIEW****APPROVALS REQUIRED:**

	Date Delivered	Returned to Dept.	Approved By	Approval Date
DRC Manager				
Legal Department				7/21/2021 9:12 AM M
City Engineer				7/21/2021 9:18 AM M
Hydrology Engineer				
Contract Administrator				
Transportation Engineer				
Legal Department				
OTHER: <u>CAO</u>				

Bernalillo County, NM
One Civic Plaza NW
P.O. Box 542
Albuquerque, NM 87102

Receipt: 1249396

Product	Name	Extended
EASE	Easement	\$25.00
	# Pages	5
	Document #	2021087828
	# Of Entries	0

Total		\$25.00
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Tender (Check)	\$25.00
Check# 1061	
Paid By KENNETH MYERS	

Thank You!

7/26/21 1:13 PM vgarza