

GRANT OF EASEMENT
FOR STORM DRAINAGE

LINCOLN TRUST COMPANY TRUSTEE FBO & RICHARD K GROFF, (“Grantors”), being the owners of the property described herein, for good and valuable consideration, the receipt of which is hereby acknowledged, hereby grant, bargain, sell and convey to the AJR Developers LLC (“AJR”), a New Mexico Limited Liability Company in the State of New Mexico, its successors and assigns, the permanent right and easement for drainage, and the conveyance of storm water and maintenance of, and access to, area as may be necessary on and across the following described real estate:

The land in which the foregoing rights and easement are granted is located on the southerly 10 feet within Tract J, La Cuesta Subdivision in Bernalillo County, New Mexico, being more particularly described in **Exhibit “A”**, attached hereto and incorporated herein by reference.

Except with the mutual approval of AJR and Grantors, no fence, wall, building, or other obstruction may be placed or maintained in said easement, and there shall be no alteration of the grades or contours in said easement. AJR shall only maintain area of easement and/or improvements that it specifically agrees, by written agreement filed for public record, to maintain. Landscaping or maintenance work by the Grantors, within the easement hereby conveyed, shall not alter the flow or capacity, of the easement area, except in an emergency. If emergency work is performed, Grantors shall notify AJR as soon as practical thereafter.

Grantors covenant and warrant that they are the owners in fee simple of the property and that they have a good and lawful right to grant the easement described herein. The grant and other provisions of this easement constitute covenants running with the land for the benefit of AJR and its successors and assigns until terminated.

TO HAVE AND TO HOLD the said right and easement for the uses and purposes aforesaid, unto AJR, its successors and assigns, to run with the land forever. However, to the extent any portion of the above granted easement area is declared unnecessary for drainage by the City of Albuquerque, said portion of the easement shall revert to the Grantor. Any such reversion shall be accomplished by way of a quitclaim deed to Grantor, his successors or assigns.

THERE IS RESERVED to the Grantors, their successors and assigns, the right to use said lands as needed. Such uses shall not interfere with the rights and easements granted to AJR. Other purposes, which will not interfere with the rights and easements hereby granted, may be permitted, provided that Grantors obtain AJR’s written licensed approval for such use, not to be unreasonably withheld.

Doc# 2013049183

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ERSE R:\$25.00 M. Toulouse Oliver, Bernalillo County

WITNESS MS hand and seal this 2 day of May, 2013.

GRANTORS:

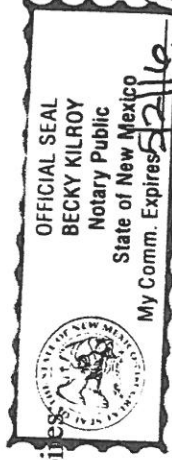
Richard Groff
Richard Groff

ACKNOWLEDGMENT FOR NATURAL PERSONS

STATE OF NEW MEXICO)
)SS
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on May 2, 2013
by Richard Groff.

My commission expires



Becky Kilroy
Notary Public

EXHIBIT "A"
10' PRIVATE DRAINAGE EASEMENT
WITHIN TRACT "J"
LA CUESTA SUBDIVISION
APRIL 2013



PAISANO STREET NE
60' R.O.W.

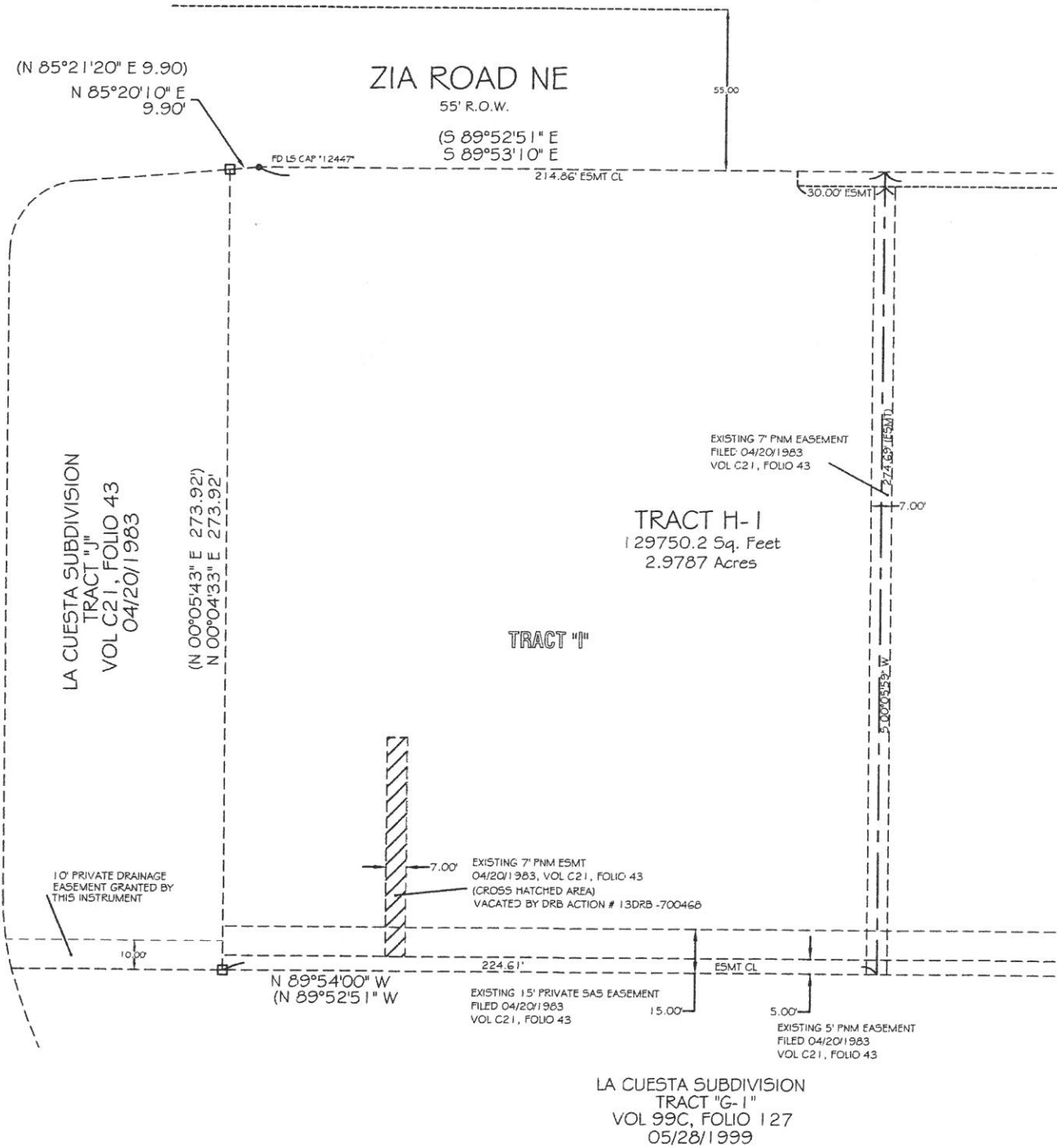


EXHIBIT "A"



CONSTRUCTION SURVEY TECHNOLOGIES, INC

PO BOX 65395 ALBUQUERQUE, NM 87193 505-917-8921

