



FIRST AMENDMENT TO ACCESS EASEMENT AGREEMENT

This First Amendment to Access Easement Agreement ("Amendment") is made and entered into as of June 5, 2024, by and between RS Gibson, LLC, a Texas limited liability company ("Parcel 1 Owner"), and The Regents of the University of New Mexico, a body corporate of the State of New Mexico ("Parcel 2 Owner").

WHEREAS, Parcel 1 Owner and Parcel 2 Owner have entered into an Access Easement Agreement dated August 31, 2023 ("Agreement"); which Agreement was recorded in the real property records of the County Clerk of Bernalillo County, New Mexico, on September 1, 2023 as Document #2023056692.

WHEREAS, Parcel 1 Owner and Parcel 2 Owner wish to amend the Agreement to extend the access easement to additional property pursuant to the terms of this Amendment.

In consideration of the mutual promises contained in this Amendment, and other good and valuable consideration, the receipt and sufficiency of which is acknowledged by the parties to this Amendment, it is agreed as follows:

1. The foregoing recitals are incorporated into this Amendment as operative provisions of this Amendment.
2. Exhibit C to the Agreement is amended to include the additional real property described on Exhibit A to this Amendment ("Additional Access Easement Area").
3. For purposes of the Agreement, the Access Easement Area shall include all of the property described on Exhibit C-1 of the Agreement and Exhibit A of this Amendment. All of the terms and provisions of the Agreement shall apply to the Additional Access Easement Area.
4. This Amendment is governed by the law of the State of New Mexico.

PARCEL 1 OWNER:

RS GIBSON, LLC, a Texas limited liability company

By: 

Print Name: Kern Mathen

Its: Manager

PARCEL 2 OWNER:

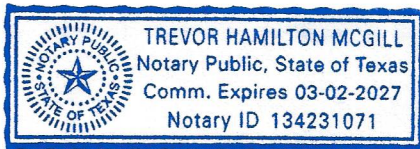
THE REGENTS OF THE UNIVERSITY OF
NEW MEXICO, a body corporate of the State of
New Mexico

By: 
TERESA COSTANTINIDIS, Executive Vice
President for Finance and Administration

ACKNOWLEDGMENT

COUNTY OF Dallas)
STATE OF Texas) ss

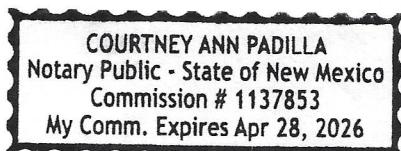
This instrument was acknowledged before me on May 24, 2024 by
Kevin Mattson, the Manager of RS Gibson, LLC, a Texas
limited liability company.




Notary Public
My commission expires: 3/2/27

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss.

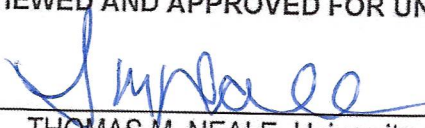
This instrument was acknowledged before me on June 5, 2024, by
Teresa Constantinidis, Executive Vice President for Finance and Administration of The
University of New Mexico.




Notary Public
My Commission Expires: 4/28/26

REVIEWED AND APPROVED FOR UNM BY:


By: _____


THOMAS M. NEALE, University of New Mexico
Director of Real Estate Department

APPROVED AS TO FORM FOR UNM:

HURLEY, TOEVS, STYLES, HAMBLIN &
PANTER, P.A.

By: _____



MARK STYLES

MSS/UNM/Tucker/1 Amend to Access Easement 022624

RECORDING STAMP



I, LARRY W. MEDRANO, A REGISTERED PROFESSIONAL SURVEYOR UNDER THE LAWS OF THE STATE OF NEW MEXICO, HEREBY CERTIFY THAT THIS EXHIBIT FOR EASEMENT SURVEY WAS PREPARED FROM FIELD NOTES OF AN ACTUAL ON THE GROUND SURVEY PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM RESPONSIBLE FOR THIS SURVEY. THIS SURVEY MEETS THE MINIMUM REQUIREMENTS FOR THIS CLASSIFICATION OF (EASEMENT) SURVEY AS PER THE MINIMUM STANDARDS FOR LAND SURVEYING IN NEW MEXICO AS ADOPTED BY THE N.M. BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.


LARRY W. MEDRANO
N.M.P.S. No. 11993

06/11/2024
DATE



STATE OF NEW MEXICO
NOTARY PUBLIC
Rosemary Pagliaro
Commission No. 1132687
February 24, 2025

Acknowledgment

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 11 DAY OF June, 2024 BY LARRY W. MEDRANO, PRESIDENT, PRECISION SURVEYS, INC.

BY Rosely Pagli MY COMMISSION EXPIRES: Feb. 24, 2025
NOTARY PUBLIC



OFFICE LOCATION:
9200 San Mateo Boulevard, NE
Albuquerque, NM 87113

505.856.5700 PHONE
505.856.7900 FAX

COORDINATE AND DIMENSION INFORMATION				PLSS INFORMATION				PROJECT INFORMATION		INDEXING INFORMATION			
STATE PLANE ZONE: N12M_C		GRID/GROUND COORDINATES: CRID		GEOID: ABQ GEOID		LAND GRANT TOWN OF ALBUQUERQUE GRANT		CREW/TECH: ML		DATE OF SURVEY 07/07/2022		PROPERTY OWNER RS GIBSON LLC AND REGENTS OF UNM REAL ESTATE DEPT	
HORIZONTAL DATUM: NAD83		VERTICAL DATUM: NAVD88		ROTATION ANGLE: 0° 00' 00.00"		SECTION 28		TOWNSHIP 10 NORTH		RANGE 03 EAST		MERIDIAN NMPM	
CONTROL USED: NATIONAL GEODETIC SURVEY				BASE POINT N = 0 E = 0		CITY ALBUQUERQUE		COUNTY BERNALILLO		STATE NM		DRAWN BY: JK	
COMBINED SCALE FACTOR: GRID TO GROUND: 1.000322195 GROUND TO GRID: 0.999677909				DISTANCE ANNOTATION: GROUND BEARING ANNOTATION: GRID		PSI JOB NO. 228208ACCESS		SHEET NUMBER 1 OF 4		UPC 101505619803730903 101505619806830902		SUBDIVISION NAME UNM GIBSON COMMERCIAL DISTRICT	

Legal Description

EXHIBIT "A"

A VARIABLE WIDTH JOINT PRIVATE ACCESS EASEMENT LYING AND SITUATE WITHIN THE TOWN OF ALBUQUERQUE GRANT, PROJECTED SECTION 28, TOWNSHIP 10 NORTH, RANGE 03 EAST, N.M.P.M., CITY OF ALBUQUERQUE, BERNALILLO COUNTY, NEW MEXICO, COMPRISING OF A PORTION OF TRACTS 3 AND 5, UNM GIBSON COMMERCIAL DISTRICT AS THE SAME IS SHOWN AND DESIGNATED ON THE PLAT THEREOF FILED IN THE OFFICE OF THE COUNTY CLERK OF BERNALILLO COUNTY, NEW MEXICO ON DECEMBER 22, 2011, IN BOOK 2011C, PAGE 138, SAID EASEMENT BEING MORE PARTICULARLY DESCRIBED BY NEW MEXICO STATE PLANE COORDINATE SYSTEM GRID BEARINGS (NAD 83-CENTRAL ZONE) AND GROUND DISTANCES (US SURVEY FEET) AS FOLLOWS;

BEGINNING AT THE SOUTHEAST CORNER OF DESCRIBED EASEMENT, FROM WHENCE A TIE TO A.G.R.S. MONUMENT "24_L16" BEARS S 83°39'06" E, A DISTANCE OF 3,416.68 FEET;

THENCE FROM SAID POINT OF BEGINNING, ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 13.22 FEET, A RADIUS OF 25.84 FEET, A DELTA ANGLE OF 29°18'17", A CHORD BEARING OF N 68°56'13" W, AND A CHORD LENGTH OF 13.07 FEET, TO A POINT OF TANGENCY;

THENCE N 83°34'07" W, A DISTANCE OF 60.51 FEET TO A POINT OF CURVATURE;

THENCE ALONG A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 16.02 FEET, A RADIUS OF 10.00 FEET, A DELTA ANGLE OF 91°46'45", A CHORD BEARING OF S 50°33'27" W, AND A CHORD LENGTH OF 14.36 FEET, TO A POINT OF TANGENCY;

THENCE S 04°40'39" W, A DISTANCE OF 11.50 FEET TO AN ANGLE POINT;

THENCE N 85°19'23" W, A DISTANCE OF 24.02 FEET TO AN ANGLE POINT;

THENCE N 04°40'37" E, A DISTANCE OF 12.86 FEET TO A POINT OF CURVATURE;

THENCE ALONG A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 15.42 FEET, A RADIUS OF 10.00 FEET, A DELTA ANGLE OF 88°17'37", A CHORD BEARING OF N 39°26'33" W, AND A CHORD LENGTH OF 13.93 FEET, TO A POINT OF TANGENCY;

THENCE N 83°33'42" W, A DISTANCE OF 1.00 FEET TO A POINT OF CURVATURE;

THENCE ALONG A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 15.69 FEET, A RADIUS OF 25.01 FEET, A DELTA ANGLE OF 35°56'36", A CHORD BEARING OF S 78°27'57" W, AND A CHORD LENGTH OF 15.43 FEET, TO THE SOUTHWEST CORNER OF DESCRIBED EASEMENT LYING ON THE EAST RIGHT OF WAY LINE OF ALUMNI DRIVE, S.E.;

THENCE ALONG SAID EAST RIGHT OF WAY LINE, N 04°40'37" E, A DISTANCE OF 15.35 FEET TO A POINT OF CURVATURE, MARKED BY A FOUND CHISELED "X";

THENCE ALONG A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 7.42 FEET, A RADIUS OF 698.22 FEET, A DELTA ANGLE OF 00°36'33", A CHORD BEARING OF N 04°22'20" E, AND A CHORD LENGTH OF 7.42 FEET, TO A POINT OF COMPOUND CURVATURE, MARKED BY A FOUND CHISELED "X";

THENCE ALONG A COMPOUND CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 21.22 FEET, A RADIUS OF 697.90 FEET, A DELTA ANGLE OF 01°44'31", A CHORD BEARING OF N 03°11'50" E, AND A CHORD LENGTH OF 21.22 FEET TO THE NORTHWEST CORNER OF DESCRIBED EASEMENT;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 12.74 FEET, A RADIUS OF 25.02 FEET, A DELTA ANGLE OF 29°10'47", A CHORD BEARING OF S 68°58'06" E, AND A CHORD LENGTH OF 12.60 FEET, TO A POINT OF TANGENCY;

THENCE S 83°33'42" E, A DISTANCE OF 5.41 FEET TO A POINT OF CURVATURE;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 15.72 FEET, A RADIUS OF 10.00 FEET, A DELTA ANGLE OF 90°03'49", A CHORD BEARING OF N 51°26'18" E, AND A CHORD LENGTH OF 14.15 FEET, TO A POINT OF TANGENCY;

THENCE N 06°26'18" E, A DISTANCE OF 5.00 FEET TO A POINT OF CURVATURE;

THENCE ALONG A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 7.86 FEET, A RADIUS OF 5.00 FEET, A DELTA ANGLE OF 89°58'58", A CHORD BEARING OF N 38°33'42" W, AND A CHORD LENGTH OF 7.07 FEET, TO A POINT OF TANGENCY;

THENCE S 83°33'42" E, A DISTANCE OF 34.05 FEET TO A POINT OF CURVATURE;

THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 7.86 FEET, A RADIUS OF 5.00 FEET, A DELTA ANGLE OF 89°58'58", A CHORD BEARING OF S 51°26'18" W, AND A CHORD LENGTH OF 7.07 FEET, TO A POINT OF TANGENCY;

THENCE S 06°26'18" W, A DISTANCE OF 5.00 FEET TO A POINT OF CURVATURE;

THENCE ALONG A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 15.72 FEET, A RADIUS OF 10.00 FEET, A DELTA ANGLE OF 90°03'49", A CHORD BEARING OF S 38°33'42" E, AND A CHORD LENGTH OF 14.15 FEET, TO A POINT OF TANGENCY;

THENCE S 83°33'42" E, A DISTANCE OF 52.83 FEET TO A POINT OF CURVATURE;

THENCE ALONG A CURVE TO THE RIGHT, HAVING AN ARC LENGTH OF 20.61 FEET, A RADIUS OF 30.01 FEET, A DELTA ANGLE OF 39°20'24", A CHORD BEARING OF S 63°53'30" E, AND A CHORD LENGTH OF 20.20 FEET, TO A POINT OF TANGENCY;

THENCE S 44°13'18" E, A DISTANCE OF 17.68 FEET TO AN ANGLE POINT;

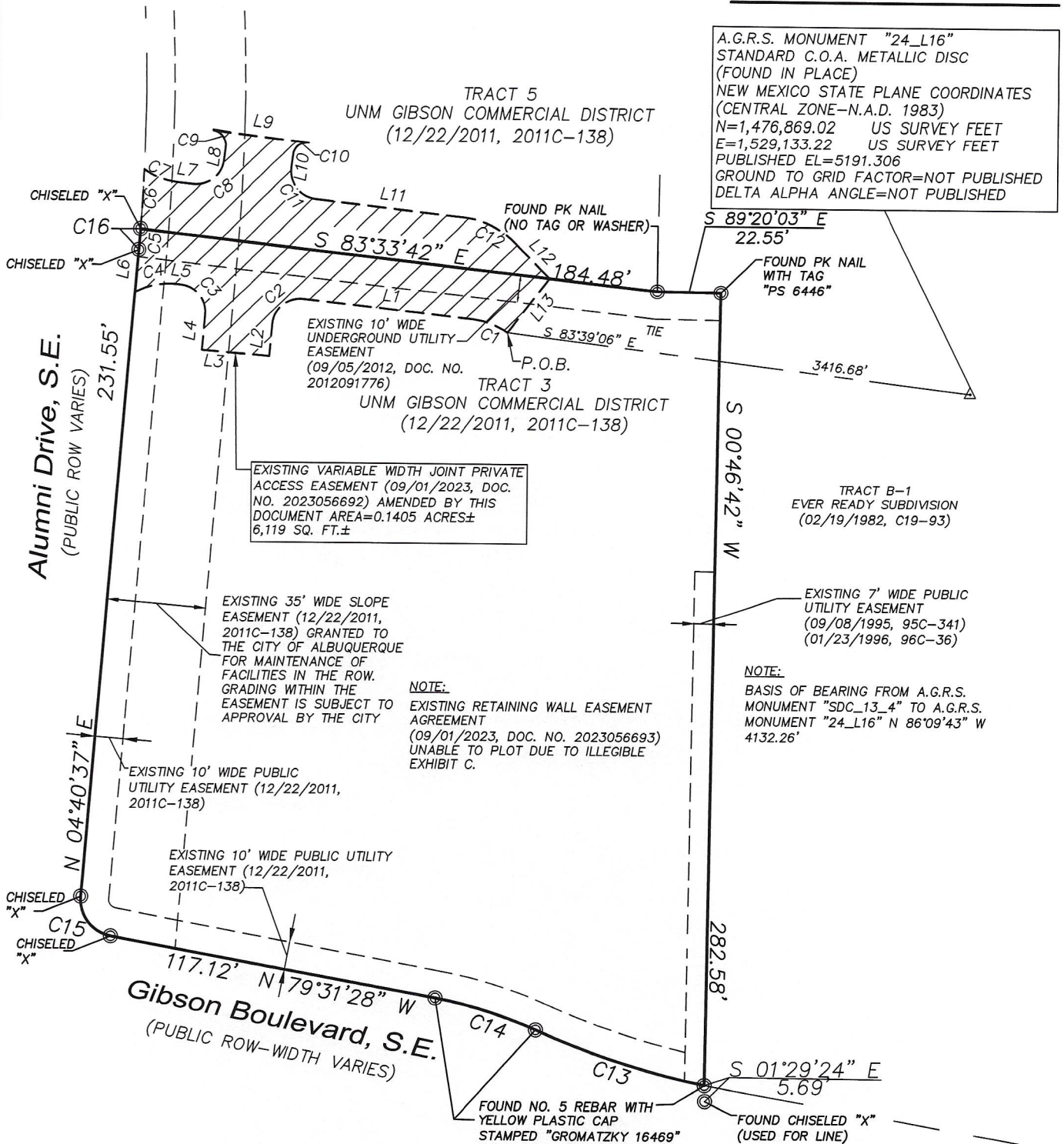
THENCE S 36°34'39" W, A DISTANCE OF 24.64 FEET TO THE POINT OF BEGINNING, CONTAINING 0.1405 ACRES (6,119 SQUARE FEET), MORE OR LESS.



OFFICE LOCATION:
9200 San Mateo Boulevard, NE
Albuquerque, NM 87113
505.856.5700 PHONE
505.856.7900 FAX

PROJECT INFORMATION	
CREW/TECH: ML	DATE OF SURVEY 07/07/2022
DRAWN BY: JK	CHECKED BY: LM
PSI JOB NO. 228208EX5	SHEET NUMBER 2 OF 4

EXHIBIT "A"



See Sheet 4 of 4 for Line and Curve Tables

Legend

N 90°00'00" E MEASURED BEARING AND DISTANCES



FOUND AND USED MONUMENT
AS DESIGNATED

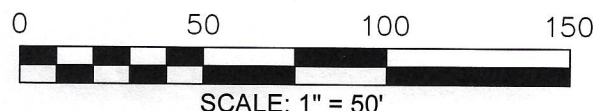


FOUND ALUMINUM AGRS MONUMENT
AS DESIGNATED

PRECISION
SURVEYS, INC.

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PROJECT INFORMATION	
CREW/TECH: ML	DATE OF SURVEY 07/07/2022
DRAWN BY: JK	CHECKED BY: LM
PSI JOB NO. 228208EX5	SHEET NUMBER 3 OF 4

Curve Table

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.84'	13.22'	13.07'	N 68°56'13" W	29°18'17"
C2	10.00'	16.02'	14.36'	S 50°33'27" W	91°46'45"
C3	10.00'	15.42'	13.93'	N 39°26'33" W	88°17'37"
C4	25.01'	15.69'	15.43'	S 78°27'57" W	35°56'36"
C5	698.22'	7.42'	7.42'	N 04°22'20" E	0°36'33"
C6	697.90'	21.22'	21.22'	N 03°11'50" E	1°44'31"
C7	25.02'	12.74'	12.60'	S 68°58'06" E	29°10'47"
C8	10.00'	15.72'	14.15'	N 51°26'18" E	90°03'49"
C9	5.00'	7.86'	7.07'	N 38°33'42" W	89°58'58"
C10	5.00'	7.86'	7.07'	S 51°26'18" W	89°58'58"
C11	10.00'	15.72'	14.15'	S 38°33'42" E	90°03'49"
C12	30.01'	20.61'	20.20'	S 63°53'30" E	39°20'24"
C13	288.00'	63.08'	62.95'	N 72°19'24" W	12°32'54"
C14	162.00'	37.45'	37.37'	N 72°46'28" W	13°14'43"
C15	13.00'	19.15'	17.47'	N 37°31'47" W	84°24'42"
C16	698.00'	7.42'	7.42'	N 04°22'20" E	0°36'33"

Line Table

LINE	BEARING	DISTANCE
L1	N 83°34'07" W	60.51'
L2	S 04°40'39" W	11.50'
L3	N 85°19'23" W	24.02'
L4	N 04°40'37" E	12.86'
L5	N 83°33'42" W	1.00'
L6	N 04°40'37" E	15.35'
L7	S 83°33'42" E	5.41'
L8	N 06°26'18" E	5.00'
L9	S 83°33'42" E	34.05'
L10	S 06°26'18" W	5.00'
L11	S 83°33'42" E	52.83'
L12	S 44°13'18" E	17.68'
L13	S 36°34'39" W	24.64'



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PSI JOB NO. 228208EX5	SHEET NUMBER 4 OF 4