

TR A HENDERSON SQUARE BLK 51 SKYLINE
HEIGHT ADDN CONT 2.095 AC M/L

PUBLIC SIDEWALK EASEMENT

L24D075
Project No: BP-2021-02594
Project Name: JB Henderson New Fabrication Facility

Grant of Sidewalk Easement, between Trumbull Development LLC ("Grantor"), whose address is 10100 Trumbull Ave. SE Albuquerque, NM 87123 and whose telephone number is (505) 975-4896 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 JB Henderson, 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 23rd day of February, 2023.

CITY OF ALBUQUERQUE:

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

GRANTOR: Trumbull Development LLC

By [signature]: _____
Name [print]: John Lerch
Title: Member
Date: 2/23/2023

Doc# 2023012722

03/03/2023 11:04 AM Page: 1 of 3
EASE R:\$25.00 Linda Stover, Bernalillo County

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CITY OF ALBUQUERQUE:

By: Shahab Biazar
Shahab Biazar, P.E., City Engineer
Date: 2/27/2023 | 8:10 AM MST

GRANTOR: Trumbull Development LLC

By [signature]: [Signature]
Name [print]: John Lerch
Title: Member
Date: 2/23/2023

County Clerk's Recording Label

GRANTOR'S NOTARY

STATE OF New Mexico)
) ss
COUNTY OF Bernalillo)

This instrument was acknowledged before me on 23rd day of February, 2023,
by John Lerch (name), Member (title)
of Trumbull Development LLC (entity), a New Mexico LLC (i.e. a
New Mexico) corporation, on behalf of the corporation.

STATE OF NEW MEXICO
NOTARY PUBLIC
LanieRose Norton
Commission Number 1104341
My Commission Expires 6/22/2026

(SEAL)

LanieRose Norton
Notary Public

My Commission Expires: 6/22/2026

(EXHIBIT "A" ATTACHED)

Bernalillo County, NM
415 Silver Ave. SW, 2nd Floor
P.O. Box 542
Albuquerque, NM 87102

Receipt: 1419094

Product	Name	Extended
EASE	Easement	\$25.00
	# Pages	3
	Document #	2023012722
	# Of Entries	0
Total		\$25.00
		\$25.00

Tender (Check)
Check# 219
Paid By trumbull development llc
Phone # 5059754896

Thank You!

3/3/23 11:04 AM msouchet