

PERMANENT EASEMENT

Grant of Permanent Easement, between Eileen M. Deme, a single woman; Steven S. Herrera, a single man; and Michael P. Herrera and Yolanda Herrera, husband and wife ("Grantor"), whose address is 1140 Sunset Road S.W., Albuquerque, New Mexico 87105 and the City of Albuquerque, a New Mexico municipal corporation ("City"), whose address is P. O. Box 1293, Albuquerque, New Mexico 87103.

The Grantor grants to the City an exclusive, permanent easement ("Easement") in, over, upon, and across the real property described on Exhibit "A" and Exhibit "B" attached hereto ("Property") for the construction, installation, maintenance, repair, modification, replacement and operation of SEWER and WATER SYSTEM IMPROVEMENTS, 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.

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 the 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 land for the benefit of the City and its successors and assigns until terminated.

WITNESS my hand and seal this _____ day of _____, 199__.

GRANTOR:

Eileen M. Deme
Eileen M. Deme

GRANTOR:

Steven S. Herrera
Steven S. Herrera

GRANTOR:

Michael P. Herrera
Michael P. Herrera

GRANTOR:

Yolanda Herrera
Yolanda Herrera

NOTARY

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss

The foregoing instrument was acknowledged before me this 27 day of MARCH, 1998,
by EILEEN M. DEME, STEVEN S. HERRERA, MICHAEL P. HERRERA AND YOLANDA HERRERA

[Signature]
Notary Public

My Commission Expires:
7-10-98

NOTARY

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO) ss



Judy D. Woodward

Bern. Co. ERSE

R 11.00

1998045100

5634310

Page: 1 of 3

04/14/1998 02:53P

BK-9808 Pg-3571

The foregoing instrument was acknowledged before me this _____ day of _____, 199__.

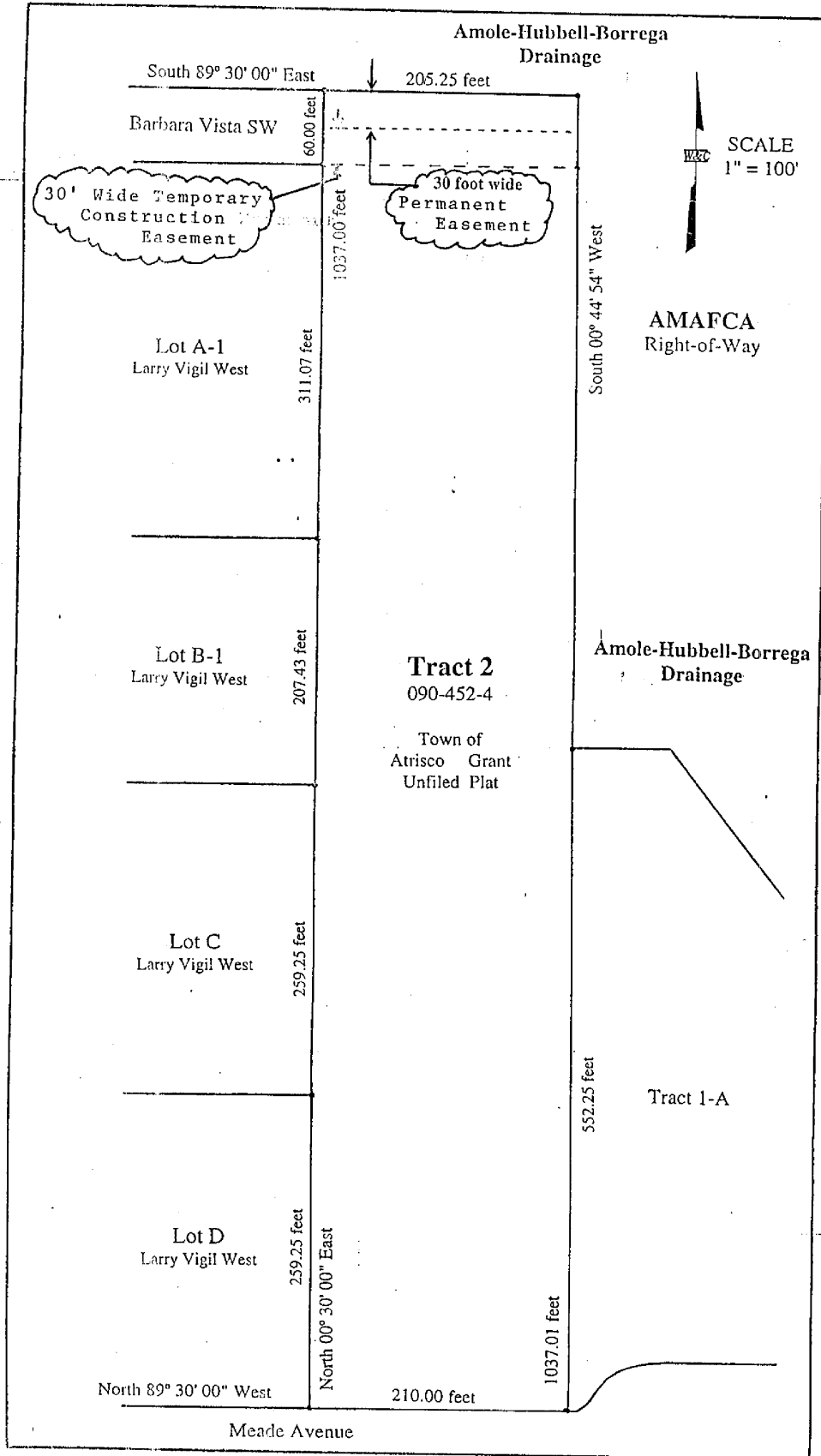
My Commission Expires:

Notary Public

(EXHIBITS "A" and "B" - ATTACHED)

EXHIBIT "A"

Line: Barbara Vista Avenue, SW
 South Valley Water and Sewer Improvements Project
 COA Project # - 4515.96



1998045100
 2004-10-10
 Page: 2 of 3
 04/14/1998 02:53P
 Judy D. Woodward Bern. Co. EPSE R 11.00 BK-9668 Pg-3571

EXHIBIT "B"

Line: Barbara Vista Avenue, SW
South valley Water and Sewer Improvements Project
COA Project # - 4515.96

Tract Description

A tract of unplatted land, described as Tract Two (2), within Section 10, Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico and within the Town of Atrisco Grant. Said unplatted tract is shown on a Plat entitled "Larry Vigil West", filed in the office of the County Clerk of Bernalillo County, New Mexico, on July 25, 1985 in Map Book C-27, page 123.

Permanent Easement Description

The Permanent Easement is described as 30.0 feet in width and parallel to the Northerly border of said Tract 2 and is to run 205.25 feet (within the Northern half of a projected section of Barbara Vista Avenue, SW extending into said Tract 2), from a point on the Easterly boundary of the above described tract to the Westerly boundary of the above described tract to a point at the Easternmost right-of-way line of Barbara Vista Avenue, containing 6156 square feet, more or less.

Temporary Easement Description

The Temporary Easement for construction is described as 30.0 feet in width and parallel to the Northerly border of said Tract 2 and is to run 205.25 feet (within the Southern half of a projected section of Barbara Vista Avenue, SW extending into said Tract 2), from a point on the Easterly boundary of the above described tract to the Westerly boundary of the above described tract to a point at the Easternmost right-of-way line of Barbara Vista Avenue, containing 6156 square feet, more or less.

