



### GRANT OF EXCLUSIVE ACCESS EASEMENT

Mariposa East LP, owners of the property in Rio Rancho, New Mexico, (hereinafter, "Grantor") for consideration paid, grants to the SOUTHERN SANDOVAL COUNTY ARROYO FLOOD CONTROL AUTHORITY, a flood control authority constituting a quasi-municipal corporation and a political subdivision of the State of New Mexico (hereinafter "Grantee"), an easement upon and over the following described lands within the City of Rio Rancho, New Mexico, subject to the terms set forth herein:

An access easement located within Lot numbered Seventy-four (74), in Block numbered One Hundred Twenty-one (121) of UNIT 25, RIO RANCHO ESTATES, Sandoval County, New Mexico, as the same is shown and designated on the Plat thereof, filed in the Office of the County Clerk of Sandoval County, New Mexico, on March 5, 1971, in Rio Rancho Estates Book 2, Page 52, and being more particularly described as follows:

Beginning at the Northwest corner of the easement herein described, being the Northwest corner of said Lot 74;

THENCE along the northerly line of said Lot 74, S 45° 00' 00" E, 42.82 feet to a non-tangent point on curve, being the right of way line of Ema Court;

THENCE along a curve to the left, having a radius of 50 feet, a central angle of 90° 00' 00", a chord bearing S 00° 00' 00" W, 70.71 feet, along an arc length of 78.54 feet to a point;

THENCE leaving said right of way line, N 45° 00' 00" W, 95.22 feet to a point on the westerly line of said Lot 74;

THENCE along said westerly line, N 47° 45' 06" E, 50.06 feet to the point of beginning and containing 2737 square feet, more or less.

The easement area is shown on Exhibit A attached hereto.

#### Terms and Conditions:

1. Exclusive Access Easement: The easement granted herein shall be for the exclusive use of the Grantee, except only for the rights of others, if any, to use the said lands pursuant to easements or licenses of record on the date of this Grant of Easement, and any future rights that may be granted to others by mutual written agreement and consent of both the Grantor and the Grantee.
2. Grantee Use of the Lands: Grantee will use the lands granted by the Grant of Easement for the purpose of providing access for maintenance and inspection of flood control facilities.
3. Easement Perpetual: The easement granted herein shall be perpetual, for so long as Grantee shall use the easement lands, or any portion thereof, for the purposes set forth herein.
4. Termination for Non-Use: Notwithstanding the foregoing of Paragraph 3, the easement granted herein shall be void and of no effect if the Grantee ceases to own and operate the adjacent flood control channel.

Dated this 9<sup>th</sup> day of September, 2021.

Mariposa East, LP

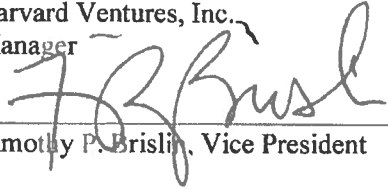
By: ABQ-GP, L.L.C.

Its: General Partner

By: Harvard Ventures, Inc.

Its: Manager

By:

  
\_\_\_\_\_  
Timothy P. Brislin, Vice President

STATE OF ARIZONA            }  
  } ss.  
County of Maricopa         }

The foregoing was acknowledged before this this 8<sup>th</sup> day of September 2021 by Timothy P. Brislin, Vice President of Harvard Ventures, Inc., the Manager of ABQ-GP, L.L.C., the General Partner of Mariposa East, LP.

  
\_\_\_\_\_  
Notary Public

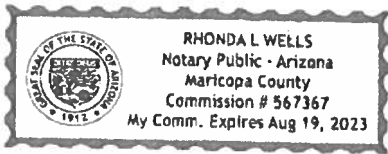
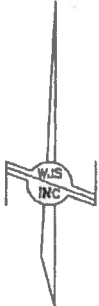
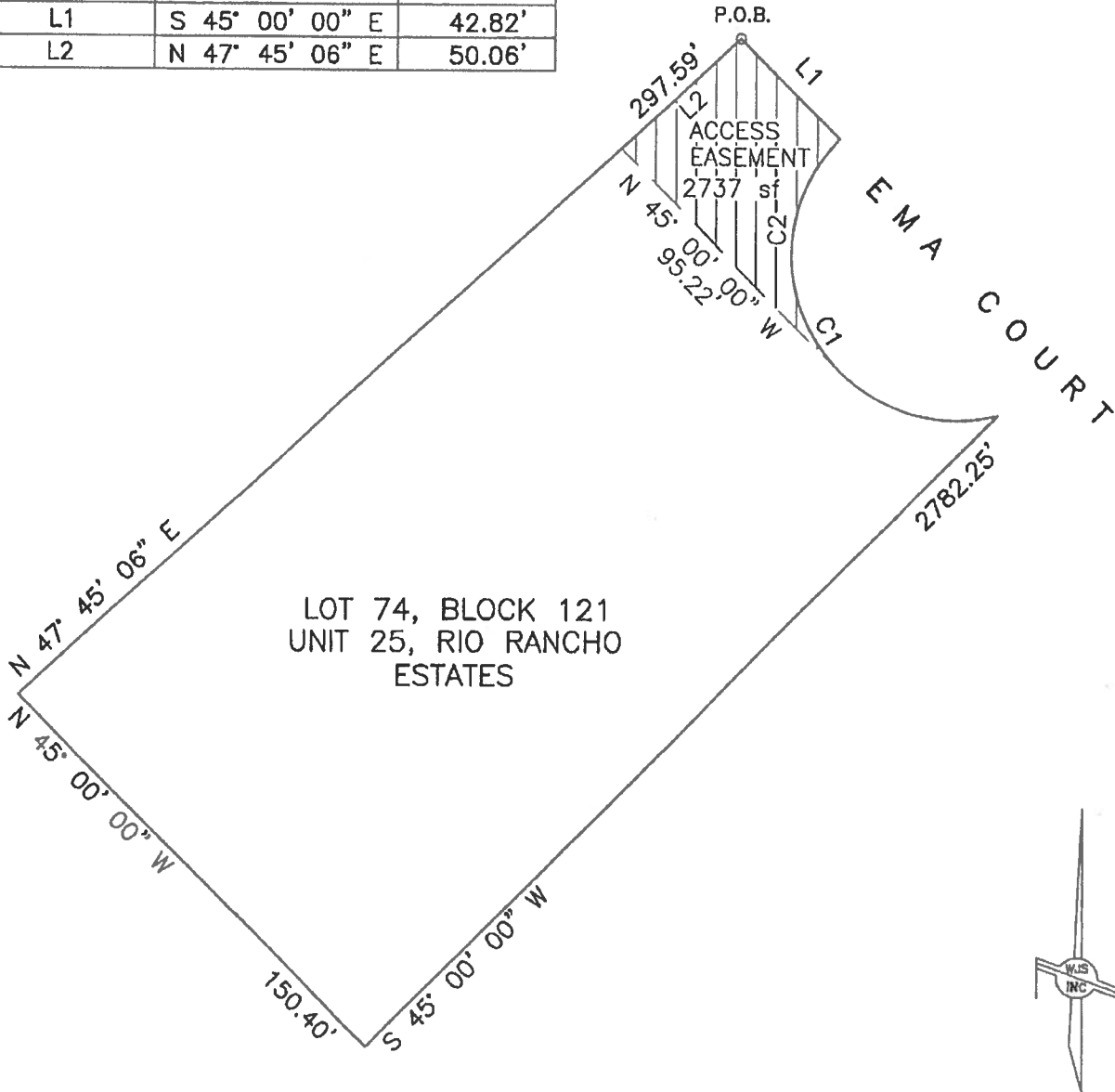


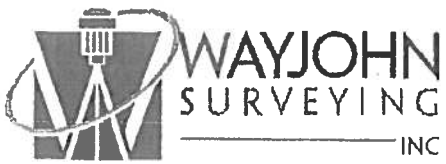
EXHIBIT A

CURVE INFORMATION				
CURVE NO.	RADIUS	LENGTH	CENTRAL ANGLE	CHORD
C1	50.00'	130.90'	33°23'00"	S 29°59'56" E, 96.58'
C2	50.00'	78.54'	90°00'00"	S 00°00'00" W, 70.71'

LINE INFORMATION		
LINE NO.	BEARING	DISTANCE
L1	S 45° 00' 00" E	42.82'
L2	N 47° 45' 06" E	50.06'



JOB NO.: E-6-01-2020 SCALE: 1" = 50'



1609 2nd Street, NW Albuquerque, NM 87102  
Phone: (505) 255-2052 Fax: (505) 255-2887

LOT:	74
BLOCK:	121
SUBDIVISION:	UNIT 25, RIO RANCHO ESTATES
DATE:	6/08/2020
DRAWN BY:	TDJ
SHEET:	1 OF 2

EASEMENT EXHIBIT

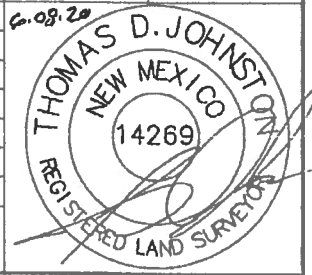


EXHIBIT A

EASEMENT LEGAL DESCRIPTION

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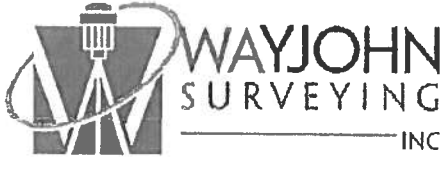
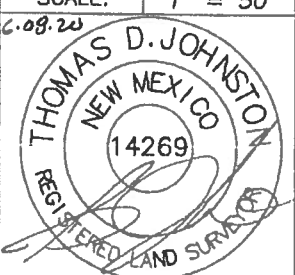
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JOB NO.:	E-6-01-2020			SCALE:	1" = 50'
 <p><b>WAYJOHN</b> SURVEYING INC</p> <p>1609 2nd Street, NW Albuquerque, NM 87102 Phone: (505) 255-2052 Fax: (505) 255-2887</p>	LOT:	74			
	BLOCK:	121			
	SUBDIVISION:	UNIT 25, RIO RANCHO			
		ESTATES			
	DATE:	6/08/2020			
	DRAWN BY:	TDJ			
SHEET:	2 OF 2				
<b>EASEMENT EXHIBIT</b>					