

Underground Easement

EASEMENT

Location Index 3E/26S/35
School District 542
Work Order No. 09-70-10743

STATE OF NEW MEXICO
COUNTY OF DONA ANA

For one dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, BOARD OF EDUCATION GADSDEN INDEPENDENT SCHOOL DISTRICT

hereinafter called Grantor, grants unto El Paso Electric Company, hereinafter called Grantee, its successors and assigns, whose address is P.O. Box 982, El Paso, Texas 79960, the perpetual, right, privilege, authority and easement to enter and erect, construct, operate, remove, inspect, access, and maintain underground cables, lines, conductors, conduits, transformer installation including padmount and conventional, ducts, vaults, pullboxes, manholes, handholes, service facilities, fixtures and all other necessary equipment for an underground electric distribution system, with the right of access, ingress, and egress thereto for the installation, construction, operation, inspection, repair, maintenance, replacement, renewal or removal thereof, for the distribution of electricity, for any and all purposes, including communications, for which same is or may hereafter be used, over, upon and along the following described premises and the adjoining roads, streets and highways, in the county named above, to wit:

LOCATED IN SECTION 35, TOWNSHIP 26 SOUTH, RANGE 3 EAST NMPM AND AS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF,

with the right to trim any trees and flora along and around said electrical equipment so as to keep the electrical equipment cleared, and to do anything proper and necessary to operate and maintain same.

Buildings and structures of a permanent nature, including but not limited to fences, boundary walls, walkways and landscaping, that obstruct access to or safe operational clearances from Grantee's electrical equipment, will not be built on or over the easement except with the prior written consent of the Grantee.

Executed as of the ____ day of _____, 2010__.

GRANTOR

GRANTEE

BOARD OF EDUCATION
GADSDEN INDEPENDENT SCHOOL DISTRICT

EL PASO ELECTRIC COMPANY

By: _____
Name: _____
Title: _____

By: _____
Name: H. WAYNE SOZA
Title: DIRECTOR, LAND MANAGEMENT

THE STATE OF NEW MEXICO §
COUNTY OF DONA ANA §

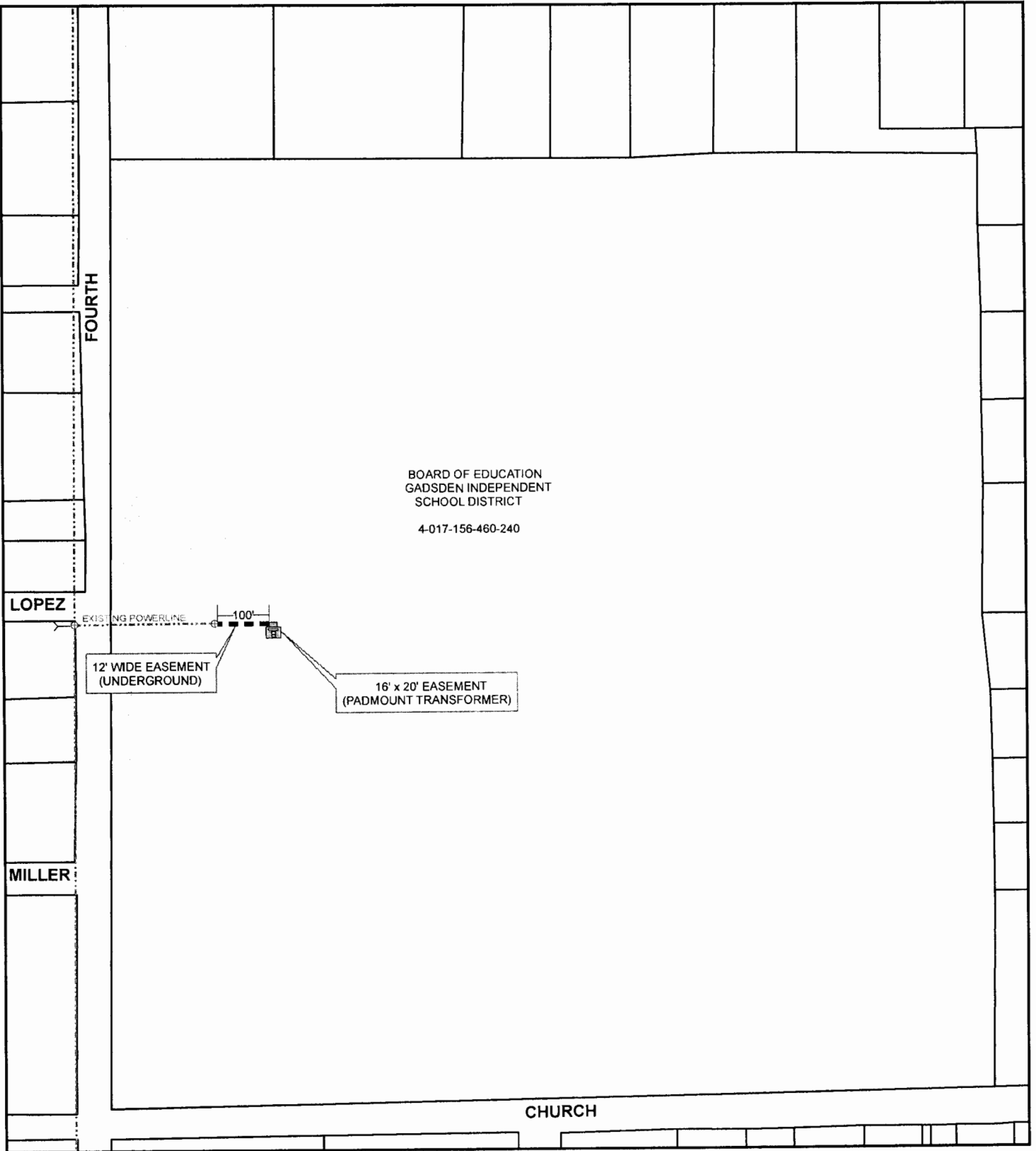
This instrument was acknowledged before me on this ____ day of _____, 2010_ by _____ of BOARD OF EDUCATION GADSDEN INDEPENDENT SCHOOL DISTRICT who stated that (s)he executed same for the purpose and consideration therein, expressed and in the capacity therein stated.

Commission expires: _____
Notary Public in and for
the State of NEW MEXICO

THE STATE OF _____ §
COUNTY OF _____ §

This instrument was acknowledged before me on this ____ day of _____, 2010__ by _____ of El Paso Electric Company who stated that (s)he executed same for the purpose and consideration therein, expressed and in the capacity therein stated.

Commission expires: _____
Notary Public in and for
the State of _____




Range 3E / Township 26S / Section 35

Subdivision: NONE

DATE: 1/5/2010

W.O. # 09-70-10743

----- 12' WIDE UNDERGROUND EASEMENT

 16' x 20' EASEMENT (PADMOUNT TRANSFORMER)



EL PASO ELECTRIC

EXHIBIT "A"