

SANITARY SEWER EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to GADSDEN INDEPENDENT SCHOOL DISTRICT, hereinafter referred to as GRANTOR, by City of Sunland Park, hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, the GRANTOR does hereby grant, bargain, sell, transfer, and convey unto the GRANTEE, its successor and assigns, a perpetual easement with the right to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove underground pipes, services lines, sewer manholes and other improvements necessary to the operation and maintenance of the City's public sanitary sewer distribution system, over, across, and through the land of the GRANTOR situated in Dona Ana County, State of New Mexico, said land being described as follows:

The legal description of the Grantor's property is contained in the Grantor's deed, a true and correct copy of which is recorded in Book 284, Page 609-14, at the Office of the County Clerk, Dona Ana, New Mexico, together with the right of ingress and egress over the adjacent lands of the GRANTOR, their successors and assigns, for the purposes of this easement.

This Easement shall be 10.00 feet in width described as follows:

A 10 FOOT WIDE EASEMENT SITUATE IN THE SANTA TERESA LAND GRANT, T 28 S., R.3 E., N.M.P.M., DONA ANA COUNTY, NEW MEXICO, ADJOINING THE EASTERLY PROPERTY LINE OF THE LANDS DESCRIBED IN DEED TO GADSDEN INDEPENDENT SCHOOL DISTRICT, FILED DECEMBER 15, 1983, IN THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY, IN BOOK 284, PAGE 609-14, MORE PARTICULARLY DESCRIBED AS A 10 FOOT STRIP OF LAND LYING 5.00 FEET TO THE LEFT AND 5.00 FEET TO THE RIGHT OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT AP-1 (ANGLE POINT 1), A POINT ON THE SOUTHERLY PROPERTY LINE OF THE GRANTOR, WHENCE THE SOUTHEAST CORNER OF SAID GADSDEN SCHOOL TRACT BEARS S89°49'37"E A DISTANCE OF 5.91 FEET; THENCE, FROM THE POINT OF BEGINNING RUNNING AS AN EASEMENT PARALLEL WITH THE EASTERLY PROPERTY LINE OF SAID SCHOOL TRACT, N32°04'18"W A DISTANCE 169.68 FEET TO AP-2;

THENCE, N11°58'18"W A DISTANCE OF 321.00 FEET TO AP-3;

THENCE, RUNNING PARALLEL WITH THE WESTERLY RIGHT-OF-WAY LINE OF TRACT 2 OF THE INTERNATIONAL BOUNDARY COMMISSION CANALIZATION RIGHT-OF-WAY (PROJECT MAP # E.O.F.418) THE FOLLOWING THREE COURSES:

N42°43'00"W A DISTANCE OF 58.32 FEET TO AP-4; THENCE, N32°13'46"W A DISTANCE OF 115.46 FEET TO AP-5; THENCE, N57°46'14"E A DISTANCE OF 74.40 FEET TO AP-6;

THENCE, RUNNING PARALLEL WITH THE EASTERLY PROPERTY LINE OF SAID SCHOOL TRACT, N11°58'18"W A DISTANCE OF 507.21 FEET TO AP-7;

THENCE, LEAVING THE EASTERLY PROPERTY LINE OF SAID GADSDEN SCHOOL TRACT, N74°01'50"W A DISTANCE OF 634.20 FEET TO AP-8, THE TERMINUS OF SAID EASEMENT.

CONTAINING 0.431 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

THIS EASEMENT IS DEPICTED ON EXHIBIT "A", WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the GRANTOR, their successors and assigns, by reason of the installation, operation, and maintenance of the structures or improvements referred to herein. The GRANTEE covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the GRANTOR, their successors and assigns.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, the GRANTOR has executed this instrument this _____ day of _____ 20_____.

GRANTOR