

**GRANT OF RIGHT OF WAY EASEMENT**

The Board of Education of Gadsden Independent School District (Grantor), for consideration paid, grant to New Mexico State University and Doña Ana Community College (Grantees), their heirs, successors and assigns a right-of-way easement for ingress, egress and utility purposes, being a perpetual, full and unrestricted easement and right of way along, over, across and under the real estate in Doña Ana County, New Mexico, described in Attachment A (Legal Description) and Attachment B (Plat of Survey), both attachments made part hereof.

The Grantees specifically understand and agree by their acceptance of this conveyance that the above-described easement tract shall be maintained and kept in a clean and safe condition, and that their use of said easement tract shall in no manner constitute a nuisance to or cause damage or harm to the adjoining lands of the Grantors. This covenant shall be binding on all heirs, successors and/or assigns of the Grantee.

The Grantors reserve all their rights of use and access within said easement tract. Either party (Grantors or Grantees) and their heirs, successors and assigns may construct roadways, sidewalks, utilities, drainage structures, or similar structures related to access and utilities at their own expense within said easement tract.

Grantee and Grantor together shall have the right to dedicate said tract to the Doña Ana County for public roadway and utility uses.

Witness our hands and seals this \_\_\_\_ day of May, 2010.

\_\_\_\_\_  
For the Board of Education, Gadsden Independent School District

Accepted by the Grantees:

\_\_\_\_\_  
For New Mexico State University

\_\_\_\_\_  
For Doña Ana Community College

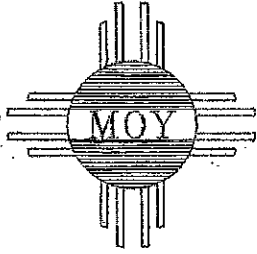
**ACKNOWLEDGEMENTS:**

STATE OF NEW MEXICO }  
COUN TY OF DOÑA ANA }

This instrument was acknowledged before me this \_\_\_\_ day of May, 2010, by \_\_\_\_\_

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

My Commission Expires: \_\_\_\_\_



# MOY SURVEYING, INC.

414 N. DOWNTOWN MALL LAS CRUCES, N.M. 88001  
PHONE: (575) 525-9683 - FAX (575) 524-3238

MARCH 24, 2010

## DESCRIPTION OF A 16,440.73 SQ. FT. 0.377 ACRE ROAD & UTILITY EASEMENT BEING PROPOSED EXTENSION OF PRESCOTT ANTHON DRIVE

An easement situate in Section 33, T.26S., R.5W., N.M.P.M. of the U.S.G.L.O. Surveys in Chaparral, Dona Ana County, New Mexico and being part of the Board of Education, Gadsen Independent School District Warranty Deed filed October 27, 2004, in Clerks Book 560, Pages 1031-1033, Dona Ana County records and in use by Chaparral High School and being more particularly described as follows, to wit:

Beginning at the Northwest corner of the easement herein described, being identical to the Northwest corner of Chaparral High School Tract and the Northeast corner of Lot 94, Galaway Subdivision No. 4, Phase II filed June 2, 2000, in Plat Book 19, Pages 447-449, Dona Ana County records;

Thence from the point of beginning and leaving the East line of said Lot 94 and along the North line of Chaparral High School Tract, N.89°59'15"E., at 30 feet to the Proposed site for D.A.C.C. and at 60.00 feet to a point for the Northeast corner of this easement;

Thence leaving the North line of said Chaparral High School Tract, S.00°04'27"E., 273.98 feet to a point for the Southeast corner of this easement;

Thence S.89°55'33"W., 60.00 feet to a point on the East line of said Lot 94 for the Southwest corner of this easement;

Thence along the East line of said Lot 94, N.00°04'27"W., 274.04 feet to the point of beginning, containing 16,440.72 sq. ft. 0.377 acre of land, more or less.

Information in the preparation of this description derives from Warranty Deed filed October 27, 2004, in Clerks Book 560, Pages 1031-1033 and Easement filed November 19, 1966, in Miscellaneous Book 71, Page 493, Dona Ana County records. Field notes by MOY SURVEYING INC., License #5939.

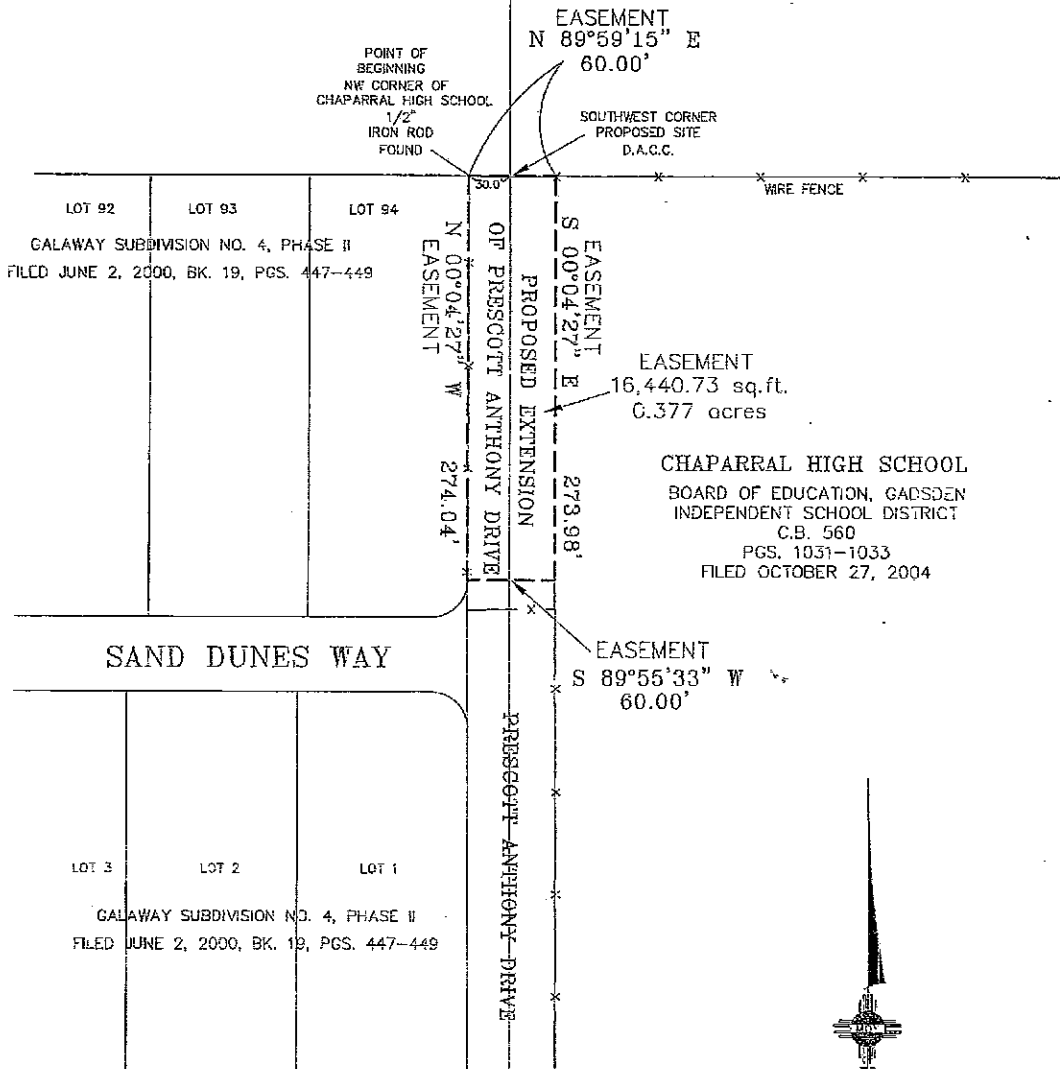
Job 10-0249

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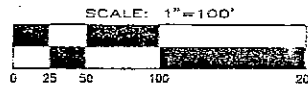
SE 1/4 NW 1/4  
FEDERAL LANDS

S 1/2 SW 1/4 NE 1/4  
PROPOSED SITE  
FOR D.A.C.C.



NOTES:

INFORMATION IN THE PREPARATION OF THIS PLAT DERIVES FROM WARRANTY DEED FILED OCTOBER 27, 2004, IN CLERKS BOOK 560, PAGES 1031-1033 AND EASEMENT FILED NOVEMBER 19, 1956, IN MISCELLANEOUS BOOK 71, PAGE 493, DONA ANA COUNTY RECORDS.



PLAT OF SURVEY  
ON A 16,440.73 SQ. FT. 0.377 AC.  
ROAD & UTILITY EASEMENT BEING  
PROPOSED EXTENSION OF PRESCOTT ANTHONY  
DRIVE, IN SECTION 33, T.26S., R.5E., N.M.P.M.  
OF THE U.S.G.L.O. SURVEYS  
CHAPARRAL  
DONA ANA COUNTY, NEW MEXICO

I AM NEW MEXICO PROFESSIONAL SURVEYOR CERTIFY THAT I CONDUCTED AND AM RESPONSIBLE FOR THIS SURVEY, THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT THIS SURVEY AND PLAT MEET THE MINIMUM STANDARDS FOR SURVEYING IN NEW MEXICO.

*Jorge Moy*



MOY SURVEYING INC.  
414 N. DOWNTOWN MALL  
LAS CRUCES, NEW MEXICO  
88001

PHONE: (575) 525-9683  
FAX: (575) 524-3238

JOB NO. 10-0249  
DRAWN BY ROBERT E. LAWS  
FIELD BY KENNY & VICTOR  
DATE 3/24/10 SCALE: 1"=100'