

GRANT OF UTILITY EASEMENT

This grant of easement is made by *Board of Education of the Gadsden Independent School District, of Drawer 70, Anthony, Doña Ana County, New Mexico* ("grantor(s)"), to *Camino Real Regional Utility Authority*, a political subdivision organized and existing under the laws of the State of New Mexico with its principal office located at *4950 McNutt Rd, Sunland Park, Doña Ana County, New Mexico* ("grantee").

1. **UTILITY EASEMENT**—Grantor(s) grants and conveys to grantee, its successors and assigns, a utility easement for the purposes of laying, constructing, operating, inspecting, maintaining, repairing, replacing, substituting, relocating and removing a pipeline for the transportation of water or wastewater or both within the land as described in Exhibit A, which is attached and incorporated herein by reference.

The portion of the parcel described in Exhibit A through which the grant of easement extends is more particularly described as follows:

A various width portion of the above-mentioned land as described in Exhibit A of the above-mentioned parcel

This land is referred to in this grant of easement as the "premises".

2. **TERM**—The rights granted in this grant of easement shall be possessed and enjoyed by grantee, its successors and assigns, so long as the pipeline or pipelines and appurtenances constructed pursuant to this grant of easement shall be maintained and operated by grantee, its successors or assigns.
3. **ADDITIONAL RIGHTS OF GRANTEE**—Grantee shall have the right of ingress and egress to and from the premises for any and all purposes necessary or convenient to the exercise by grantee of the rights granted herein.
4. **RIGHTS OF GRANTOR(S)**—Grantor(s) reserves the right to use and enjoy the premises to the fullest possible extent without unreasonable interference with the exercise by grantee of the rights granted herein.
5. **ASSIGNMENTS**—The rights granted herein shall be assignable together or separately and in whole or in part.
6. **WARRANTY OF TITLE**—Grantor(s) covenants and warrants that grantor(s) is the owner of the premises, that said real property is free and clear of all encumbrances and liens which might affect the Grantor's capacity to grant this easement, and that Grantor(s) has the right, title and capacity to grant the utility easement granted herein.
7. **EFFECT OF AGREEMENT**—This grant of easement shall be binding on the heirs, legal representatives, successors and assigns of the parties.

 Grantor
 State of New Mexico)
) SS.
 County of Doña Ana)

 Date

 Grantor
 State of New Mexico)
) SS.
 County of Doña Ana)

 Date

This instrument was acknowledged before me on the ____ day of _____, 20__, by _____.

This instrument was acknowledged before me on the ____ day of _____, 20__, by _____.

My commission expires:

My commission expires:

 Notary Public
 (Seal)

 Notary Public
 (Seal)

EXHIBIT "A"

DESCRIPTION

A certain tract of land located within the Santa Teresa Grant, projected Sections 26 and 27, Township 28 South, Range 3 East, New Mexico Principal Meridian, Dona Ana County, New Mexico, and being situate within a remnant of a 56.247 acre parcel as described in a Warranty Deed filed in the Office of the County Clerk of Dona Ana County, New Mexico as Instrument No. 8627131 on December 31, 1986; said tract being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

COMMENCING at a 3" brass cap stamped "CL CROWDER INVESTMENT CO MILLER AND ASSOC INC 1970 47 NMLS 3794" found on the northerly boundary of Cervantes Subdivision and as shown on the plat thereof, recorded in Book 24, Page 549 at the Dona Ana County Clerk's Office on March 20, 2020, **WHENCE** a 3" brass cap stamped "CL CROWDER INVESTMENT CO MILLER AND ASSOC INC 1970 47 NMLS 3794" found on the northerly boundary of Cervantes Subdivision bears North 66°05'34" East a distance of 319.97 feet;

THENCE along the northerly boundary line of Cervantes Subdivision North 43°24'54" West a distance of 500.30 feet to the southeast corner of said tract and the **POINT OF BEGINNING**;

THENCE along the northerly boundary line of the Cervantes Subdivision South 62°50'10" West a distance of 20.81 feet to a point;

THENCE leaving the northerly boundary line of the Cervantes Subdivision North 43°23'37" West a distance of 104.50 feet to a point;

THENCE South 62°50'55" West a distance of 31.25 feet to a 1/2" rebar found at the southeast corner of a tract currently owned by the Gadsden Independent School District (G.I.S.D.) as described in a Special Warranty Deed filed in the Office of the Dona Ana County Clerk as Instrument #0316496 on December 5, 2003;

THENCE along the easterly boundary of said G.I.S.D. tract North 42°54'15" West a distance of 51.95 feet to a point;

THENCE leaving the easterly boundary of said G.I.S.D. tract North 62°50'55" East a distance of 51.61 feet to a point on the westerly boundary of a parcel currently owned by Elephant Butte Irrigation District (E.B.I.D.) as described in Quitclaim Deeds filed in the Office of the Dona Ana County Clerk as Instrument #1114982 and Instrument #1114983 on December 5, 2003;

THENCE along the westerly boundary of said E.B.I.D. tract South 43°23'15" East a distance of 156.57 feet to the **POINT OF BEGINNING**.

Tract contains ± 0.1075 acres (4,681 Sq. Ft.), more or less.

SURVEYOR'S CERTIFICATION:

I, Dean S. Christmas, New Mexico Professional Surveyor No. 23788, do hereby certify that this Legal Description and the actual survey on the ground upon which it is based were performed by me or under my direct supervision; that I am responsible for this survey; that this Survey meets the Minimum Standards for Surveying in New Mexico for Legal Descriptions as defined in NMAC 12.8.2.7.a(7); and that it is true and correct to the best of my knowledge and belief. I further certify that this survey is not a land division or subdivision as defined in the New Mexico Subdivision Act.








Dean S. Christmas
New Mexico Professional Surveyor 23788

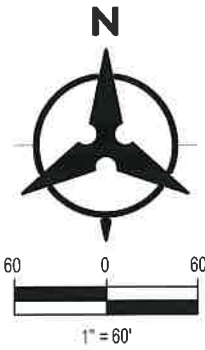
10/27/2022

Date:

EXHIBIT "A"

LEGEND

-  CALCULATED POINT
-  FOUND SURVEY MONUMENT AS NOTED
-  PROPOSED EASEMENT LINE
-  EXISTING EASEMENT LINE
-  EXISTING TRACT LINE



R1603249
BOARD OF EDUCATION OF THE
GADSDEN INDEPENDENT SCHOOL DISTRICT
S.W.D. #0316496 05/12/2003

R1603123
EBID
QCD INST.# 1114982 (PPD, LLC > EBID)
AND
QCD INST.# 1114983 (MESILLA BOLSON > EBID)
06/28/2011

PROPOSED SEWER
MAIN EASEMENT
(WIDTH VARIES)
0.1075 Acres
(4,681 Sq. Ft.)

100' DRAINAGE EASEMENT
(AS SHOWN ON PLAT OF
SURVEY INST.#0112181
05/14/2001)

FOUND 1/2"
REBAR

POINT OF
BEGINNING 3" BRASS CAP STAMPED "CL
CROWDER INVESTMENT CO
MILLER AND ASSOC INC 1970
NMLS 3794"
FOUND ON THE NORTHERLY
BOUNDARY LINE OF THE
CERVANTES SUBDIVISION

THIS IS A REMNANT OF A 56.247 AC. PARCEL NAMED "PARCEL
5" AS DESCRIBED IN WARRANTY DEED INST. # 8627131 FILED
12/31/1986. SAID DEED CONVEYING OWNERSHIP FROM C.L.
CROWDER CO. TO CHARLES L. CROWDER AND PHYLLIS L.
CROWDER.

LIFT STATION TRACT
(AS SHOWN ON PLAT OF
SURVEY INST.#0112181
05/14/2001)

FOUND BENT
1/2" REBAR

POINT OF COMMENCEMENT
3" BRASS CAP STAMPED "CL
CROWDER INVESTMENT CO MILLER
AND ASSOC INC 1970 47 NMLS 3794"
FOUND ON THE NORTHERLY LINE
OF THE CERVANTES SUBDIVISION

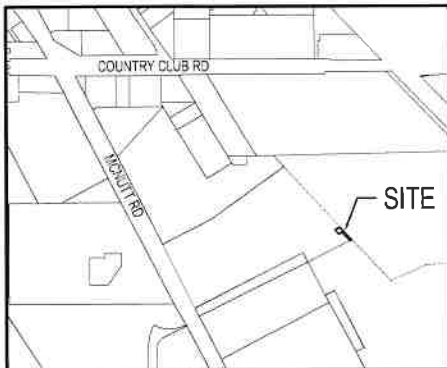
N66° 05' 34"E 319.97'
(BASIS OF BEARINGS)

180' UTILITY EASEMENT
(AS SHOWN ON PLAT OF SURVEY
INST.#0112181 05/14/2001)

CERVANTES SUBDIVISION
BK. 24 PG. 549 03/20/2020

NOTES:

1. THIS SURVEY IS BASED ON NEW MEXICO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83, US SURVEY FOOT.
2. DISTANCES ARE GROUND DISTANCES.
3. GROUND TO GRID SCALE FACTOR: 0.99972896. SCALED AT ABOUT 0,1640416.67.



LOCATION MAP
NOT TO SCALE



TANGENT DATA

ID	BEARING	DISTANCE
T1	S62°50'10"W	20.81'
T2	N43°23'37"W	104.50'
T3	S62°50'55"W	31.25'
T4	N42°54'15"W	51.95'
T5	N62°50'55"E	51.61'

