## 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 abovementioned 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 )
This instrument was acknowledged before me on the ___, day of
My commission expires:
(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 a portion of a parcel of land as described in a Special Warranty Deed, filed in the Office of the County Clerk of Dona Ana County, New Mexico as Instrument No 0316496 on May 12, 2003; said tract being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

COMMENCING at a 1/2" rebar found at the northeastern-most corner of Parcel 1, Verde-Mesilla Bolson Partition No. 2 recorded in Book 23, Page 87 at the Dona Ana County Clerk's Office on October 11, 2012 along the westerly right-of-way line of New Mexico Highway 273 a.k.a. McNutt Road, WHENCE a 5/8" rebar found along the westerly right-of-way line of Highway 273 a.k.a. McNutt Road bears South $27^{\circ} 01^{\prime} 555^{\prime \prime}$ East a distance of 210.41 feet;

THENCE South $85^{\circ} 55^{\prime} 44$ " East a distance of 175.88 feet to the POINT OF BEGINNING, WHENCE a 3" brass cap stamped "CL CROWDER INVESTMENT CO MILLER AND ASSOC INC 1970 C1 NMLS 3794" found on the easterly right-of-way line of New Mexico 273 a.k.a. McNutt Road, marking the northwest corner of said parent parcel, bears North $27^{\circ} 09^{\prime} 05^{\prime \prime}$ West a distance of 613.29 feet;

THENCE leaving the easterly right-of-way line of New Mexico Highway 273 a.k.a. McNutt Road North $62^{\circ} 50^{\prime} 55^{\prime \prime}$ East a distance of 40.00 feet to a point;

THENCE South $27^{\circ} 09^{\prime} 05^{\prime \prime}$ East a distance of 5.00 feet to a point;
THENCE North $62^{\circ} 50^{\prime} 55^{\prime \prime}$ East a distance of 1331.79 feet to a point;

THENCE North $27^{\circ} 09^{\prime} 05^{\prime \prime}$ West a distance of 35.00 feet to a point along said remnant parcel and the southeastern corner;
THENCE North $62^{\circ} 50^{\prime} 55^{\prime \prime}$ East a distance of 33.82 feet to a point along the easterly boundary of said parent parcel;

THENCE along said easterly boundary South $42^{\circ} 54^{\prime} 15$ " East a distance of 51.95 feet to a $1 / 2^{\prime \prime}$ rebar found at the southeast corner of said parent parcel;

THENCE along the southerly boundary of said parent parcel South $62^{\circ} 50^{\prime} 55^{\prime \prime}$ West a distance of 1419.72 feet to a point on the easterly right-of-way line of New Mexico Highway 273 a.k.a. McNutt Road;

THENCE North $27^{\circ} 09^{\prime} 05^{\prime \prime}$ West a distance of 20.00 feet along the easterly right-of-way line of New Mexico Highway 273 a.k.a. McNutt Road to the POINT OF BEGINNING.

Tract contains $\pm 0.5239$ acres ( 22,821 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.


10/26/2022



Wed, 26-Oct-2022-11:26:am, Plotted by: AHUGG
K:120220316|SURVEY102_OFFICE104_EXHIBITT20220316_SOUTH_LS_EXHIBIT.dwg

