

U. S. DEPARTMENT OF AGRICULTURE
Forest Service
FOREST ROAD EASEMENT
AUTHORITY:
FEDERAL LAND POLICY AND MGMT ACT, AS AMENDED, October 21, 1976

THIS EASEMENT, dated this 23rd day of September, 2003, from the United States of America, acting by and through the Forest Service, Department of Agriculture, hereinafter called Grantor, to ABBE SPRINGS RANCHES HOMEOWNERS ASSN. a Corporation of the State of New Mexico hereinafter called Grantee.

WITNESSETH:

WHEREAS, Grantee has applied for a grant of an easement under the Act of October 21, 1976 (90 Stat. 2743; 43 U.S.C. 1761), for a road over certain lands or assignable easements owned by the United States in the County of Socorro, State of New Mexico, and administered by the Forest Service, Department of Agriculture.

NOW THEREFORE, Grantor, for and in consideration of reciprocal easement granted by Grantee does hereby grant to Grantee, subject to existing easements and valid rights, a nonexclusive easement for use of a road, whether existing or as constructed or reconstructed, over and across the following described lands in the County of Socorro, State of New Mexico,

The location of the road is shown approximately on Exhibits A, B, and C, attached hereto.

This grant is made subject to the following terms, provisions, and conditions applicable to Grantee, its permittees, contractors, assignees, and successors in interest.

- A. Grantee shall comply with applicable Federal or State law and shall comply with State standards for public health and safety, environmental protection, and siting, construction, operation, and maintenance of or for rights-of-ways for similar purposes, if those standards are more stringent than applicable Federal standards.
- B. Except as hereinafter limited, Grantee shall have the right to use the road for the purposes set forth in clause D, subject to such traffic control regulations and rules as Grantor reasonably may impose upon or require of other users of the road without unreasonably reducing the rights herein granted.
- C. Upon the change of ownership of the Grantee's land served by this road, the rights granted under this easement can be transferred or assigned to the new owner upon written notification to Regional Forester.
- D. This easement shall continue for as long as the property served is used for access to Abbe Springs Ranches subdivision; Provided, That the Grantee shall make no use of the road for hauling forest products or other commercial use of the road until it pays or makes arrangements acceptable to the Grantor to pay its share of the road construction or reconstruction costs; and Provided further, that the Grantor shall review terms and conditions of this easement at the end of each 30-year period from the date of issuance, and may incorporate in the easement such new terms, conditions, and stipulations as existing or prospective conditions may warrant. These shall have the same force and effect as if included in the original grant.
- E. All construction or reconstruction of the road shall be in accordance with plans, specifications, and written stipulations approved by the Grantor prior to beginning such construction or reconstruction.
- F. The rights herein conveyed do not include the right to use the road for access to developments for short- or long-term residential purposes, unless and until the Grantor and the Grantee agree upon traffic control regulations, rules, and other provisions to accommodate such use of the road.

G. Grantee shall pay the Grantor for its share of maintenance cost or perform maintenance, as determined by the Grantor. The maintenance obligation of the Grantee shall be proportionate to total use and commensurate with its use. Any maintenance performed by the Grantee shall be authorized by and shall conform with an approved maintenance plan. In the event the road requires maintenance, restoration, or reconstruction work to accommodate the Grantee's needs, the Grantor shall authorize the work required in the same manner as provided herein for maintenance or in clause E for reconstruction. The Grantee shall perform such work at its own expense.

H. Grantee shall pay annually in advance a sum determined by the Forest Service to be the fair market value of the use authorized by this easement. The initial payment is set at N/A for the remainder of the calendar year. Payments for each subsequent calendar year shall be the amount of N/A per 36 CFR 251.57 (B) (5) adjusted using the Implicit Price Deflator-Gross National Product index (IPD-GNP), or other factor selected by the Forest Service, to reflect more nearly the current fair market value of the use. At intervals to be determined by certain changes in the indexes used to establish the linear rights-of-way fee schedule, the fee shall be reviewed and adjusted as necessary to assure that it is commensurate with the value of the rights and privileges authorized. In addition to the annual payment, the holder shall pay its proportionate share of road costs prior to using the road for commercial use. Failure of the holder to pay the annual payment, late charges, or other fees or charges shall cause the easement to terminate.

I. Pursuant to 31 U.S.C. 3717, et seq., interest shall be charged on any fee amount not paid within 30 days from the date the fee or fee calculation financial statement specified in this authorization becomes due. The rate of interest assessed shall be the higher of the rate of the current value of funds to the U.S. Treasury (i.e., Treasury tax and loan account rate), as prescribed and published by the Secretary of the Treasury in the Federal Register and the Treasury Fiscal Requirements Manual Bulletins annually or quarterly or at the Prompt Payment Act rate. Interest on the principal shall accrue from the date the fee or fee calculation financial statement is due.

In the event the account becomes delinquent, administrative costs to cover processing and handling of the delinquency will be assessed.

A penalty of 6 percent per annum shall be assessed on the total amount delinquent in excess of 90 days and shall accrue from the same date on which interest charges begin to accrue.

Payments will be credited on the date received by the designated collection officer or deposit location. If the due date for the fee or fee calculation statement falls on a non-workday, the charges shall not apply until the close of business on the next workday.

Disputed fees are due and payable by the due date. No appeal of fees will be considered by the Forest Service without full payment of the disputed amount. Adjustments, if necessary, will be made in accordance with settlement terms or the appeal decision.

If the fees become delinquent, the Forest Service will:

Liquidate any security or collateral provided by the authorization.

If no security or collateral is provided, the authorization will terminate and the holder will be responsible for delinquent fees as well as any other costs of restoring the site to its original condition including hazardous waste cleanup.

Upon termination or revocation of the authorization, delinquent fees and other charges associated with the authorization will be subject to all rights and remedies afforded the United States pursuant to 31 U.S.C. 3711 et seq. Delinquencies may be subject to any or all of the following conditions:

Administrative offset of payments due the holder from the Forest Service.

Delinquencies in excess of 60 days shall be referred to United States Department of Treasury for appropriate collection action as provided by 31 U.S.C. 3711 (g), (1).

The Secretary of the Treasury may offset an amount due the debtor for any delinquency as provided by 31 U.S.C. 3720, et seq.)

J. This easement shall terminate in the event an easement is granted subsequently by the United States to a public road agency for operation of this road as a public highway.

K. Grantee shall pay the United States for all injury, loss, or damage, including fire suppression costs, in accordance with existing Federal and State laws.

L. Grantee shall indemnify the United States for any and all injury, loss, or damage, including fire suppression costs the United States may suffer as a result of claims, demands, losses, or judgments caused by the Grantee's use or occupancy under this easement.

This easement is granted subject to the following reservations by Grantor:

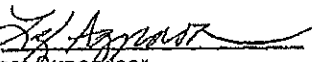
1. The right to cross and recross the road at any place by any reasonable means and for any purpose in such manner as will not interfere unreasonably with Grantee's use of the road.
2. The right to relocate the road on which this use is authorized to the extent necessary to accommodate the management needs of the National Forests.
3. The right to use the road for all purposes deemed necessary or desirable by Grantor in connection with the protection, administration, management, and utilization of Grantor's lands or resources, now or hereafter owned or controlled.
4. The right alone to extend rights and privileges for use of the road and right-of-way to other Government departments and agencies, States, and local subdivisions thereof, and to other users including members of the public; Provided, That the Grantor shall control such use so as not to interfere unreasonably with use of the road by Grantee or to cause Grantee to bear a share of the cost of maintenance greater than is commensurate with the Grantee's use of the road.

The grant of a right to use the road described in this easement does not create an obligation on the Forest Service of the United States to maintain the road in a usable condition.

The Regional Forester may take action to suspend, revoke, or terminate this easement under the Rules of Practice Governing Formal Adjudicatory Administrative Proceedings instituted by the Secretary Under Various Statutes in 7 CFR 1.130-1.151. An administrative proceeding is not required when the easement terminates on the occurrence of a fixed or agreed-upon condition, event, or time.

IN WITNESS WHEREOF, the Grantor, by its Forest Supervisor, Cibola National Forest, Forest Service, has executed this easement pursuant to the delegation of authority by the Secretary of Agriculture to the Assistant Secretary for Natural Resources and Conservation, the delegation of authority by the Assistant Secretary for Natural Resources and Conservation, to the Chief, Forest Service, 7 CFR 2.60, and the delegation of authority by the Chief, Forest Service, dated August 16, 1982, (47 F.R. 36465), on the day and year first above written.

UNITED STATES OF AMERICA

By: 
Forest Supervisor
Cibola National Forest
Forest Service
Department of Agriculture

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0598-0082.

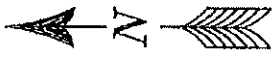
This information is needed by the Forest Service to evaluate requests to use National Forest System lands and manage those lands to protect natural resources, administer the use, and ensure public health and safety. This information is required to obtain or retain a benefit. The authority for that requirement is provided by the Organic Act of 1897 and the Federal Land Policy and Management Act of 1976, which authorize the Secretary of Agriculture to promulgate rules and regulations for authorizing and managing National Forest System lands. These statutes, along with the Term Permit Act, National Forest Ski Area Permit Act, Granger-Thye Act, Mineral Leasing Act, Alaska Term Permit Act, Act of September 3, 1954, Wilderness Act, National Forest Roads and Trails Act, Act of November 10, 1973, Archaeological Resources Protection Act, and Alaska National Interest Lands Conservation Act, authorize the Secretary of Agriculture to issue authorizations for the use and occupancy of National Forest System lands. The Secretary of Agriculture's regulations at 36 CFR Part 251, Subpart B, establish procedures for issuing those authorizations.

The Privacy Act of 1974 (5 U.S.C. 552a) and the Freedom of Information Act (5 U.S.C. 552) govern the confidentiality to be provided for information received by the Forest Service.

Public reporting burden for this collection of information, if requested, is estimated to average 1 hour per response for annual financial information; average 1 hour per response to prepare or update operation and/or maintenance plan; average 1 hour per response for inspection reports; and an average of 1 hour for each request that may include such things as reports, logs, facility and user information, sublease information, and other similar miscellaneous information requests. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Book 507 4834

EXHIBIT "A"



This plot is "EXHIBIT A" to the deed from the United States of America to Southwest Properties of New Mexico Inc.

The described Right-of-Way is 1,656.44 feet in length with a width of 30 feet on each side of the centerline and contains 2.28 acres more or less.

BASIS OF BEARING

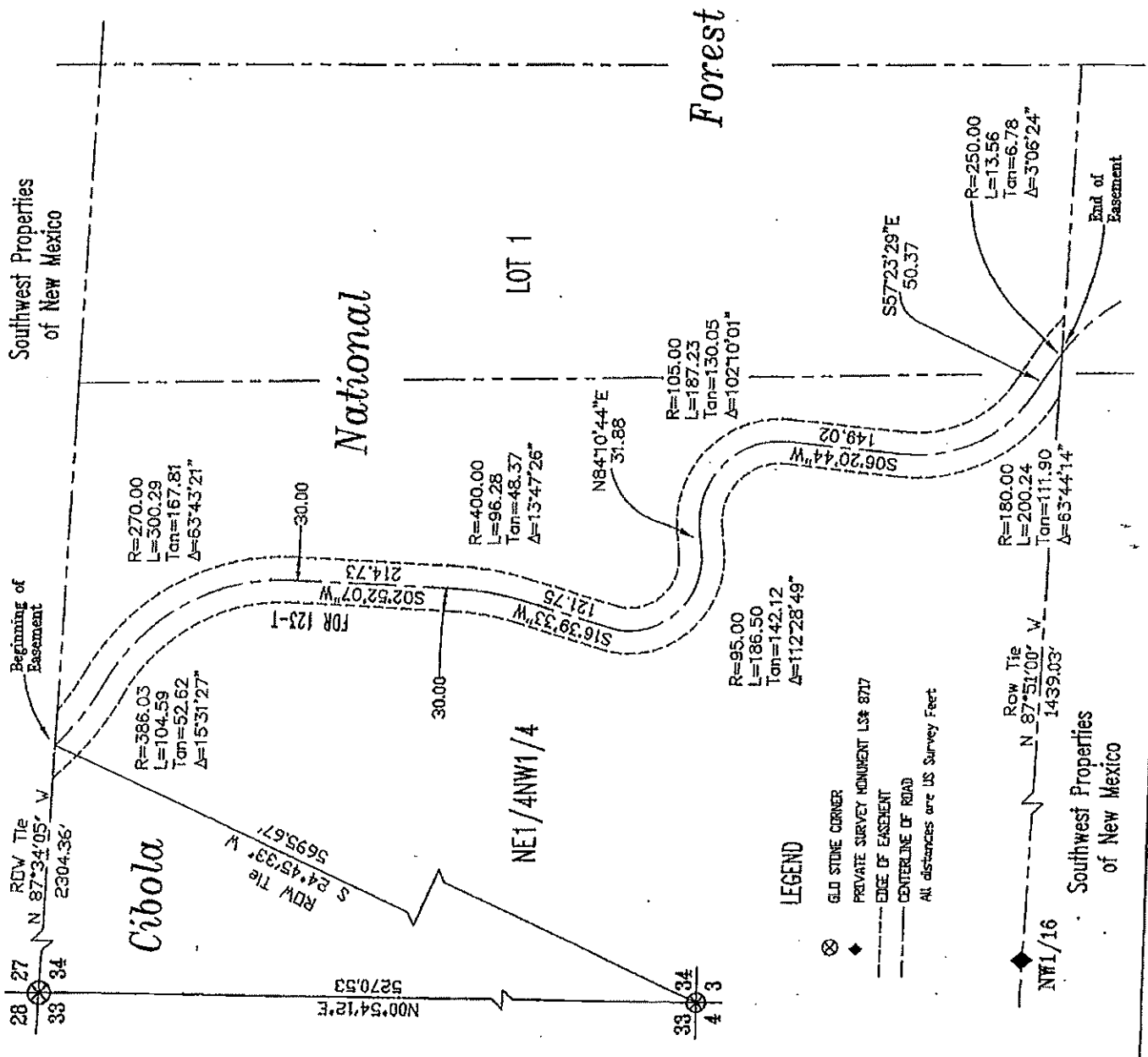
The bearings of this survey are based on the record 2001 Abbe Springs Development platred record bearing of N0054°12' E from the Southwest corner to the Northwest corner of Section 34.

This plot is based on survey information provided by Wayne E. Lee NMPES No 8717. The survey was performed for Southwest Properties of New Mexico for easement purposes.

The Right-of-Way lines to be shortened or lengthened to terminate on the property lines



U. S. DEPARTMENT OF AGRICULTURE FOREST SERVICE
SOUTHWESTERN REGION CIBOLA NATIONAL FOREST
FOREST ROAD 123-1 NE1/4NW1/4
SECTION 34, T. 2 N., R. 5 W., N.M.P.M. SORORO COUNTY, NEW MEXICO
THIS SURVEY HAS BEEN ACCEPTED FOR NATIONAL FOREST MANAGEMENT PURPOSES. <i>Raven Carter</i> FOR FOREST SUPERVISOR
DRAWN BY: DJW CHECKED: LW DATE: 8/19/05
SHEET OF 1



LEGEND

- ⊗ GLD STONE CORNER
- ◆ PRIVATE SURVEY MONUMENT LSA 8717
- EDGE OF EASEMENT
- - - CENTERLINE OF ROAD
- All distances are US Survey Feet

NW1/16

Southwest Properties
of New Mexico

Southwest Properties
of New Mexico

National

Forest

LOT 1

Cibola

Beginning of
Easement

End of
Easement

28 27
33 34
RDW Tie
N 87°34'05" W
2304.36'

R=386.03
L=104.59
Tan=52.62
Δ=15°31'27"

RDW Tie W
S 24°45'33" W
5695.67'

R=270.00
L=300.29
Tan=167.81
Δ=63°43'21"

30.00
S02°52'07" W
214.73

R=400.00
L=96.28
Tan=48.37
Δ=13°47'26"

NE1/4NW1/4

N84°10'44" E
31.88

R=105.00
L=187.23
Tan=130.05
Δ=102°10'01"

R=95.00
L=186.50
Tan=142.12
Δ=112°28'49"

S06°20'44" W
149.02

S57°23'29" E
50.37

R=180.00
L=200.24
Tan=111.90
Δ=63°44'14"

Row Tie
N 87°51'00" W
1439.03'

N00°54'12" E
5270.53

33 34
4 3

507 4835

NE1/4NW1/4 - Section 34 - from Forest Service

A strip of land for a road easement, for Forest Road 123-T, said easement being 60 feet wide, 30 feet each side of the following described centerline lying in the NE1/4NW1/4 of Section 34, Township 2 North, Range 5 West, N.M.P.M., Socorro County, State of New Mexico, the centerline of said easement being shown on the attached drawing labeled "Exhibit A" and described more particularly as follows:

Beginning at a point on the centerline of the existing road on the north line of said Section 34. Said point being on the centerline of a 386.03 foot radius curve turning to the left, from which point the northwest corner of Section 34, which is a found stone from the 1884 government survey, bears N 87°34'05" W, a distance of 2304.36 feet, and from which point the southwest corner of fractional Section 34, which is a found stone from the 1884 government survey, bears S 24°45'33" W, a distance of 5695.67 feet,

Thence southeasterly along the arc of said curve through a central angle of 15°31'27", a distance of 104.59 feet, and having a chord bearing of S 53°05'30" E, and a chord length of 104.27 feet to the beginning of a reverse 270.00 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 63°43'21", a distance of 300.29 feet, and having a chord bearing of S 28°59'34" E, and a chord length of 285.05 feet;

Thence tangent to said curve S 02°52'07" W, a distance of 214.73 feet to the beginning of a tangent 400.00 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 13°47'26", a distance of 96.28 feet, and having a chord bearing of S 09°45'50" W, and a chord length of 96.04 feet;

Thence tangent to said curve S 16°39'33" W, a distance of 121.75 feet to the beginning of a tangent 95.00 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 112°28'49", a distance of 186.50 feet, and having a chord bearing of S 39°34'52" E, and a chord length of 157.96 feet;

Thence tangent to said curve N 84°10'44" E, a distance of 31.88 feet to the beginning of a tangent 105.00 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 102°10'01", a distance of 187.23 feet, and having a chord bearing of S 44°44'16" E, and a chord length of 163.39 feet;

Thence tangent to said curve S 06°20'44" W, a distance of 149.02 feet to the beginning of a tangent 180.00 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 63°44'14", a distance of 200.24 feet, and having a chord bearing of S 25°31'23" E, and a chord length of 190.07 feet;

Thence tangent to said curve S 57°23'29" E, a distance of 50.37 feet to the beginning of a tangent 250.00 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 3°06'24", a distance of 13.56 feet, and having a chord bearing of S 55°50'17" E, and a chord length of 13.55 feet to a point on the south line of the NE1/4NW1/4 of Section 34, being the endpoint of this centerline description, from which point the NW1/16 corner of Section 34 which is a 3/4 inch bar with 3.5 inch aluminum cap properly stamped by LS 8717 bears N 87°51'00" W, a distance of 1439.03 feet.

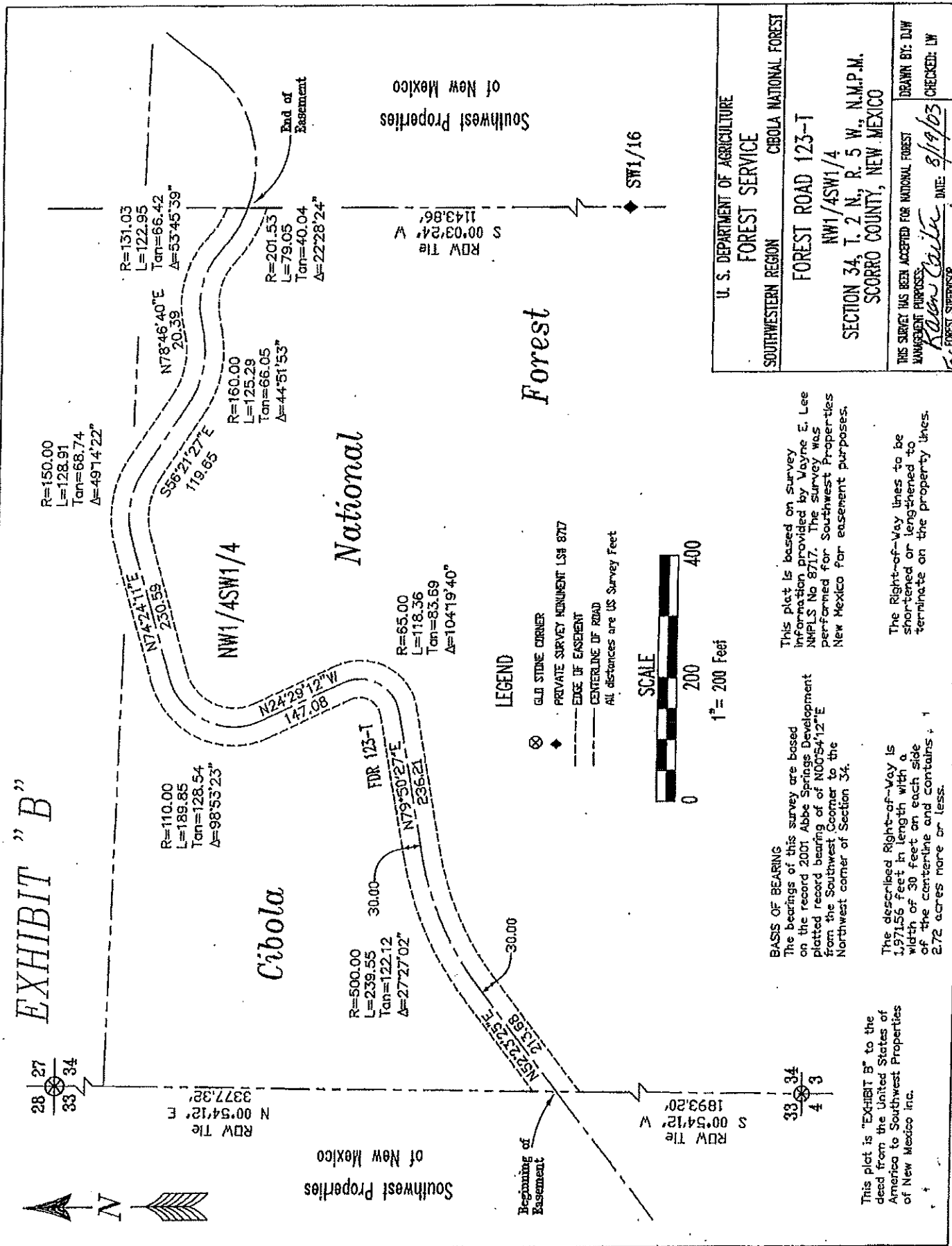
The sidelines of the hereinabove described easement shall be prolonged or shortened so as to terminate on the property lines.

507 483/0

The centerline of this easement is 1656.43 feet in length, and contains 2.28 acres, more or less.

The basis of bearings for this legal description is the west line of said Section 34, between the southwest corner and the northwest corner of Section 34, and having a bearing of N 00°54'12"E.

EXHIBIT "B"



Southwest Properties of New Mexico

Beginning of Easement

RDW Tie S 00°54'12" W 1893.20'

33 | 34
4 | 3

28 | 27
33 | 34

N 00°54'12" E 3377.32'

RDW Tie S 00°03'24" W 1143.86'

SW1/16

End of Easement

Southwest Properties of New Mexico

Forest

National Forest

Cibola National Forest

Forest Road 123-T

NW1/4SW1/4

SECTION 34, T. 2 N., R. 5 W., N.M.P.M.
SCORRO COUNTY, NEW MEXICO

U. S. DEPARTMENT OF AGRICULTURE
FOREST SERVICE
SOUTHWESTERN REGION
CIBOLA NATIONAL FOREST

THIS SURVEY HAS BEEN ACCEPTED FOR NATIONAL FOREST MANAGEMENT PURPOSES:
Ramon Galina DATE: 8/19/03
FOREST SUPERVISOR

DRAWN BY: DJW
CHECKED BY: [Signature]
SHEET OF 1

LEGEND

- ⊗ GLO STONE CORNER
- ◆ PRIVATE SURVEY MONUMENT LS# 8717
- EDGE OF EASEMENT
- - - CENTERLINE OF ROAD

All distances are US Survey Feet

SCALE

0 200 400

1" = 200 Feet

BASIS OF BEARING
The bearings of this survey are based on the record 2001 Abbe Springs Development platted record bearing of N00°54'12"E from the Southwest Corner to the Northwest corner of Section 34.

This plot is based on survey information provided by Wayne E. Lee NMPLS No 8717. The survey was performed for Southwest Properties New Mexico for easement purposes.

The Right-of-Way lines to be shortened or lengthened to terminate on the property lines.

The described Right-of-Way is 1971.55 feet in length with a width of 30 feet on each side of the centerline and contains 1.272 acres more or less.

This plot is "EXHIBIT B" to the deed from the United States of America to Southwest Properties of New Mexico Inc.

NW1/4SW1/4 Section 34 - from Forest Service

A strip of land for a road easement, for Forest Road 123-T, said easement being 60 feet wide, 30 feet each side of the following described centerline, lying in the NW1/4SW1/4 of Section 34, Township 2 N, Range 5 W, N.M.P.M., Socorro County, State of New Mexico, the centerline of said easement being shown on the attached drawing labeled "Exhibit B" and described more particularly as follows:

Beginning at a point on the centerline of the existing road on the west line of Section 34 from which the northwest corner of Section 34, which is a found stone from the 1884 government survey, bears N 00°54'12" E, a distance of 3377.32 feet, and from which the southwest corner of Section 34, which is a found stone from the 1884 government survey, bears S 00°54'12" W, a distance of 1893.21 feet,

Thence N 52°23'25" E, a distance of 213.68 feet to the beginning of a tangent 500.00 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 27°27'02", a distance of 239.55 feet, and having a chord bearing of N 66°06'56" E, and a chord length of 237.27 feet;

Thence tangent to said curve N 79°50'27" E, a distance of 236.21 feet to the beginning of a tangent 65.00 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 104°19'40", a distance of 118.36 feet, and having a chord bearing of N 27°40'37" E, and a chord length of 102.67 feet;

Thence tangent to said curve N 24°29'12" W, a distance of 147.08 feet to the beginning of a tangent 110.00 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 98°53'23", a distance of 189.85 feet, and having a chord bearing of N 24°57'29" E, and a chord length of 167.15 feet;

Thence tangent to said curve N 74°24'11" E, a distance of 230.59 feet to the beginning of a tangent 150.00 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 49°14'22", a distance of 128.91 feet, and having a chord bearing of S 80°58'38" E, and a chord length of 124.98 feet;

Thence tangent to said curve S 56°21'27" E, a distance of 119.65 feet to the beginning of a tangent 160.00 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 44°51'53", a distance of 125.29 feet, and having a chord bearing of S 78°47'23" E, and a chord length of 122.11 feet;

Thence tangent to said curve N 78°46'40" E, a distance of 20.39 feet to the beginning of a tangent 131.03 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 53°45'39", a distance of 122.95 feet, and having a chord bearing of S 74°20'31" E, and a chord length of 118.49 feet to the beginning of a reverse 201.53 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 22°28'24", a distance of 79.05 feet, and having a chord bearing of S 58°41'54" E, and a chord length of 78.54 feet to a point on the east line of the NW1/4SW1/4 of Section 34, being the endpoint of this centerline description, from which the SW1/16 corner of Section 34 which is a 3/4" bar with 3.5" aluminum cap properly stamped by LS 8717 bears S 00°03'24" W, a distance of 1143.86 feet.

Doc 607 4839

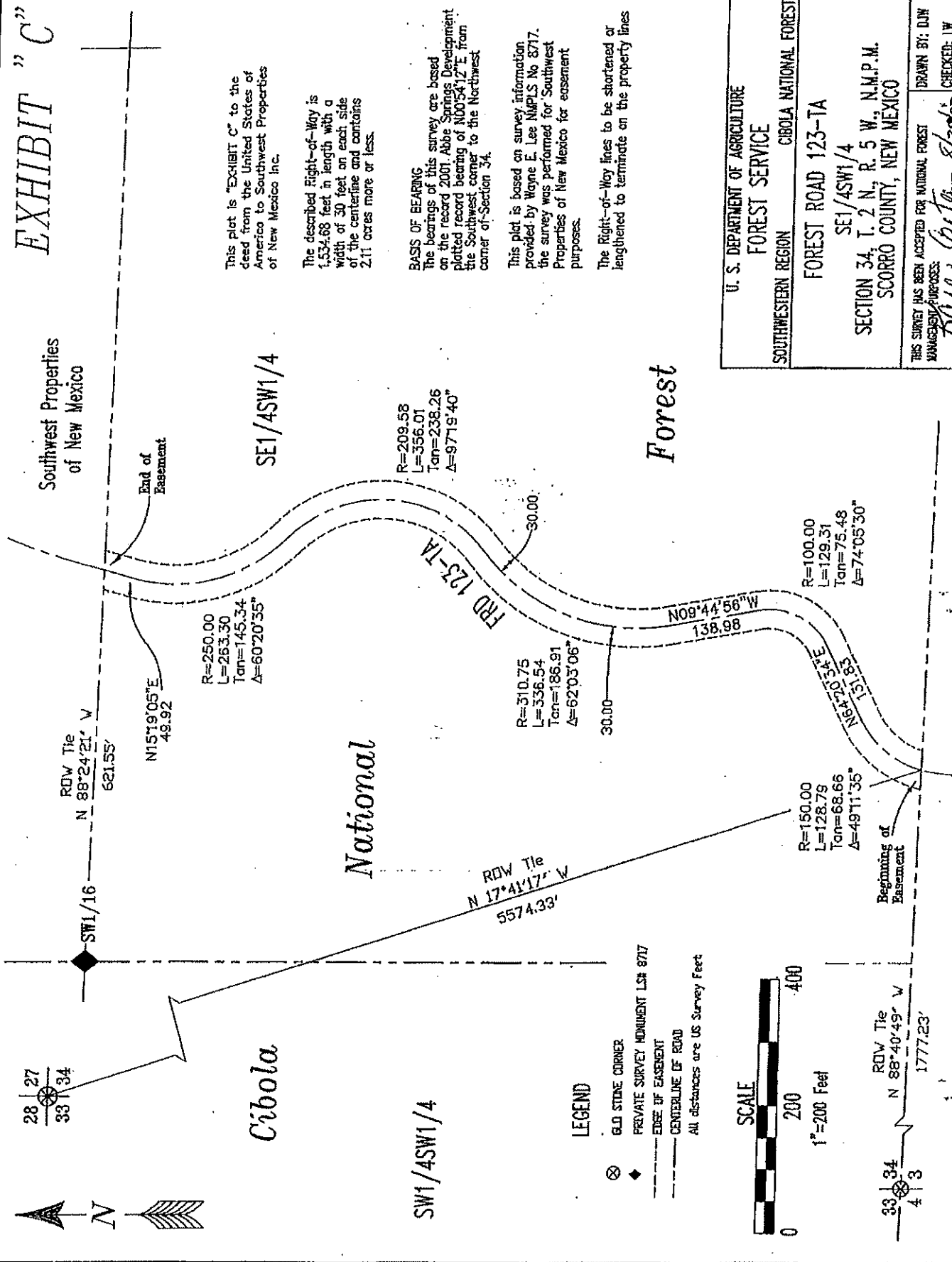
The sidelines of the hereinabove described easement shall be prolonged or shortened so as to terminate on the property lines.

The centerline of this easement is 1971.55 feet in length, and contains 2.71 acres, more or less.

The basis of bearings for this legal description is the west line of said Section 34, between the southwest corner and the northwest corner of Section 34, and having a bearing of N 00°54' 12" E

EXHIBIT "C"

507 4840



This plot is "EXHIBIT C" to the deed from the United States of America to Southwest Properties of New Mexico Inc.

The described Right-of-Way is 1,534.68 feet in length with a width of 30 feet on each side of the centerline and contains 2.11 acres more or less.

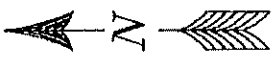
BASIS OF BEARING
The bearings of this survey are based on the record 2007, Abbe Springs Development plotted record bearing of N00°54'12"E from the Southwest corner to the Northwest corner of Section 34.

This plot is based on survey information provided by Wayne E. Lee N.M.P.L. No. 8717. The survey was performed for Southwest Properties of New Mexico for easement purposes.

The Right-of-Way lines to be shortened or lengthened to terminate on the property lines

U. S. DEPARTMENT OF AGRICULTURE FOREST SERVICE	CIBOLA NATIONAL FOREST
SOUTHWESTERN REGION	FOREST ROAD 123-TA
	SE1/4SW1/4
	SECTION 34, T. 2 N., R. 5 W., N.M.P.M.
	SCORRO COUNTY, NEW MEXICO
THIS SURVEY HAS BEEN ACCEPTED FOR NATIONAL FOREST MANAGEMENT PURPOSES: <i>Allen Cottle</i> DATE: 8/29/03 FOREST SUPERVISOR	
DRAWN BY: DJW	CHECKED: LW
SHEET OF 1	

28 | 27
33 | 34



Cibola

SW1/4SW1/4

LEGEND

- ⊗ OLD STONE CORNER
 - ◆ PRIVATE SURVEY MONUMENT LSN 8717
 - EDGE OF EASEMENT
 - - - CENTERLINE OF ROAD
- All distances are US Survey Feet

SCALE



ROW Tie
N 88°40'49" V
1777.23'

33 | 34
4 | 3

Southwest Properties
of New Mexico

SE1/4SW1/4

Forest

National

ROW Tie
N 17°41'17" W
5574.33'

ROW Tie
N 88°24'21" V
621.55'

N151°05'E
49.92'

R=250.00
L=263.30
Tan=145.34
Δ=60°20'35"

R=209.58
L=356.01
Tan=238.26
Δ=97°19'40"

R=310.75
L=536.54
Tan=186.91
Δ=62°03'06"

R=150.00
L=128.79
Tan=68.66
Δ=49°11'35"

R=100.00
L=129.31
Tan=75.48
Δ=74°05'30"

N09°44'56"W
138.98'

N64°20'52"E
131.83'

End of Easement

Beginning of Easement

FRD 123-TA

30.00'

30.00'

SE1/4SW1/4 of Section 34-S from Forest Service

507 4841

A strip of land for a road easement, for Forest Road 123-TA, said easement being 60 feet wide, 30 feet each side of the following described centerline lying in the SE1/4SW1/4 of Section 34, Township 2 North, Range 5 West, N.M.P.M., Socorro County, State of New Mexico, the centerline of said easement being shown on the attached drawing labeled "Exhibit C" and described more particularly as follows:

Beginning at a point on the centerline of the existing road on the south line of said Section 34. Said point being on a 150.00 foot radius curve turning to the right, from which point the southwest corner of Section 34, which is a found stone from the 1884 government survey, bears N 88°40'49" W, a distance of 1,777.23 feet, and from which point the northwest corner of Section 34, which is a found stone from the 1884 government survey, bears N 17°14'17" W, a distance of 5,574.33 feet,

Thence northerly along the arc of said curve through a central angle of 49°11'35", a distance of 128.79 feet, and having a chord bearing of N 39°44'47" E, and a chord length of 124.87 feet;
Thence tangent to said curve N 64°20'34" E, a distance of 131.83 feet to the beginning of a tangent 100.00 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 74°05'30", a distance of 129.31 feet, and having a chord bearing of N 27°17'49" E, and a chord length of 120.49 feet;

Thence tangent to said curve N 09°44'56" W, a distance of 138.98 feet to the beginning of a tangent 310.75 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 62°03'06", a distance of 336.54 feet, and having a chord bearing of N 21°16'37" E, and a chord length of 320.33 feet to the beginning of a reverse 209.58 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 97°19'40", a distance of 356.01 feet, and having a chord bearing of N 03°38'20" E, and a chord length of 314.72 feet to the beginning of a reverse 250.00 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 60°20'35", a distance of 263.30 feet, and having a chord bearing of N 14°51'13" W, and a chord length of 251.29 feet;

Thence tangent to said curve N 15°19'05" E, a distance of 49.92 feet to a point on the north line of the SE1/4SW1/4 of Section 34, being the endpoint of this centerline description, from which point the SW1/16 corner of Section 34 which is a 3/4 inch bar with 3.5 inch aluminum cap properly stamped by LS 8717 bears N 88°24'21" W, a distance of 621.55 feet.

The sidelines of the hereinabove described easement shall be prolonged or shortened to terminate on the property lines.

The centerline of this easement is 1534.67 feet in length, and contains 2.11 acres, more or less.

The basis of bearing for this legal description is the west line of said Section 34, between the southwest corner and the northwest corner of Section 34, and having a bearing of N 00°54'12" E.