

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

THIS EASEMENT, dated this 23<sup>rd</sup> 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 the payment of an annual use fee paid by Grantee does hereby grant to Grantee, subject to existing easements and valid rights, a nonexclusive easement for use of a road, along and across a strip of land, over and across the following described lands in the County of Socorro, State of New Mexico,

Said premises are more specifically described by a centerline description contained in exhibits D, E, and F, attached hereto.

Said easement shall be as shown on attached plats with such additional width as required for accommodation and protection of cuts and fills. If the road is located substantially as described herein, the centerline of said road as constructed is hereby deemed accepted by Grantor and Grantee as the true centerline of the easement granted.

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-way for similar purposes, if those standards are more stringent than applicable Federal standards.
- B. 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.
- C. Upon change in ownership of the land or facility served by this road, the rights granted under this easement may be transferred to the new owner upon written notification to the 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 Grantor shall review the 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 in the future as if incorporated in this 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.

507 4817  
3001 Page 1

F. Grantee shall have the right to cut timber upon the easement area to the extent necessary for maintaining the road. Timber so cut shall, unless otherwise agreed to, be cut into standard log lengths or other products as specified by the authorized officer and decked along the road for disposal by the owner of such timber.

G. The Grantee shall maintain the right-of-way clearing by means of chemicals only after the Grantor has given specific written approval. Application for such approval must be in writing and must specify the time, method, chemicals, and the exact portion of the right-of-way to be chemically treated.

H. The Grantee shall provide maintenance so that there is no damage on adjacent National Forest land. The Grantee shall construct and maintain lead-off drainage and water barriers as necessary to prevent erosion.

I. 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. Failure of the holder to pay the annual payment, late charges, or other fees or charges shall cause the authorization to terminate.

J. 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.*)

K. 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.

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

M. 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.

N. Upon termination of this easement, the Grantee shall remove within a reasonable time the structures and improvements and shall restore the site to a condition satisfactory to the Grantor, unless otherwise waived in writing. If the Grantee fails to remove the structures or improvements within a reasonable period, as determined by the Grantor, the Grantor may remove and dispose of any improvements and restore the area and all costs shall be paid by the Grantee.

If the Grantor waives the removal of the improvements and restoration of the site, all improvements shall become the property of the United States.

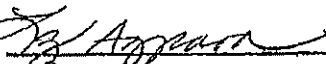
The foregoing notwithstanding, this easement is granted subject to the following reservations by Grantor, for itself, its holders, contractors, and assignees:

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 all timber now or hereafter growing on the right-of-way, subject to Grantee's right to cut such timber as herein provided.
3. The right alone to extend rights and privileges for use of the road constructed on the premises to other users, provided that nonfederal users shall bear a fair share of the current replacement cost less depreciation of the road and shall reconstruct the road as necessary to accommodate their use.
4. The Grantor reserves the right to use or authorize the use of the road by other Federal agencies, without cost other than the performance or payment, as it may elect, for its proportionate share of maintenance costs.
5. The Grantor retains the right to occupy and use the right-of-way, and to issue or grant rights-of-way for other land uses, for other than road purposes, upon, over, under, and through the easement area provided that the occupancy and use do not interfere unreasonably with the rights granted herein.
6. The right to terminate this easement if the Grantor assumes jurisdiction and control of the road as a Forest Development Road and issues a replacement easement providing only for use of the road. The replacement easement shall be in the current standard format, which provides the Grantee the right to use the road for the purposes and for the period authorized by this easement, subject to such traffic control regulations and rules as Grantor may impose reasonably upon or require of other users of the road without unreasonably reducing the rights herein granted.

The Grantor 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 FR 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 0596-0082.

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 16, 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.

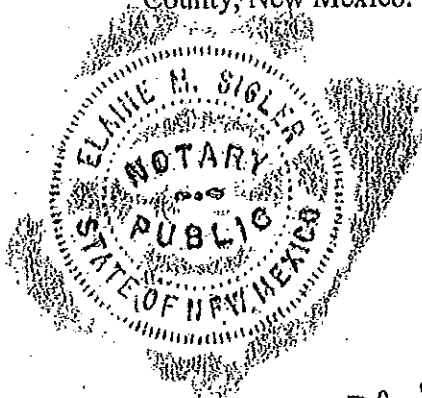
Public reporting burden for this collection of information, if requested, is estimated to average 1 hour per response for annual financial information; average 1 hour per response to prepare or update operation and/or maintenance plan; average 1 hour per response for inspection reports; and an average 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.

ACKNOWLEDGMENT

COUNTY OF Bernalillo)

STATE OF New Mexico)

The foregoing Private Road Easement was acknowledged before me this 23<sup>rd</sup> day of September, 2003 by Liz Agpaoa, Forest Supervisor, Cibola National Forest for Abbe Springs Ranches Homeowners Association, a corporation owning property in Socorro County, New Mexico.



Notary Public Elaine M. Sigler

My commission expires September 7, 2005.

307 4897

# EXHIBIT "D"

Section 6  
SE1/4

Section 5  
SW1/4



### LEGEND

- ⊗ GLO STONE CORNER
- - - EDGE OF EASEMENT
- - - CENTERLINE OF ROAD
- All distances are US Survey Feet

R=453.71  
 L=390.22  
 Tan=208.10  
 Δ=49°16'42"

Cibola

National

Forest

## Southwest Properties of New Mexico

Beginning of Easement

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

The described Right-of-Way is 756.72 feet in length with a width of 30 feet on each side of the centerline and contains 1.04 acres more or less.

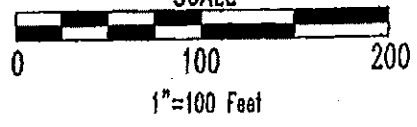
### BASIS OF BEARING

The bearings of this survey are based on the record 2001 bearing from the Abba Springs Development platted record bearing of N00°22'50"E from the Southwest corner to the Southeast corner of Section 6.

This plot is based on survey information provided by Wayne E. Lee NMPLS 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

### SCALE



6 5  
1/4

RDW Tie  
S 00°22'50" W  
2031.65'

RDW Tie  
S 00°22'50" W  
621.44'

6 5  
7 8

RDW Tie  
N 88°45'06" W  
146.03'

FDR 123-R

S00°42'19"E  
366.50

30.00

30.00

End of Easement

U. S. DEPARTMENT OF AGRICULTURE FOREST SERVICE	
SOUTHWESTERN REGION	CIBOLA NATIONAL FOREST
FOREST ROAD 123-R SE1/4 SECTION 6, T. 1 N., R. 5 W., N.M.P.M. SCORRO COUNTY, NEW MEXICO	
THIS SURVEY HAS BEEN ACCEPTED FOR NATIONAL FOREST MANAGEMENT PURPOSES Kaven Carter FOREST SUPERVISOR	DATE: 8/19/03 DRAWN BY: DJW CHECKED: LW SHEET 1 OF 1

507 4803

SE1/4 - Section 6 - from Forest Service

A strip of land for a road easement, for Forest Road 123-R, said easement being 60 feet wide, 30 feet each side of the following described centerline lying in the SE1/4 of Section 6, Township 1 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 D" and described more particularly as follows:

Beginning at a point on the centerline of the existing road on the east line of said Section 6. Said point being on a 453.71 foot radius curve concave southerly, from which point the southeast corner of Section 6, which is a found stone from the 1884 government survey, bears S 00°22'50" W, a distance of 621.44 feet, and from which point the east corner of Section 6, which is a found stone from the 1884 government survey, bears N.00°22'50" E, a distance of 2,031.65 feet,

Thence southerly along the arc of said curve through a central angle of 49°16'42", a distance of 390.22 feet, and having a chord bearing of S 23°56'02" W, and a chord length of 378.31 feet; Thence tangent to said curve S 00°42'19" E, a distance of 366.50 feet to a point in the South line of Section 6 and the end of this centerline description, from which point the southeast corner of Section 6, which is an 1884 government survey found stone, bears S 88°45'06" E, a distance of 146.03 feet.

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

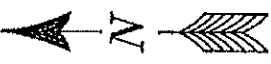
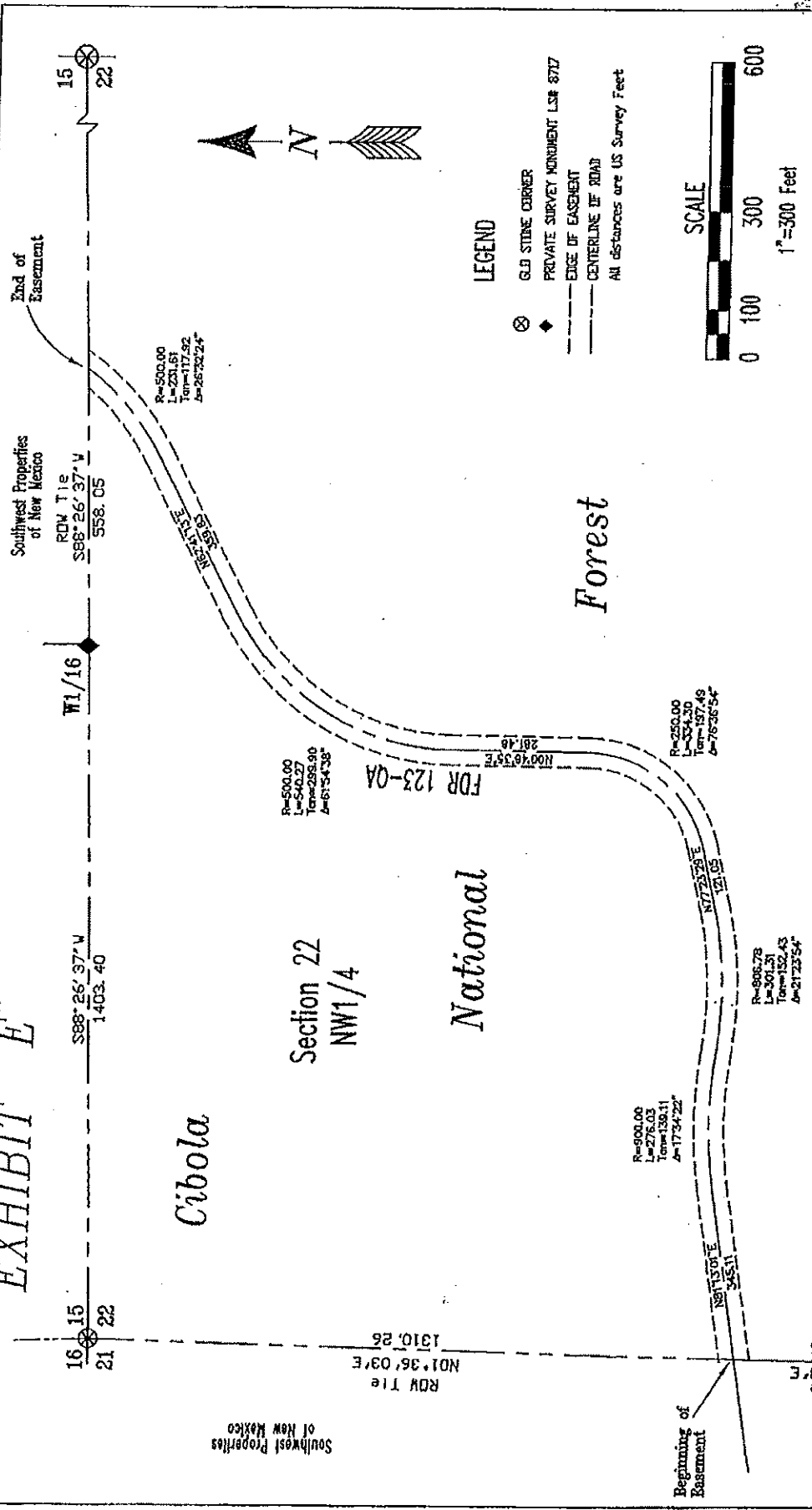
The centerline of this easement is 756.72 feet in length, and contains 1.04 acres, more or less.

The bearings of this legal description are based on the east line of the southeast quarter of Section 6, between the southeast corner and the east quarter corner of Section 6, having a bearing of N 00°22'50" E, as shown on the Abbe Springs Development plat, recorded on June 27, 200.



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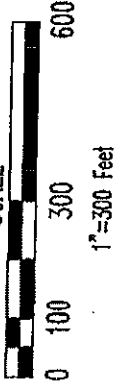
# EXHIBIT "E"



## LEGEND

- ⊗ G.D. STONE CORNER
  - ◆ PRIVATE SURVEY MONUMENT L&P 8717
  - EDGE OF EASEMENT
  - - - CENTERLINE OF ROAD
- All distances are US Survey Feet

## SCALE



The Right-of-Way lines to be shortened or lengthened to terminate on the property lines  
 This plat is "EXHIBIT E" to the deed from the United States of America to Southwest Properties of New Mexico Inc.

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

### BASIS OF BEARING

The bearings of this survey are based on the record 2001 Abbe Springs Development plotted record bearing of N01°38'03"E from the Southwest corner to the Northwest corner of Section 22.

The described Right-of-Way is 2,790.97 feet in length with a width of 30 feet on each side of the centerline and contains 3.84 acres more or less.

U. S. DEPARTMENT OF AGRICULTURE <b>FOREST SERVICE</b> SOUTHWESTERN REGION CIBOLA NATIONAL FOREST <b>FOREST ROAD 123-QA</b> NW1/4 SECTION 22, T. 1 N., R. 5 W., N.M.P.M. SCORRO COUNTY, NEW MEXICO	THIS SURVEY HAS BEEN ACCEPTED FOR NATIONAL FOREST MANAGEMENT PURPOSES DRAWN BY: DJW CHECKED: LW DATE: 8/19/03 FOREST SUPERVISOR
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507 4825

NW1/4 Section 22 – from Forest Service

A strip of land for a road easement, for Forest Road 123-QA, said easement being 60 feet wide, 30 feet each side of the following described centerline lying in the NW1/4 of Section 22, Township 1 North, 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 E" and described more particularly as follows:

Beginning at a point on the centerline of the existing road on the west line of said Section 22 from which point the northwest corner of Section 22, which is the original found stone of the 1884 government survey, bears N01°36'03" W, a distance of 1326.86 feet, and from which point the S1/16 corner of Sections 21 and 22, which is a 3/4" steel bar with 3.5" aluminum cap properly stamped by LS 8717, bears S 01°36'03" E, a distance of 2651.06 feet;

Thence along the centerline of the road N 81°13'01" E, a distance of 345.11 feet to the beginning of a 900 foot radius curve turning to the right,

Thence along the arc of said curve through a central angle of 17°34'22" a distance of 276.03 feet, and having a chord bearing of S 89°59'48" E and a chord length of 274.95 feet, to the beginning of a reverse 806.78 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 21°23'54" a distance of 301.31 feet, and having a chord bearing of N 88°05'26"E and a chord length of 299.56 feet;

Thence tangent to said curve N 77°23'29" E, a distance of 121.05 feet to the beginning of a 250 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 76°36'54" a distance of 334.30 feet, and having a chord bearing of N39°05'02" E and a chord length of 309.94 feet

Thence tangent to said curve N 00°46'35" E, a distance of 281.46 feet to the beginning of a 500 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 61°54'38" a distance of 540.27 feet, and having a chord bearing of N 31°43'54" E and a chord length of 514.37 feet;

Thence tangent to said curve N 62°41'13" E, a distance of 359.83 feet to the beginning of a 500 foot radius curve turning to the left;

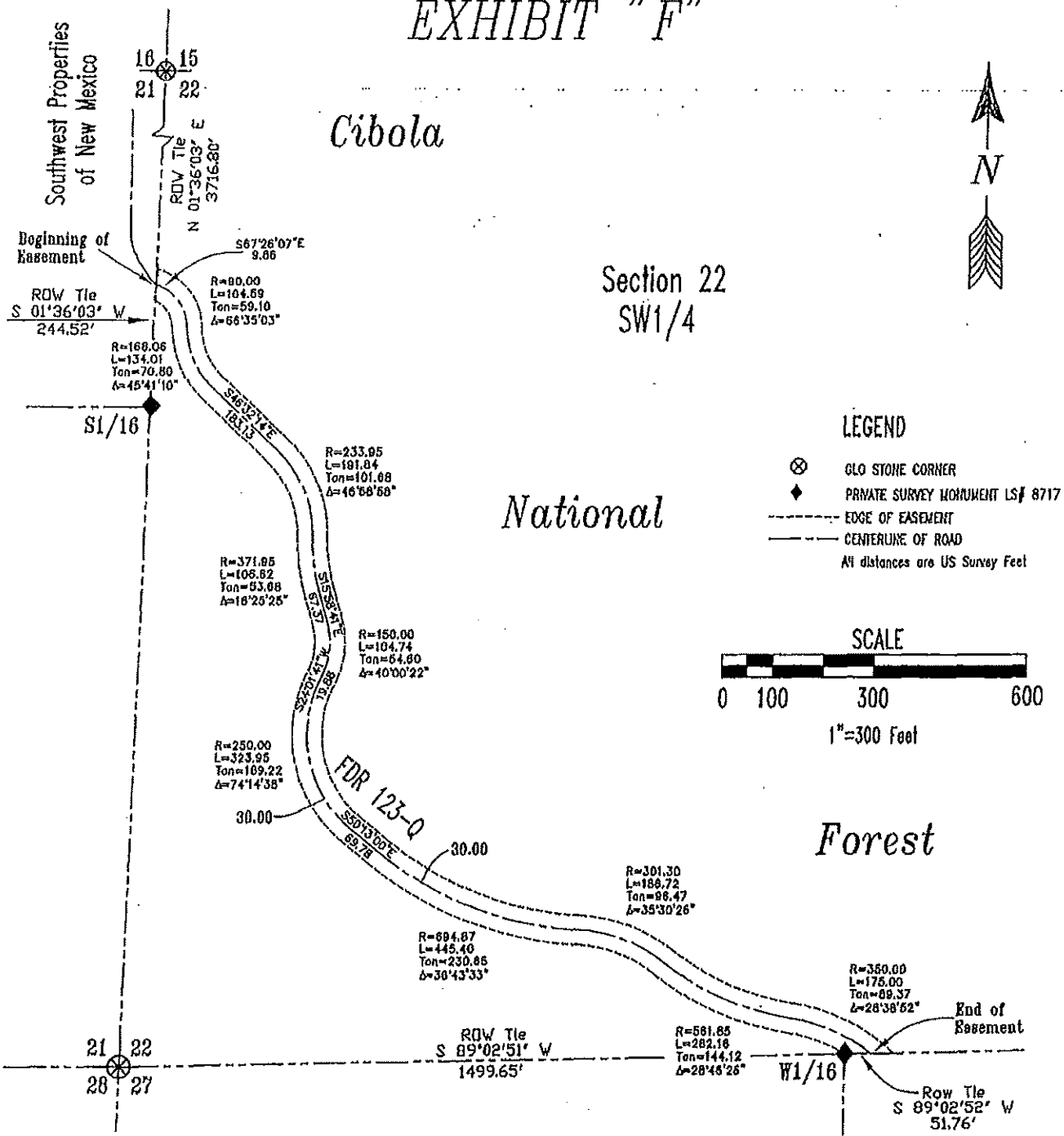
Thence along the arc of said curve through a central angle of 26°32'24" a distance of 231.61 feet, and having a chord bearing of N 49°25'01"E and a chord length of 229.54 feet to a point on the north line of said Section 22 the end point of this centerline description, from which point the W1/16 of Sections 15 and 22, which is a 3/4 inch steel bar with 3.5 inch aluminum cap properly stamped by LS 8717, bears S 88°26'37" W, a distance of 558.05 feet.

The centerline of this easement is 2,790.97 feet in length, and contains 3.84 acres, more or less.

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

The bearings for the above described easement are based on the west line of Section 22 between the Southwest corner and the South 1/16, having a bearing of N01°36'03" E, as shown on the Abbe Springs Development plat, recorded on June 27, 2001.

# EXHIBIT "F"



**LEGEND**

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

**SCALE**

0 100 300 600

1"=300 Feet

**BASIS OF BEARING**  
 The bearings of this survey are based on the record 2001 Abbe Springs Development plotted record bearing of N01°36'03"E from the Southwest corner to the Northwest corner of Section 22.

This plat is based on survey information provided by Wayne E. Lea NMPLS 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

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

The described Right-of-Way is 2,405.05 feet in length with a width of 30 feet on each side of the centerline and contains 3.31 acres more or less.

U. S. DEPARTMENT OF AGRICULTURE <b>FOREST SERVICE</b>	
SOUTHWESTERN REGION	CIBOLA NATIONAL FOREST
<b>FOREST ROAD 123-Q</b> SW1/4 SECTION 22, T. 1 N., R. 5 W., N.M.P.M. SCORRO COUNTY, NEW MEXICO	
THIS SURVEY HAS BEEN ACCEPTED FOR NATIONAL FOREST MANAGEMENT PURPOSES: <i>Karen Carter</i> DATE: 8/19/03 FOR FOREST SUPERVISOR	DRAWN BY: DJW CHECKED: LW SHEET OF 1

SW1/4 Section 22 – from Forest Service

A strip of land for a road easement, for Forest Road 123-Q, said easement being 60 feet wide, 30 feet each side of the following described centerline lying in the SW1/4 of Section 22, Township 1 North, 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 F" and described more particularly as follows:

Beginning at a point on the centerline of the existing road on the west line of said Section 22 from which point the northwest corner of Section 22, which is the original found stone of the 1884 government survey, bears N01°36'03" W, a distance of 3716.80 feet, and from which point the S1/16 of Sections 21 and 22, which is a 3/4" steel bar with 3.5" aluminum cap properly stamped by LS 8717, bears S 01°36'03" E, a distance of 244.52 feet;

Thence S 67°26'07" E, a distance of 9.86 feet to the beginning of a 90.00 foot radius curve turning to the right,

Thence along the arc of said curve through a central angle of 66°35'03" a distance of 104.59 feet, and having a chord bearing of S 34°08'35" E and a chord length of 98.80 feet, to the beginning of a reverse 168.06 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 45°41'10" a distance of 134.01 feet, and having a chord bearing of S 23°41'38" E and a chord length of 130.49 feet;

Thence tangent to said curve S 46°32'14" E, a distance of 183.13 feet to the beginning of a 233.95 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 46°58'58" a distance of 191.84 feet, and having a chord bearing of S 23°02'45" E and a chord length of 186.51 feet to the beginning of a reverse 371.95 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 16°25'25" a distance of 106.62 feet, and having a chord bearing of S 07°45'58" E and a chord length of 106.25 feet;

Thence tangent to said curve S 15°58'41" E, a distance of 67.37 feet to the beginning of a 150.00 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 40°00'22" a distance of 104.74 feet, and having a chord bearing of S 04°01'30" W and a chord length of 102.62 feet;

Thence tangent to said curve South 24°01'41" W; a distance of 19.88 feet to the beginning of a reverse 250.00 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 74°14'38" a distance of 323.95 feet, and having a chord bearing of S 13°05'38" E and a chord length of 301.76 feet;

Thence tangent to said curve S 50°13'00" E, a distance of 69.78 feet to the beginning of a 694.87 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 36°43'33" a distance of 445.40 feet, and having a chord bearing of S 68°43'56" E and a chord length of 437.82 feet to the beginning of a reverse 301.30 foot radius curve turning to the right,

Thence along the arc of said curve through a central angle of 35°30'26" a distance of 186.72 feet, and having a chord bearing of S 69°20'29" E and a chord length of 183.75 feet to the beginning of a 561.85 foot radius curve turning to the left;

Thence along the arc of said curve through a central angle of 28°46'26" a distance of 282.16 feet, and having a chord bearing of S 65°58'29" E and a chord length of 279.21 feet to the beginning of a 350.00 foot radius curve turning to the right;

Thence along the arc of said curve through a central angle of 28°38'52" a distance of 175.00 feet, and having a chord bearing of S 66°02'16" E and a chord length of 173.18 feet to a point on the South line of Section 22 and the end of this centerline description, from which point the W 1/16 corner of Sections 21 and 22, which is a 3/4 inch steel bar with 3.5 inch aluminum cap properly stamped by LS 8717, bears S 89°02'52" W, a distance of 51.76 feet.

The centerline of this easement is 2,405.04 feet in length, and contains 3.31 acres, more or less.

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

The bearings for the above described easement are based on the west line of Section 22 between the Southwest corner and the South 1/16, having a bearing of N01°36'03" E, as shown on the Abbe Springs Development plat, recorded on June 27, 2001.

FILED FOR RECORD  
COUNTY OF SOGORRO  
STATE OF NEW MEXICO  
AT 1:06 P OCT 8 2003 M

507 4816-4828  
AUDREY H. HANCOCK CLERK  
Public Notary