

**AMENDMENT NO. 1
TO GRANT OF EASEMENT AGREEMENT BETWEEN
SANTA FE COUNTY AND RANCHO VIEJO DE SANTA FE, INC.**

THIS AMENDMENT is made and entered into as of this 26th day of September, 2017 by and between **SANTA FE COUNTY**, (hereinafter referred to as "County"), and **UNIVEST-RANCHO VIEJO, LLC** a New Mexico limited liability company (as the successor in interest to **Rancho Viejo de Santa Fe, Inc.**

WHEREAS, on March 28, 2006, the County and Rancho Viejo De Santa Fe, Inc. entered into a Grant of Easement Agreement (Easement Agreement); and

WHEREAS, pursuant to a Special Warranty Deed dated December 22, 2010, and recorded as Instrument #1621125, records of Santa Fe County, New Mexico, executed between Univest-Rancho Viejo, LLC and Rancho Viejo de Santa Fe, Inc., the real property subject to the Easement Agreement was conveyed by Rancho Viejo de Santa Fe, Inc. to Univest-Rancho Viejo, and Univest-Rancho Viejo, LLC, became the successor in interest to the rights, duties and obligations of the Grantor under the terms of the Easement Agreement; and

WHEREAS, pursuant to the Assignment and Assumption of Founder's Rights and Obligations dated December 23, 2010, and recorded as Instrument #1621129, records of Santa Fe County, New Mexico executed between Rancho Viejo de Santa Fe, Inc. as assignor, and Univest-Rancho Viejo, LLC as assignee, assignor assigned all rights, title, interests and obligations as "Declarant" or "Founder" under the Community Documents (as defined therein) relating to the Rancho Viejo development to assignee; and

WHEREAS, the County and Univest-Rancho Viejo, LLC wish to amend the Easement Agreement to update certain provisions and information in the Agreement; and

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree to amend the Agreement as follows:

1. Paragraph 2 of the Easement Agreement is deleted and replaced with the following:
 2. The Easement shall be 30 feet width throughout the Property, and any trail constructed within the Easement shall be constructed in accordance with current AASHTO design standards for bicycle facilities in accordance with the Santa Fe County Sustainable Land Development Code Ordinance 2016-9, Section 7.15.3.4 Trail Standards.
2. Paragraph 15, the notice information for the parties is deleted in its entirety and replaced with the following:

To Grantor: Univest-Rancho Viejo
Attn: Warren Thompson
PO Box 236
Santa Fe, New Mexico 87504

With Copy to: Summer Udall Hardwick & Jones, P. A.
200 W. Marcy Street, Suite 129
Santa Fe, New Mexico 87501

To Grantee: Santa Fe County Manager
102 Grant Avenue (hand delivery address)
Santa Fe, NM 87501
P.O. Box 276 (mail address)
Santa Fe, New Mexico 87504-0276

With Copy to: Santa Fe County Open Space and Trails Planner
102 Grant Avenue (hand delivery address)
Santa Fe, NM 87501
P.O. Box 276 (mail address)
Santa Fe, New Mexico 87504-0276

3 Exhibit B depicting the location of the Trail and referenced in the Easement Agreement is deleted and replaced with the attached Exhibit B.

4. All other provisions of the Agreement not specifically amended or modified by this Amendment No. 1 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the date first written above.

SANTA FE COUNTY:


Henry P. Roybal, Chair
Santa Fe County Board of County Commissioners

ATTESTATION:


Geraldine Salazar
Santa Fe County Clerk


9-26-2017
Date

Approved as to form:

Gregory S. Shaffer
Gregory S. Shaffer
Santa Fe County Attorney

8-10-17
Date

UNIVEST-RANCHO VIEJO, LLC:

Warren Thompson
(Signature)

9-12-17
Date

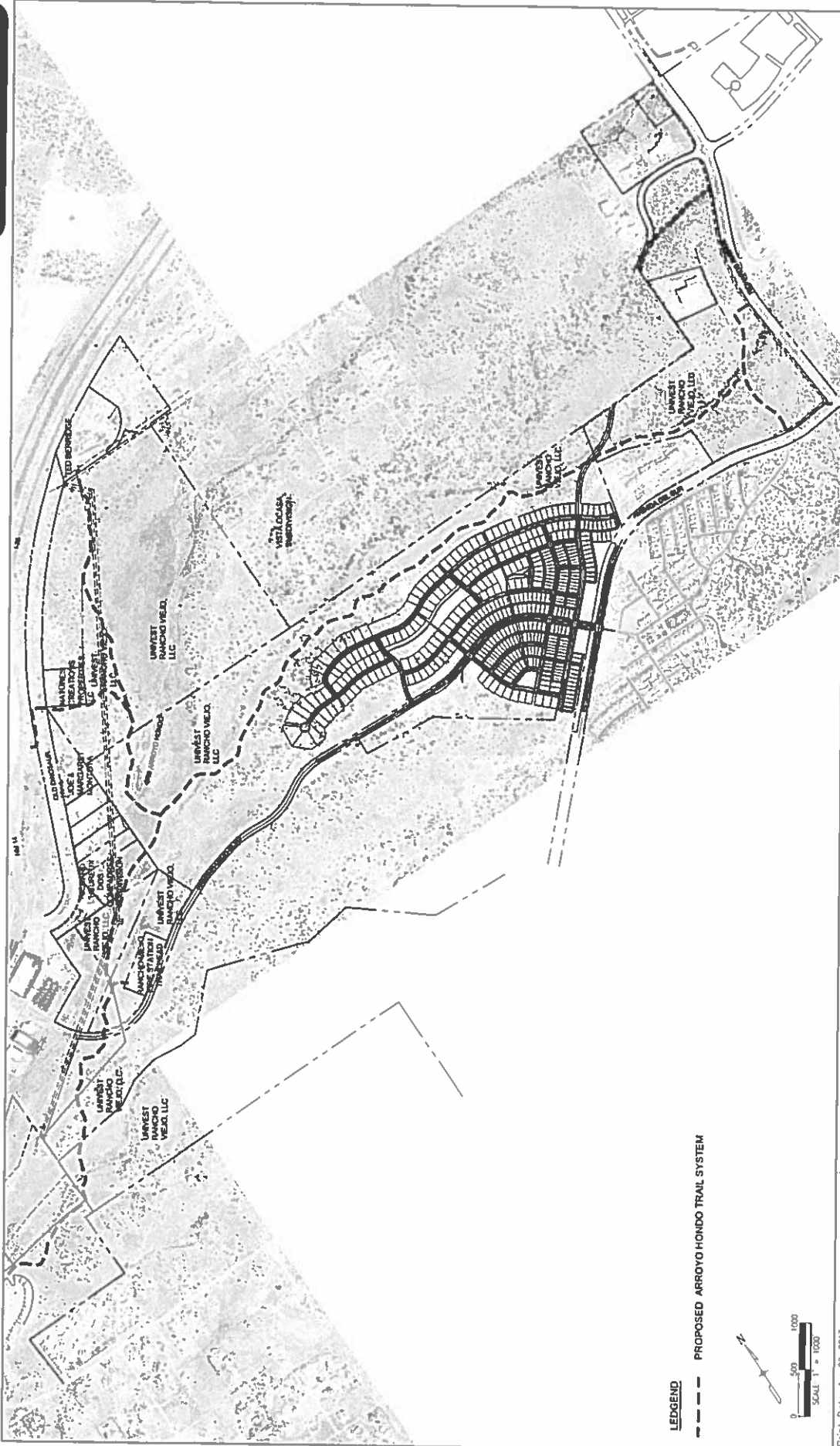
Warren Thompson, Manager
(Print Name & Title)

COUNTY OF SANTA FE) GRANT OF EASEMENT (SFC
STATE OF NEW MEXICO) ss PAGES: 4

I Hereby Certify That This Instrument Was Filed for
Record On The 27TH Day Of September, 2017 at 02:20:56 PM
And Was Duly Recorded as Instrument # 1837357
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy *Geraldine Salazar* County Clerk, Santa Fe, NM





LEGEND

--- PROPOSED ARROYO HONDO TRAIL SYSTEM



0 500 1000
SCALE 1" = 1000'

Print Date: Aug 06, 2017 File Name: ExhB1 B-Rev01 May 17, 2017.dwg Horiz. Scale: As Noted Unit Information: Unit Leader Initials		Sheet Revisions Date: _____ Comments: _____ 0000		LUNA and Associates, Inc. 10000 Camino Real, Suite 200 San Diego, CA 92126 Phone: (619) 594-1234 Fax: (619) 594-1235		As Constructed No Revisions: Revised: Void:		PROJECT NO. / CODE Arroyo Hondo Trail 325-12126	
Designer: _____ Detailer: _____ Sheet Subset: _____				Sub Structure Sub Numbers Sub Sheet		Project No. / Code Arroyo Hondo Trail 325-12126		Project No. / Code Arroyo Hondo Trail 325-12126	

