

**PERMANENT EASEMENT**  
**BETWEEN THE SANTA FE PUBLIC SCHOOL DISTRICT**  
**AND SANTA FE COUNTY**  
(Water Line)

Grant of Permanent Easement, between the Board of Education of, for and on behalf of the **Santa Fe Public School District** (hereinafter referred to as the "District"), a New Mexico Political Subdivision ("Grantor"), whose address is 610 Alta Vista Street, Santa Fe, New Mexico., and **Santa Fe County** (hereinafter referred to as the "County"), a New Mexico Political Subdivision ("Grantee") whose address is 102 Grant Avenue, Santa Fe, New Mexico 87504.

A. Grant of Water Line and Easement.

1. The District has constructed a water line (hereinafter referred to as the "Public Water Line") in the area that is the subject of this easement agreement. By this agreement, the District will convey ownership of the Public Water Line and grant a permanent easement to the County for the purpose of operating, maintaining and improving the Public Water Line.

2. The District hereby grants to County an exclusive, permanent easement ("Easement") in, over, upon and across the real property described on Exhibit "A," attached hereto and incorporated herein by reference (the "Property"), for the purposes of construction, installation, maintenance, repair, modification, replacement and operation of the Public Water Line. It is understood that the term "exclusive" does not preclude the granting of perpendicular easements or perpendicular crossings of this Easement.

B. Terms of Use.

1. The Easement granted herein shall include the rights for ingress and egress over the Easement and the right to cut away and keep clear, remove and dispose of trees and shrubs and to remove and dispose of all obstructions on or within Easement which removal and disposal is necessary for the County's use of the Easement for the stated purposes. County shall provide advance written notice to District of any such removal and disposal. County shall restore the surface area and all permitted landscaping, paving and other permitted improvements to the same condition as existed before any disturbance by the County of the surface area. If the affected area is natural and has not been improved with landscaping, such areas shall be smoothed to commercial lawn grade and seeded with grass following such disturbances.

2. District agrees not to undertake or authorize, without prior consent of the County, any construction or excavation on or within the Easement which may unearth, undermine, or damage the Public Water Line. District agrees not to erect a structure or obstruction or to plant trees, bushes or shrubs within or upon the Easement without County's prior consent. District shall have full use of the surface of the Property within the Easement, so long as such use does not interfere with the Easement or the Public Water Line.

3. In exercising the Easement rights, County shall comply will all applicable laws, rules and regulations relating to such use.

4. Neither party shall be responsible for liability incurred as a result of the other party's acts or omissions in connection with this Grant. Any liability incurred in connection with this Grant is

8. Reversion.

The County shall have and hold said right and Easement for the uses and purposes aforesaid, unto the County, its successors and assigns, forever, except that any portion of the Easement granted herein shall revert to the District, its successors or assigns, as and to the extent said portion of Easement is declared unnecessary for public water line purposes by the County. Any reversion shall be conveyed by vacation action pursuant to the Santa Fe County Ordinances, if a replat of the District's property is required, or by Quitclaim Deed or Release of Easement if a replat is not required.

This Easement shall not be effective unless approved by the County as shown in the signature block below.

**SANTA FE COUNTY:**

Katherine Miller  
Katherine Miller, Manager  
Manager

**GRANTOR:**

Linda Trujillo  
Linda Trujillo,  
President of the Board of Education

8/5/13  
Dated

6/26/13  
Dated

Approved as to form:

Stephen C. Ross 7/2/13  
Stephen C. Ross  
Santa Fe County Attorney

**ACKNOWLEDGMENT**

STATE OF NEW MEXICO     )  
  )SS  
COUNTY OF SANTA FE     )

This instrument was acknowledged before me this 26<sup>th</sup> day of June, 2013, by Linda Trujillo, as President, Board of Education.

Notary Public Lillian J. Letters

My Commission Expires: March 16, 2017



OFFICIAL SEAL  
LILLIAN J. LETTERS  
NOTARY PUBLIC - STATE OF NEW MEXICO  
My commission Expires: 3-16-2017

**EXHIBIT "A"**  
**"WATER LINE EASEMENT"**  
**AGUA FRIA ELEMENTARY SCHOOL**  
June, 2013

Owner: Board of Education, Santa Fe Public Schools

A certain parcel of land within Section 1, Township 16 North, Range 8 East, N.M.P.M., and being identified as a water line easement within Tract 1-A, Storm River Properties, LLC., as the same is shown and designated on the plat thereof, filed in the office of the County Clerk of Santa Fe, County, New Mexico in Book 748, Page 037, and being more particularly described as follows:.

Beginning at the Southwest corner of said easement and point of beginning, whence the Southwest Corner of Tract A-1, Storm River Properties, LLC bears S. 68° 57' 34" W., 80.33 feet distance, Thence running from said beginning point N. 31° 54' 23" W., a distance of 270.90 feet to a point; thence, N. 76° 54' 23" W., a distance of 54.97' feet distance to a point; Thence, N. 24° 21' 44" W., a distance of 488.59' feet distance to a point; Thence, N. 65° 38' 16" E., a distance of 388.26 feet distance; Thence; S. 84° 16' 14" E., 227.60 feet distance to a point; Thence, S. 39° 20' 31" E., a distance of 231.29 feet distance to a point; Thence, S. 19° 25' 05" E., a distance of 109.20 feet distance to a point; Thence, S. 70° 51' 06" W., a distance of 76.27 to a point; Thence, S. 50° 45' 12" W., a distance of 202.39 to a point; Thence, S. 39° 14' 48" E., a distance of 10.69 feet to a point; thence, S. 31° 18' 14" E., 247.69 feet to a point, said point intersecting a 12" water line; Thence, S. 57° 37' 29" W., a distance of 36.53 feet along said 12' water line to a point; thence, N. 31° 18' 14" W., a distance of 247.00 feet distance to a point; Thence, N. 08° 02' 28" W., a distance of 31.58 feet to a point; Thence, N. 50° 45' 12" E., a distance of 198.62 feet to a point; thence, N. 39° 09' 34" W., a distance of 32.18 feet to a point; thence, N. 50° 50' 26" E., a distance of 20.00 feet to a point; thence, S. 39° 09' 34" E., a distance of 32.15 feet to a point; thence, N. 50° 45' 12" E., 7.30 feet distance to a point; thence, N. 70° 51' 06" E., 59.73 feet distance to a point; thence, N. 19° 25' 05" W., a distance of 85.59 feet distance; thence, N. 39° 20' 31" W., a distance of 219.51 feet distance to a point; Thence, N. 84° 16' 14" W., a distance of 213.95 feet to a point; thence, S. 65° 38' 16" W., 19.22 feet distance to a point; thence, S. 24° 21' 44" E., a distance of 47.10 feet to a point; Thence, S. 65° 38' 16" W., a distance of 19.99 feet distance to a point; thence, N. 24° 21' 44" W., a distance of 47.10 feet distance to a point; Thence, S. 65° 38' 16" W., a distance of 323.67 feet distance to a point; S. 24° 21' 44" E., a distance of 458.72 feet distance to a point; Thence, S. 76° 54' 23" E., a distance of 52.02 feet to a point; Thence, N. 58° 05' 37" E., a distance of 76.36 feet to a point; Thence, S. 31° 54' 23" E., a distance of 19.96 feet distance to a point; Thence, S. 58° 05' 37" W., a distance of 75.40 feet to a point; thence, S. 31° 54' 23" E., a distance of 260.18 feet distance to a point; Thence, S. 58° 05' 37" W., a distance 20.00 feet to the place of beginning and containing 52835 square feet or 1.2095 acres, more or less..

**Surveyor's Certification:**

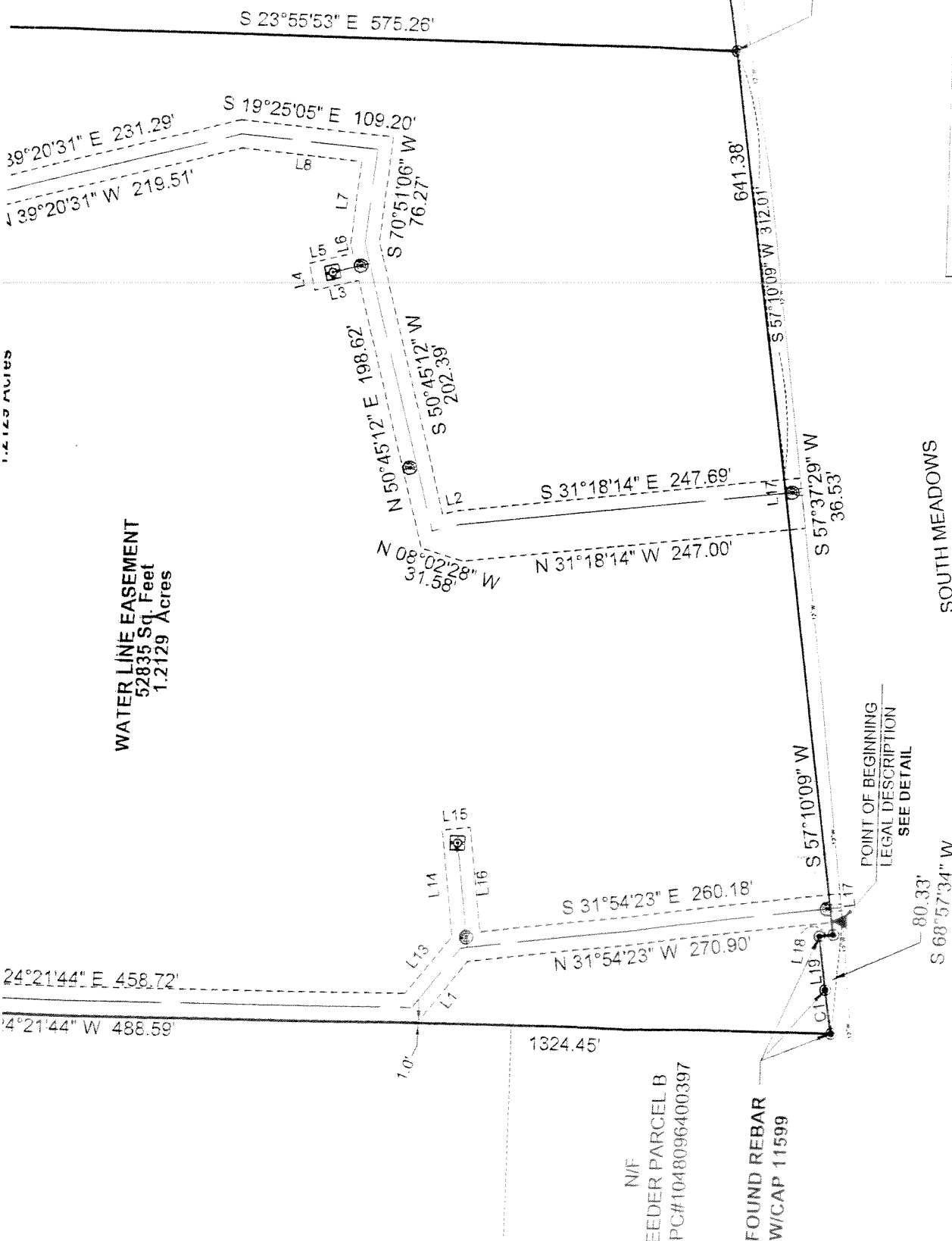
I, Douglas H. Smith, New Mexico Professional Surveyor No. 7002, do hereby certify that this Legal Description was prepared by me or under my direct supervision, meets the minimum requires for surveys in New Mexico, and is true and correct to the best of my belief and knowledge.

  
Douglas H. Smith, N.M.P.S. No. 7002

  
Date



TRACT 2  
STORM RIVER PROPERTIES, LLC  
RECORDED IN PLAT BK. 748, PG. 037



# WATER LINE EASEMENT

DRAWN JDS	DATE 06/22/13	APPROVED	DATE	DOUG SMITH SURVEYING 2121 SAN MATEO NE ALBUQUERQUE, NEW MEXICO 87110
SCALE 1" = 100'	SHEET 2 OF 2	PROJECT NO. AGUA FRIA		

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	550.44'	31.54'	31.53'	S 55°31'40" W

NOTE:  
BEARINGS AND DISTANCES ARE BASED ON A  
RECORDED SURVEY COMPLETED BY RICK  
CHATROOP, PLS NO. 11011, FILED ON 8/24/2012,  
BOOK 749, PAGE 009.

EASEMENT EXHIBIT "A"  
"WATER LINE EASEMENT"  
AGUA FRIA ELEMENTARY SCHOOL  
BEING TRACT 1-A OF STORM RIVER PROPERTIES, LLC  
WITHIN SECTION 1, T16N., R8E., N.M.P.M.  
SANTA FE COUNTY, NEW MEXICO

FOUND 1 -1/2  
IRON PIPE

NO INFO  
CO. RECORDS  
UPC#1048097472052  
S 89°55'10" E 466.14'

N 24°21'44" W  
JAUAREZ SHC 1229  
UPC#1048096376469

TRACT 1-A  
STORM RIVER PROPERTIES, LLC  
RECORDED IN PLAT BK. 748, PG. 037

T17N  
T16N

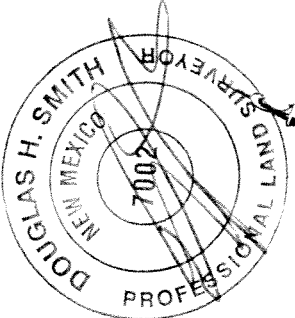
S 24°39'01" E 331.86'

N 65°38'16" E 388.26'

S 65°38'16" W 323.67'

S 89°55'10" E 311.07'  
S 84°16'14" E 227.60'  
N 84°16'14" W 213.95'

L9  
L10  
L11  
L12



LINE	BEARING	DISTANCE
L1	N 76°54'23" W	54.97'
L2	S 39°14'48" E	10.69'
L3	N 39°09'34" W	32.18'
L4	N 50°50'26" E	20.00'
L5	S 39°09'34" E	32.15'
L6	N 50°45'12" E	7.30'
L7	N 70°51'06" E	59.73'
L8	N 19°25'05" W	85.59'
L9	S 65°38'16" W	19.22'
L10	S 24°21'44" E	47.10'
L11	S 65°38'16" W	19.99'
L12	N 24°21'44" W	47.10'
L13	S 76°54'23" E	52.02'
L14	N 58°05'37" E	76.36'
L15	S 31°54'23" E	19.96'
L16	S 58°05'37" W	75.40'
L17	S 58°05'37" W	20.00'
L18	N 32°49'50" W	10.00'
L19	S 57°10'09" W	38.41'