ITEM 9
REQUEST FOR APPROVAL OF THE SALE OF REAL PROPERTY CONSISTING OF PORTIONS OF RIGHT-OF-WAY FOR THE NOW-ABANDONED RICHARD'S AVENUE EXTENSION PROJECT NORTH OF THE SANTA FE RIVER (NM PROJECT M-4811 PHASE 2), CONSISTING OF APPROXIMATELY 39,024 SQUARE FEET OF FEE SIMPLE INTEREST AND 6,710 SQUARE FEET OF EASEMENT INTEREST (CONSTRUCTION MAINTENANCE EASEMENT) WITHIN LOT 2 (3548-A QUAIL VIEW LANE), TRACT J-1 (3640 QUAIL VIEW LANE), AND TRACT H (AN UNADDRESSED LOT ADJACENT TO 3548-A QUAIL VIEW LANE), BY THERESA S. MONTOYA, REPRESENTATION OF THE ESTATE OF HELEN G. COWELL, AND BY RAYMOND S. MONTOYA AND PABLO Z. MONTOYA, AS INDIVIDUALS (MATTHEW O'REILLY)

PUBLIC WORKS COMMITTEE ACTION: APPROVED

FUNDING SOURCE:

SPECIAL CONDITIONS / AMENDMENTS / STAFF FOLLOW UP:

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DATE: March 31, 2017
TO: Public Works Committee
Finance Committee
VIA: Matthew S. O’Reilly, P.E.
Asset Development Director
FROM: Edward Vigil, Property Manager

ITEM
Request for approval of the sale of real property consisting of portions of right-of-way for the now-abandoned Richard’s Avenue extension project north of the Santa Fe River (NM project M-4811 Phase 2), consisting of approximately 39,024 square feet of fee simple interest and 6,710 square feet of easement interest (construction maintenance easement) within Lot 2 (3548-A Quail View Lane), Tract J-1 (3640 Quail View Lane), and Tract H (an unaddressed lot adjacent to 3548-A Quail View Lane), by Theresa S. Montoya, representative of the estate of Helen G. Cowell, and by Raymond S. Montoya and Pablo Z. Montoya, as individuals. (Matthew O’Reilly)

BACKGROUND
The subject properties are portions of fee simple and easement rights in these properties (and other properties in this area) that the city acquired in order to construct the now-abandoned project of the extension of Richards Avenue over the Santa Fe River to West Alameda Street (a.k.a. NM Project M-4811 Phase 2). The Richards Avenue extension project was never completed and instead an extension of Siler Road was constructed over the river nearby to provide the needed connection to West Alameda Street.

The city acquired the fee simple property rights that are the subject of this request by means of Warranty Deeds recorded in Book 704, Pages 195, 203 and 208, and the subject construction maintenance easement rights by means of grants of easement recorded in Book 704, Pages 197, 200, 205 and 210, all in the records of Santa Fe County. Exhibit A contains a graphical depiction of the subject parcels – the fee simple parcels are identified as 7-4, 7-5 and 7-6; the construction maintenance easements are identified as 7-CME-1, 7-CME-4, 7-CME-6 and 7-CME-7.

Carol Neeley, counsel for Theresa S. Montoya, representative of the estate of Helen G. Cowell, and by Raymond S. and Pablo Z. Montoya, as individuals have requested to purchase the city’s right-of-way interests in these parcels to regain control of the entirety of their respective properties.
RECOMMENDATIONS & CONDITIONS
The Asset Development Office has confirmed with relevant city departments that the proposed sale of these fee simple and associated easement interests will not conflict with any city infrastructure and that the property is not needed for any foreseeable future city purpose.

The Asset Development Office recommends the sale of these real property interests with conditions placed on the various Quitclaim Deeds that will obligate the purchasers to consolidate the properties with their adjacent parcels and make the area subject to easements for existing utilities, if any.

The sale will benefit the purchaser by restoring the full usability of their respective properties. The city will benefit from this proposed sale by generating revenue at the time of sale, relieving the city from liability and maintenance responsibilities associated with the property, and by restoring the property to the tax rolls.

The Asset Development Office estimates the total market value of the fee simple and easement interests to be approximately $100,000. Pending approval of the Public Works Committee and the Finance Committee, this matter will be brought to the Governing Body for final approval in the form of an ordinance in accordance with §3-54-1 NMSA 1978 as the projected market value is greater than $25,000, and upon the receipt of an acceptable MAI-certified appraisal of the properties and an adequate survey description approved by the Asset Development Office.

REQUESTED ACTION
Please approve this request for approval of the sale of this portion of city-owned property.

Exhibits: A – Right-of-way map for NM Project M-4811 Phase 2 (showing subject properties); B – Draft Quitclaim Deeds; C – Draft Vacation of Easement agreements; D – Purchase request by Carol Neeley; E – Warranty Deeds recorded in Book 704, Pages 195, 203 and 208; F – Easement instruments recorded in Book 704, Pages 197, 200, 205 and 210;

BUSINESS UNIT/LINE ITEM: 21117.460150
QUITCLAIM DEED

The City of Santa Fe, a municipal corporation, herein “Grantor”, for good and adequate consideration paid, quitclaims to Raymond S. Montoya, an unmarried man and Pablo Z. Montoya, a married man dealing with his sole and separate property, herein “Grantees”, whose address is 3640A Quail View Lane, Santa Fe, NM 87501, the following described real estate within the City and County Santa Fe, New Mexico, being more particularly described as follows to-wit:

A certain tract of land situate within the Cowell Parcel within Section 33, T17N, R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New Mexico, being a portion of Tract “J”, AMENDED PLAT OF LANDS FORMERLY OF JOSE PABLO GONZALES, as the same is shown and designated on the plat filed in the Office of the County Clerk of Santa Fe County, New Mexico, on February 2, 1960 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone) and ground distances as follows, to-wit:

Beginning at the northeast corner of the tract herein described, being a point on the northerly boundary line of the above mentioned Tract “J”, said point also being on the southerly right-of-way line of N.M.P. M-4811(2), County of Santa Fe, State of New Mexico, and point on curve 53.0 feet to the right of and opposite construction centerline P.O.C. Station 83+31.74 of N.M.P. M-4811(2), County of Santa Fe, State of New Mexico, whence the southeast corner of Tract “H” of the above mentioned plat bears N. 71° 14’ 27” E., a distance of 229.25 feet, and whence the City of Santa Fe Survey Monument “HUD 2” a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: X=568,972.50, Y=1,697,300.45) bears S. 80° 27’ 01” W., a distance of 5594.59 feet; thence southwesterly along the said southerly right-of-way line of N.M.P. M-4811(2), on a 04° 46’ 44” curve (Radius = 1198.92 feet, Chord = S. 33° 46’ 44” W., a distance of 205.59 feet) thru an arc of 09° 50’ 13” to the right a distance of 205.84 feet to a point on the westerly boundary of line of the above mentioned Tract “J”, said point also being the southwest corner of the tract herein described; thence N. 26° 04’ 38” W., along the said westerly boundary of line of Tract “J” a distance of 111.68 feet to a point on curve and point on the northerly right-of-way line, said point also being the northwesterly corner of the tract herein described; thence northeasterly along the said northerly right-of-way of N.M.P. M-4811(2) on a 05° 12’ 50” curve (Radius = 1098.92 feet, Chord = N. 35° 34’ 36” E., a distance of 24.43 feet) thru an arc of 01° 16’ 35” to the left a distance of 24.48 feet to a point on the northerly boundary line said Tract “J”; thence N. 71° 14’ 27” E., along the said northerly boundary line a distance of 157.52 feet to the point and place of beginning. Being and intended to be Parcel 7-4 as shown on New Mexico State Highway Commission Right of Way Map N.M.P. M-4811(2), containing 11,656 square feet, more or less.

Subject to reservations, restrictions, easements of record and taxes for the year of 2017 and thereafter.
Further, by this deed, the real estate is subject to the following conditions:

1. The property shall not be considered a legal lot of record for any purpose, but rather shall be consolidated with the adjoining lands commonly known as Tract J-1 by Grantees.

Witness my hand and seal this _____ day of __________________, 2017.

GRANTOR:
CITY OF SANTA FE

BY: ______________________
JAVIER M. GONZALES
MAYOR

ATTEST:

________________________
YOLANDA Y. VIGIL
CITY CLERK

APPROVED AS TO FORM:

________________________
KELLEY BRENNAN
CITY ATTORNEY

APPROVED:

________________________
ADAM JOHNSON,
FINANCE DIRECTOR

21117.460150
BUSINESS UNIT/LINE ITEM
ACKNOWLEDGEMENT

STATE OF NEW MEXICO

COUNTY OF SANTA FE

The foregoing instrument was acknowledged before me this ____ day of __________, 2017 by Javier M. Gonzales, Mayor, on behalf of the City of Santa Fe.

My commission expires:

__________________________
(seal) Notary Public

__________________________
QUITCLAIM DEED

The City of Santa Fe, a municipal corporation, herein “Grantor”, for good and adequate consideration paid, quitclaims to the Estate of Helen G. Cowell, deceased, herein “Grantee”, whose address is 3548A Quail View Lane, Santa Fe, NM 87501, the following described real estate within the City and County Santa Fe, New Mexico, being more particularly described as follows to-wit:

A certain tract of land situate within the Cowell Parcel within Section 28, T17N, R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New Mexico, being a portion of Lot 2 of the Cowell Subdivision, as the same is shown and designated on the plat filed in the Office of the County Clerk of Santa Fe County, New Mexico, on March 5, 1979 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone) and ground distances as follows, to-wit:

Beginning at the southeast corner of the tract herein described, being the southeast corner of the above mentioned Lot 2, located 4.45 feet to the right of and opposite construction centerline P.O.T. Station 85+22.88 of N.M.P. M-4811(2), County of Santa Fe, State of New Mexico, whence the City of Santa Fe Survey Monument “HUD 2” a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: X=568,972.50, Y=1,697,300.45) bears S. 78° 33’ 17” W., a distance of 5668.71 feet; thence S. 71° 12’ 12” W., along the southerly boundary line of said Lot 2 a distance of 69.97 feet to a point on the northerly right-of-way line of said of N.M.P. M-4811(2), said point also being the southwesterly corner of the tract herein described; thence N. 23° 52’ 00” E. along the said northerly right-of-way line a distance of 103.36 feet to a point on the easterly boundary line of said Lot 2, said point also being the northeast corner of the tract herein described; thence S. 18° 44’ 16” E., along the said easterly boundary line of Lot 2 a distance of 76.0 feet to the point and place of beginning. Being and intended to be Parcel 7-6 as shown on New Mexico State Highway Commission Right of Way Map N.M.P. M-4811(2), containing 2659 square feet, more or less.

Subject to reservations, restrictions, easements of record and taxes for the year of 2017 and thereafter.

Further, by this deed, the real estate is subject to the following conditions:

1. The property shall not be considered a legal lot of record for any purpose, but rather shall be consolidated with the adjoining lands commonly known as Lot 2 by Grantee.
Witness my hand and seal this ____ day of ________________, 2017.

GRANTOR:
CITY OF SANTA FE

BY:
____________________
JAVIER M. GONZALES
MAYOR

ATTEST:

____________________
YOLANDA Y. VIGIL
CITY CLERK

APPROVED AS TO FORM:

____________________
KELLEY BRENnan
CITY ATTORNEY

APPROVED:

____________________
ADAM JOHNSON,
FINANCE DIRECTOR

21117.460150
BUSINESS UNIT/LINE ITEM

ACKNOWLEDGEMENT

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

The foregoing instrument was acknowledged before me this ____ day of ___________, 2017 by Javier M. Gonzales, Mayor, on behalf of the City of Santa Fe.

My commission expires:

____________________
(seal) Notary Public
QUITCLAIM DEED

The City of Santa Fe, a municipal corporation, herein “Grantor”, for good and adequate consideration paid, quitclaims to the Estate of Helen G. Cowell, deceased, herein “Grantee”, whose address is 3548A Quail View Lane, Santa Fe, NM 87501, the following described real estate within the City and County Santa Fe, New Mexico, being more particularly described as follows to-wit:

A certain tract of land situate within the Cowell Parcel within Sections 28 and 33, T17N, R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New Mexico, being a portion of Tract “H”, AMENDED PLAT OF LANDS FORMERLY OF JOSE PABLO GONZALES, as the same is shown and designated on the plat filed in the Office of the County Clerk of Santa Fe County, New Mexico, on February 2, 1960 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone) and ground distances as follows, to-wit:

Beginning at the northeast corner of the tract herein described, being a point on the northerly boundary line of the above mentioned Tract “H”, located 53.0 feet to the right of and opposite construction centerline P.O.T. Station 85+67.77 on the southerly right-of-way of N.M.P. M-4811(2), County of Santa Fe, State of New Mexico, whence the northeast corner of the above mentioned Tract “H” bears N. 71° 06’ 31” E., a distance of 63.98 feet, and whence the City of Santa Fe Survey Monument “HUD 2” a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: X=568,972.50, Y=1,697,300.45) bears S. 78° 28’ 08” W., a distance of 5734.28 feet; thence, S. 23° 52’ 00” W. along the said southerly right-of-way line of said N.M.P. M-4811(2) a distance of 136.17 feet to a point of curvature; thence southwesterly along the said southerly right-of-way line on a 04° 46’ 44” curve (Radius = 1198.92 feet, Chord = S. 26° 21’ 49” W., a distance of 104.46 feet) thru an arc of 04° 59’ 37” to the right a distance of 104.49 feet to a point on the southerly boundary of line of said Tract “H”, said point also being the southeast corner of the tract herein described; thence S. 71° 14’ 27” W., along said line southerly boundary of line of said Tract “H” a distance of 157.52 feet to a point on curve and point on the northerly right-of-way line of said N.M.P. M-4811(2), said point also being the southwest corner of the tract herein described; thence northeasterly along the said northerly right-of-way of N.M.P. M-4811(2) on a 05° 12’ 50” curve (Radius = 1098.92 feet, Chord = N. 29° 24’ 09” E., a distance of 212.02 feet) thru an arc of 11° 04’ 19” to the left a distance of 212.35 feet to a point of tangency; thence N. 23° 52’ 00” E., along said northerly right-of-way line of said N.M.P. M-4811(2) a distance of 43.86 feet to a point on the northerly boundary line of said Tract “H”, said point also being the northwest corner of the tract herein described; thence N. 71° 12’ 12” E., along the said northerly boundary line a distance of 69.97 feet to a point; thence N. 71° 06’ 31” E., along the said northerly boundary line a distance of 66.13 feet to the point and place of beginning. Being and intended to be Parcel 7-5 as shown on New Mexico State Highway Commission Right of Way Map N.M.P. M-4811(2), containing 24,709 square feet, more or less.

Subject to reservations, restrictions, easements of record and taxes for the year of 2017 and thereafter.
Further, by this deed, the real estate is subject to the following conditions:

1. The property shall not be considered a legal lot of record for any purpose, but rather shall be consolidated with the adjoining lands commonly known as Tract H by Grantee.

Witness my hand and seal this ____ day of ________________, 2017.

GRANTOR:
CITY OF SANTA FE

BY: __________________________
JAVIER M. GONZALES
MAYOR

ATTEST:

______________________________
YOLANDA Y. VIGIL
CITY CLERK

APPROVED AS TO FORM:

______________________________
KELLEY BRENNAN
CITY ATTORNEY

APPROVED:

______________________________
ADAM JOHNSON,
FINANCE DIRECTOR

21117.460150
BUSINESS UNIT/LINE ITEM
ACKNOWLEDGEMENT

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

The foregoing instrument was acknowledged before me this ____ day of __________, 2017 by Javier M. Gonzales, Mayor, on behalf of the City of Santa Fe.

My commission expires:

___________________________
(seal) Notary Public
VACATION OF EASEMENTS

The City of Santa Fe, a Municipal Corporation, (the “City”), and Raymond S. Montoya, an unmarried man, and Pablo Z. Montoya, a married man dealing with his sole and separate property, (the “Grantees”) whose address is 3640A Quail View Lane, Santa Fe, NM, herein agree to vacate the following described Construction Maintenance Easements (CME’s) because the areas were not developed or used in the following described road construction Project No. N.M.P. M-4811(2) and will never be used for such purposes.

RECITALS:

A. This Vacation of Easements (this “Vacation”) references the map entitled, “NEW MEXICO STATE HIGHWAY COMMISSION RIGHT OF WAY MAP NEW MEXICO PROJECT NO. M-4811 (2) SANTA FE COUNTY”, by Bohannan-Houston, Inc. (the “Plat”) as shown on Exhibit A.

B. The Plat identifies said CME’s, described on attached Exhibit B and Exhibit C (the “Easements”) which encumber portions of the Grantees property, and were granted to the City by instruments recorded in Book 704, pages 197 and 200, records of Santa Fe County, New Mexico.

C. Grantees have requested through their attorney that the City vacate subject CME’s in order to gain full use of their parcel and the title to the parcel be unencumber by this Vacation.

D. The City has confirmed the subject CME’s were not developed and will never be developed and are not needed for City purposes and can be vacated by this agreement with proper committee approvals and receipt of adequate payment for the vacation by the Grantees.

AGREEMENT

NOW THEREFORE, all statements provided in the above Recitals of this Vacation of Easements together with the paragraphs that precede and follow the Recitals are accurate, actual representations. The Recitals are a material and integral part of this Vacation and are incorporated into this Vacation by this reference.
Thereby the City for adequate consideration paid, hereby releases, vacates and quitclaims to Grantees, the CME’s as described on the attached Exhibit B and Exhibit C hereto.

Witness my hand and seal this ___ day of __________________________, 2017.

CITY OF SANTA FE:

________________________________________

ATTEST: JAVIER M. GONZALES, MAYOR

________________________________________

YOLANDA Y. VIGIL, CITY CLERK
APPROVED AS TO FORM:

________________________________________

KELLEY A. BRENNAN, CITY ATTORNEY
APPROVED:

________________________________________

ADAM JOHNSON, FINANCE DIRECTOR

21117.460150
BUSINESS UNIT/LINE ITEM

ACKNOWLEDGEMENT

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

The foregoing instrument was acknowledged before me this ___ day of ____________, 2017 by Javier M. Gonzales, Mayor, on behalf of the City of Santa Fe.

My commission expires:

________________________________________
(seal) Notary Public
THIS INDENTURE, made and entered into this 1st day of November, 1990, by and between Raymond C. and Helen G. Cowell
part of the first part and City of Santa Fe, State of New Mexico, party of the second part.

WITNESSETH: That the said part is of the first part, for and in consideration of the sum of $145.00 dollars of lawful money of the United States of America in hand paid by said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said party of the second part, a perpetual, full and unrestricted easement to construct, maintain and perform any other necessary acts relative to the proper safety and function of the following feature on NMP No. M-4811(2) Phase II:

- Along, over and across the following described strip, tract, and parcel of land and real estate lying situate and being in the County of Santa Fe, State of New Mexico, to wit:

M-4811(2)
(7-CME-4)

RAYMOND C. and HELEN G. COWELL
(Slopes)

A certain tract of land situate within Section 33, T17N, R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New Mexico, being a portion of TRACT "J", AMENDED PLAT OF LANDS FORMERLY OF JOSE PABLO GONZALES, as the same is shown and designated on the plat filed in the Office of the County Clerk of Santa Fe County, New Mexico on February 2, 1960 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone) and ground distances as follows, to wit:

BEGINNING at the southwest corner of the tract herein described, being a point on the westerly boundary line of the above mentioned TRACT "J" and also being a point on curve on the southerly right-of-way line of N.M.P. M-4811(2) County of Santa Fe, State of New Mexico whence the construction centerline P.O.C. station 81+35.00 of said N.M.P. M-4811(2) bears N51°18'09"W a distance of 53.00 feet; and whence the City of Santa Fe Survey Monument "HUD 2" a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: X=568,972.50, Y=1,697,300.45) bears S82°01'16"W a distance of 5455.57 feet;

thence along the said southerly right-of-way line of N.M.P. M-4811(2) on a 04°46'44" curve (radius = 1198.92 feet, chord S37°48'32"W a distance of 46.91 feet) thru an arc of 02°13'24" to the right a distance of 46.91 feet to a point on the westerly boundary line of said TRACT "J", said point also being the southeast corner of the tract herein described;

the southwesterly on a 04°44'22" curve (radius = 1208.92 feet, chord = N37°41'50"E a distance of 41.85 feet) thru an arc of 02°00'01" to the left a distance of 41.85 feet to the northwest corner of the tract herein described;

thence 853'18'10"E along a radial line a distance of 10.00 feet to the northeast corner of the tract herein described;

thence southwesterly on a 04°44'22" curve (radius = 1208.92 feet, chord = S37°48'32"W a distance of 46.91 feet) thru an arc of 02°13'24" to the right a distance of 46.91 feet to a point on the westerly boundary line of said TRACT "J", said point also being the southeast corner of the tract herein described; hence N26°04'38"W along the said westerly boundary line a distance of 11.04 feet to the point and place of beginning.

Containing 444 square feet, more or less.

Legal Description Verified By:

A. Dwain Weaver
NMPLS No. 6544

Exhibit B
THIS INDENTURE, made and entered into this 1st day of November, 1990, by and between Raymond C. and Helen G. Cowell, part of the first part and City of Santa Fe, State of New Mexico, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of $50.00 dollars of lawful money of the United States of America in hand paid by said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said party of the second part, a perpetual, full and unrestricted easement to construct, maintain and perform any other necessary acts relative to the proper safety and function of the following feature on NMP No. M-4811(2) Phase II along, over and across the following described strip, tract, and parcel of land and real estate lying situate and being in the County of Santa Fe, State of New Mexico, to wit:

M-4811(2)
(7-CME-1)

RAYMOND C. and HELEN G. COWELL
(Slopes)

A certain tract of land situate within the Cowell Parcel in Section 33, T17N, R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New Mexico, being a portion of TRACT "J", AMENDED PLAT OF LANDS FORMERLY OF JOSE PABLO GONZALEZ, as the same is shown and designated on the plat filed in the Office of the County Clerk of Santa Fe County, New Mexico on February 2, 1960 and being more particularly described by New Mexico State Plane Grid Bearings (Central zone) and ground distances as follows:

BEGINNING at the southeast corner of the tract herein described, being a point on the westerly boundary line of the above mentioned TRACT "J" and also being a point on curve on the northerly right-of-way line of N.M.P. M-4811(2) County of Santa Fe, State of New Mexico whence the construction centerline P.O.C. station 81+84.65 of said N.M.P. M-4811(2) bears S53°47’06”E a distance of 47.00 feet, and whence the City of Santa Fe Survey Monument "HUD 2" a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: X=568,972.50, Y=1,697,300.45) bears S80°53’57”W, a distance of 5421.92 feet; thence N26°04’38”W along the westerly boundary line of said TRACT "J" a distance of 11.31 feet to the northwest corner of the tract herein described; thence on a 05°15’42” curve (radius = 1088.92 feet, chord=35°47’59”E a distance of 5.27 feet) thru an arc of 00°16’39” to the left a distance of 5.27 feet to a point on the northerly boundary of said TRACT "J"; thence W1°14’27”E along the said northerly boundary line of said TRACT "J" a distance of 17.04 feet to a point on the said northerly right-of-way line of said N.M.P. M-4811(2); thence southwesterly along the said northerly right-of-way line of N.M.P. M-4811(2) on a 05°12’50” curve (radius = 1098.92 feet, chord = 35°34’36”W a distance of 24.48 feet) thru an arc of 01°16’35” to the right a distance of 24.48 feet to the point and place of beginning.

Containing 149 square feet, more or less.

Legal Description Verified By:
A. Dwain Weaver
NMPLS No. 6544

Exhibit C

6544
VACATION OF EASEMENTS

The City of Santa Fe, a Municipal Corporation, (the "City"), and the Estate of Helen G. Cowell, deceased, (the "Grantee") whose address is 3548A Quail View Lane, Santa Fe, NM, herein agree to vacate the following described Construction Maintenance Easements (CME’s) because the areas were not developed or used in the following described road construction Project No. N.M.P. M-4811(2) and will never be used for such purposes.

RECITALS:

A. This Vacation of Easements (this "Vacation") references the map entitled, "NEW MEXICO STATE HIGHWAY COMMISSION RIGHT OF WAY MAP NEW MEXICO PROJECT NO. M-4811 (2) SANTA FE COUNTY", by Bohannan-Houston, Inc. (the "Plat") as shown on Exhibit A.

B. The Plat identifies said easements, described on attached Exhibit B and Exhibit C (the "Easements") which encumber portions of the Grantees property, and were granted to the City by instruments recorded in Book 704, pages 205 and 210, records of Santa Fe County, New Mexico.

C. Grantee has requested through its attorney that the City vacate subject CME’s in order to gain full use of its parcels and the title to the parcels be unencumber by this Vacation.

D. The City has confirmed the subject CME’s were not developed and will never be developed and are not needed for City purposes and can be vacated by this agreement with proper committee approvals and receipt of adequate payment for the vacation by the Grantees.

AGREEMENT

NOW THEREFORE, all statements provided in the above Recitals of this Vacation of Easements together with the paragraphs that precede and follow the Recitals are accurate, actual representations. The Recitals are a material and integral part of this Vacation and are incorporated into this Vacation by this reference.

The City for adequate consideration paid, hereby releases, vacates and quitclaims to Grantee, the CME’s as described on the attached Exhibit B and Exhibit C.
Witness my hand and seal this ___ day of ________________, 2017.

CITY OF SANTA FE:

ATTEST:

________________________

JAVIER M. GONZALES, MAYOR

________________________

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

________________________

KELLEY A. BREN NAN, CITY ATTORNEY

APPROVED:

________________________

ADAM JOHNSON, FINANCE DIRECTOR

21117.460150
BUSINESS UNIT/LINE ITEM

ACKNOWLEDGEMENT

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

The foregoing instrument was acknowledged before me this ___ day of ____________, 2017 by Javier M. Gonzales, Mayor, on behalf of the City of Santa Fe.

My commission expires:

________________________

(seal) Notary Public
THIS INDENTURE, made and entered into this 1st day of November, 1990, by and between Raymond C. and Helen G. Cowell, part the first part and City of Santa Fe, party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of $1,425.00 dollars of lawful money of the United States of America in hand paid by said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said party of the second part, a perpetual, full and unrestricted easement to construct, maintain and perform any other necessary acts relative to the proper safety and function of the following feature on N.M.P. No. M-4811(2) Phase II along, over and across the following described strip, tract, and parcel of land and real estate lying situate and being in the County of Santa Fe, State of New Mexico, to wit:

M-4811(2)
(7-CME-6)

RAYMOND C. and HELEN G. COWELL
(Slopes)

A certain tract of land situate within Section 28 and 33, T17N, R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New Mexico, being a portion of TRACT "H", AMENDED PLAT OF LANDS FORMERLY OF JOSE PABLO GONZALEZ, as the same is shown and designated on the plat filed in the Office of the County Clerk of Santa Fe County, New Mexico on February 2, 1960 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, being a point on the northerly boundary line of the above mentioned TRACT "H" and point on the northerly right-of-way line of N.M.P. M-4811(2), County of Santa Fe, State of New Mexico, located 47.00 feet to the left of and opposite construction centerline P.O.T. station 84+75.47 of N.M.P. M-4811(2) County of Santa Fe, State of New Mexico, whence the City of Santa Fe Survey Monument "HUD 2" a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: x=568,972.50, y=1,697,300.45) bears S78°38'46"W, a distance of 5599.33 feet; thence S23°52'00"W along the said northerly right-of-way line of said N.M.P.M-4811(2) a distance of 43.86 feet to a point of curvature; thence southwesterly along the said northerly right-of-way line on a 05°12'50" curve (radius = 1098.92, chord = 829°24'09"a distance of 212.02 feet) thru an arc of 11°04'19" to the right a distance of 212.35 feet to a point on the southerly boundary line of said TRACT "H"; thence S17°14'27"W along the said southerly boundary line of said TRACT "H" a distance of 17.04 feet to a point on curve; thence northeasterly on a 05°15'42" curve (radius = 1088.92, chord = N33°03'15"E a distance of 99.05 feet) thru an arc of 05°12'50" to the left a distance of 99.09 feet to a point; thence N22°34'10"E a distance of 124.82 feet to a point; thence N71°12'12"E along the said northerly boundary line a distance of 27.20 feet to the point and place of beginning.

Containing 3,648 square feet, more or less.

Legal Description Verified By:

A. Dwain Weaver
NMPLS No. 6544

Exhibit B
THIS INDENTURE, made and entered into this 1st day of November, 1990, by and between Raymond C. and Helen G. Cowell
parties the first part and City of Santa Fe, State of New Mexico, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of $880.00 dollars of lawful money of the United States of America in hand paid by said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said party of the second part, a perpetual, full and unrestricted easement to construct, maintain and perform any other necessary acts relative to the proper safety and function of the following feature on N.M.P. M-4811(2) Phase II along, over and across the following described strip, tract, and parcel of land and real estate lying situate and being in the County of Santa Fe, State of New Mexico, to wit:

M-4811(2)
(7-CME-7)
RAYMOND C. and HELEN G. COWELL
(Slopes)

A certain tract of land situate within Section 28 and 33, T17N, R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New Mexico, being a portion of LOT 2 of the COWELL SUBDIVISION, as the same is shown and designated on the plat filed in the Office of the County Clerk of Santa Fe County, New Mexico on March 5, 1979 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone) and ground distances as follows:

BEGINNING at the most easterly corner of the tract herein described, being a point on the easterly boundary line of the above mentioned LOT 2, and point on the northerly right-of-way line of N.M.P. M-4811(2), County of Santa Fe, State of New Mexico, located 47.00 feet to the left of and opposite construction centerline P.O.T station 85+78.82 of N.M.P. M-4811(2) County of Santa Fe, State of New Mexico, whence the City of Santa Fe Survey Monument "HUD 2" a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: x=568,972.50, y=1,697,300.45) bears S77°47'29"W a distance of 5659.56 feet; thence N23°52'00"W along the said northerly right-of-way line of said N.M.P. M-4811(2) a distance of 103.36 feet to a point on the southerly boundary line of said LOT 2; thence S71°12'12"W along the said southerly boundary line a distance of 27.20 feet to the most westerly corner of the tract herein described; thence N23°52'00"E a distance of 143.54 feet to a point on the said easterly boundary line of LOT 2; thence S18°44'16"E along the said easterly boundary line a distance of 29.55 feet to the point and place of beginning.

Containing 2,469 square feet, more or less.

Legal Description Verified By:
A. Dwain Weaver NMPLS No. 6544

Exhibit C
December 20, 2016

Edward Vigil via email: ejvigil@ci.santa-fe.nm.us
Property Manager
City of Santa Fe

Re: Offer to Repurchase Property

Dear Edward:

This letter is to convey an offer for the repurchase of several properties acquired by the City of Santa Fe from Raymond C. and Helen G. Cowell in 2009. All plat references are to the consolidation survey prepared for the Estate of Helen G. Cowell, Raymond Montoya and Pablo Montoya by Paul A. Rodriguez, NMPS NO. 13839, which was provided to you on December 16, 2016 ("Consolidation Survey").

On behalf of Theresa Susan Montoya, as Personal Representative of the Estate of Helen G. Cowell, Deceased, appointed on June 10, 2011, by the First Judicial District Court, County of Santa Fe, New Mexico, in Cause No. D-101-PB-2011-00120, and as Personal Representative of the Estate of Raymond C. Cowell, Deceased, appointed on December 14, 2012, by the First Judicial District Court, County of Santa Fe, New Mexico, in Cause No. D-101-PB-2011-00093, I write to offer to purchase parcel 7-6, and easement 7-CME-7. These two properties, upon re-acquisition, will be consolidated with Lot 2 shown on the Consolidation Survey.

On behalf of Theresa Susan Montoya, as Personal Representative of the Estate of Helen G. Cowell, Deceased, I write to offer to purchase parcel 7-5 and easement 7-CME-6. These two properties will, upon re-acquisition, be consolidated with Tract H shown on the Consolidation Survey.

On behalf of Raymond S. Montoya, an unmarried man, and Pablo Z. Montoya, a married man dealing with his sole and separate property, I write to offer to purchase parcel 7-4, together with easements 7-CME-1 and 7-CME-4. These three properties will upon re-acquisition, be consolidated with Tract J-1 shown on the Consolidation Survey.

The foregoing offers are made with the understanding that my clients will need to approve the appraised value for the foregoing properties and any other terms and conditions to be imposed by the City of Santa Fe.

http://www.neelleylaw.com
Please let me know if you need further information from me or my clients.

Very truly yours,

Carol A. Neelley

cc: Susan Montoya
WARRANTY DEED

Raymond C. and Helen G. Cowell

for,

consideration paid, grant to the City of Santa Fe, P.O. Box 909, Santa Fe, New Mexico, 87504-0909 the following described real estate in Santa Fe County, New Mexico:

RAYMOND C. and HELEN G. COWELL

A certain tract of land situated within Cowell Parcel in Section 32, T17N, R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New Mexico, being a portion of TRACT "J", AMENDED PLAT OF LANDS FORMERLY OF JOSE PABLO GONZALEZ, as the same is shown and designated on the plat filed in the Office of the County Clerk of Santa Fe County, New Mexico on February 2, 1960 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone) and ground distances as follows, to wit:

BEGINNING at the northeast corner of the tract herein described, being a point on the northern boundary line of the above mentioned TRACT "J", said point also being on the southerly right-of-way line of N.M.P.M. M-4811(2), County of Santa Fe, State of New Mexico, and point on curve 53.00 feet to the right of and opposite construction centerline P.O.C. Station 69+31.74 of N.M.P.M. M-4811(2), County of Santa Fe, State of New Mexico, whence the southeast corner of TRACT "H" of the above mentioned plat bears N71°14'27"E a distance of 229.25 feet, and whence the City of Santa Fe Survey Monument "HUD 2", a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: X=568, Y=972.50, Z=1,697,300.45) bears S80°27'01"W distance of 594.59 feet;

thence southwesterly along the said southerly right-of-way line of N.M.P.M. M-4811(2), on a 04°46'44" curve (radius = 1908.92 feet, chord = 833.46'44"W a distance of 205.59 feet) thru an arc of 09°59'13" to the right a distance of 205.84 feet to a point on the westerly boundary line of the above mentioned TRACT "J", said point also being the southwest corner of the tract herein described;

thence N26°04'30"W along the said westerly boundary line of TRACT "J" a distance of 111.68 feet to a point on curve and point on the northerly right-of-way line, said point also being the northwesterly corner of the tract herein described; thence northeasterly along the said northerly right-of-way line of N.M.P.M. M-4811(2) on a 05°12'50" curve (radius = 1098.92 feet, chord = 935.34'36"W a distance of 24.48 feet) thru an arc of 01°16'35" to the left a distance of 24.48 feet to a point on the northerly boundary line said TRACT "J";

thence N71°14'27"E along the said northerly boundary line a
distance of 157.52 feet to the point and place of beginning.
Containing 11,656 square feet, more or less.

Legal Description Verified By:

A. Dwain Weaver
MHPLS No. 6544

with warranty covenants.

WITNESS their hand(s) and seal(s) this 1st day of November,
1990.

Raymond C. Cowell
Helen C. Cowell

STATE OF NEW MEXICO
COUNTY OF SANTA FE

The foregoing instrument was acknowledged before me the 1st day of
November, 1990, by Raymond C. and Helen G. Cowell

My Commission Expires: December 30, 1993
(Note - The foregoing instrument should be executed by husband and wife in
each instance where the grantees are married.)

COUNTY OF SANTA FE
STATE OF NEW MEXICO
I hereby certify that the instrument was filed for record on the 11th day of November, 1990.
and was duly recorded in book W. page 1236, of the records of Santa Fe County.
Witness my Hand and Seal of Office

Jose G. Armenta
County Clerk, Santa Fe County

Deputy
WARRANTY DEED

Raymond C. and Helen G. Cowell for,

consideration paid, grants to the City of Santa Fe, P.O. Box 909, Santa Fe, New Mexico, 87504-0909 the following described real estate in Santa Fe County, New Mexico:

N-4011(2)

RAYMOND C. and HELEN G. COWELL

A certain tract of land situate within the Cowell Parcel in Section 28 and 33, TiNM, R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New Mexico, being a portion of TRACT "H", AMENDED PLAT OF LANDS FORMERLY OF JOSE MARIA GONZALEZ, as the same is shown and designated on the plat filed in the Office of the County Clerk of Santa Fe County, New Mexico on February 2, 1960 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone) and ground distances as follows, to wit:

BEGINNING at the northeast corner of the tract herein described, being a point on the northerly boundary line of the above mentioned TRACT "H", located 53.00 feet to the right of and opposite construction centerline P.O.T. station 85+67.77, on the southerly right-of-way of N.M.P. N-4011(2), County of Santa Fe, State of New Mexico, whence the northeast corner of the above mentioned TRACT "H" bears N71°06'31"E a distance of 63.90 feet, and whence the City of Santa Fe Survey Monument "HUD 2" a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: X=568, Y=722.56, Y=1,697,360.45) bears 078°20'08"W a distance of 5734.28 feet; whence 823°52'00"N along the said southerly right-of-way line of said N.M.P. N-4011(2) a distance of 136.17 feet to a point of curvature; thence southwesterly along the said southerly right-of-way line on a 04°46'44" curve (radius = 1150.92 feet, chord = 826°21'49"N a distance of 104.46 feet) thru an arc of 04°55'37" to the right a distance of 104.49 feet to a point on the southerly boundary line of said TRACT "H", said point also being the southeast corner of the tract herein described; thence 871°14'27"E along the said southerly boundary line of said TRACT "H" a distance of 157.52 feet to a point on curve and point on the northerly right-of-way line of said N.M.P. N-4011(2), said point also being the southwest corner of the tract herein described; thence northeasterly along the said northerly right-of-way of N.M.P. N-4011(3) on a 05°12'50" curve (radius = 1098.92 feet, chord = 829°24'09"E a distance of 212.02 feet) thru an arc of 11°04'19" to the left a distance of 212.35 feet to a point of...
legal description verified by:

\[ \text{[signature, date] A. Davis} \]

with warranty covenants.

witness their \[ \text{[signature, date]} \]

of \[ \text{[signature, date]} \]

the foregoing instrument was acknowledged before me the \[ \text{[signature, date]} \]

by \[ \text{[signature, date]} \]

notary public.
WARRANTY DEED

Raymond C. and Helen G. Cowell

for,

consideration paid, grants to the City of Santa Fe, P.O. Box 909, Santa Fe, New Mexico, 87504-0909 the following described real estate in Santa Fe County, New Mexico:

M-4811(2)
(7-6)

RAYMOND C. and HELEN G. COWELL

A certain tract of land situate within the Cowell Parcel in Section 28, T17N, R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New Mexico, being a portion of LOT 2 of the COWELL SUBDIVISION, as the same is shown and designated on the plat filed in the Office of the County Clerk of Santa Fe County, New Mexico on March 5, 1979 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone) and ground distances as follows, to wit:

BEGINNING at the southeast corner of the tract herein described, being the southeast corner of the above mentioned LOT 2, located 4.45 feet to the right of and opposite construction centerline P.O.T. Station 85+22.88 of N.M.P. M-4811(2), County of Santa Fe, State of New Mexico, whence the City of Santa Fe Survey Monument "HUD 2" a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: X=568,972.50, Y=1,697,300.45) bears S78°33'17"W a distance of 5668.71 feet;

thence S71°12'12"W along the southerly boundary line of said LOT 2 a distance of 69.97 feet to a point on the northerly right-of-way line of said N.M.P. M-4811(2), said point also being the southwesterly corner of the tract herein described;

thence N23°52'00"E along the said northerly right-of-way line a distance of 103.36 feet to a point on the easterly boundary line of said LOT 2, said point also being the northeast corner of the tract herein described;

thence S18°44'16"E along the said easterly boundary line of LOT 2 a distance of 76.0 feet to the point and place of beginning.

Containing 2,659 square feet, more or less.

Legal Description Verified By:

A. Dwain Weaver NMPLS No. 6544
with warranty covenants.

WITNESS their hand(s) and seal(s) this 1st day of November, 1990.

Raymond C. Cowell
Helen G. Cowell

STATE OF NEW MEXICO )
COUNTY OF SANTA FE ) ss

The foregoing instrument was acknowledged before me the 1st day of November, 1990, by Raymond C. and Helen G. Cowell

Robert J. Rutledge
Notary Public

My Commission Expires: December 30, 1993

(Note – The foregoing instrument should be executed by husband and wife in each instance where the grantors are married.)
THIS INDENTURE, made and entered into this 1st day of November, 1990,
by and between Raymond C. and Helen G. Cowell
parties the first part and City of Santa Fe, State of New Mexico,
parties of the second part.

WITNESSETH: That the said parties of the first part, for and in
consideration of the sum of $880.00 dollars of lawful money of the United
States of America in hand paid by said party of the second part, the receipt
whereof is hereby confessed and acknowledged, has granted, bargained, sold and
conveyed and by these presents do grant, bargain, sell and convey unto
the said party of the second part, a perpetual, full and unrestricted easement
to construct, maintain and perform any other necessary acts relative to the
proper safety and function of the following feature on NMP No. M-4811(2) Phase II
along, over and across the following described strip, tract, and parcel of land
and real estate lying situate and being in the County of Santa Fe,
State of New Mexico, to wit:

M-4811(2)
(7-CME-7)

RAYMOND C. and HELEN G. COWELL
(Slopes)

A certain tract of land situate within Section 28 and 33, T17N,
R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New
Mexico, being a portion of LOT 2 of the COWELL SUBDIVISION, as
the same is shown and designated on the plat filed in the Office
of the County Clerk of Santa Fe County, New Mexico on March 5,
1979 and being more particularly described by New Mexico State
Plane Grid Bearings (Central Zone) and ground distances as
follows:

BEGINNING at the most easterly corner of the tract herein
described, being a point on the easterly boundary line of the
above mentioned LOT 2, and point on the northerly right-of-way
line of N.M.P. M-4811(2), County of Santa Fe, State of New
Mexico, located 47.00 feet to the left of and opposite
construction centerline P.O.T. station 85+78.82 of N.M.P. M-4811(2) County of Santa Fe, State of New Mexico, whence the City of Santa Fe Survey Monument "HUD 2" a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: x=568,972.50, y=1,697,300.45) bears S77°47’29"W a distance of 5659.56 feet; thence S23°52’00"W along the said northerly right-of-way line of said N.M.P. M-4811(2) a distance of 103.36 feet to a point on the southerly boundary line of said LOT 2; thence S71°12’12"W along the said southerly boundary line a distance of 27.20 feet to the most westerly corner of the tract herein described; thence N23°52’00"E a distance of 143.54 feet to a point on the said easterly boundary line of LOT 2; thence S18°44’16"E along the said easterly boundary line a distance of 29.55 feet to the point and place of beginning.

Containing 2,469 square feet, more or less.

Legal Description Verified By:

O. Dwain Weaver
A. Dwain Weaver NMPLS No. 6544

together with the full and unrestricted right unto the said party of the second part an unto the State of New Mexico, to use the same for public highway purposes to place such construction feature(s) thereupon as may be necessary or desirable in connection with the use of the same for highway purposes: to prohibit all usage of said land for purposes which may be or become inconsistent with the regulations of the State Highway Department of the State of New Mexico.

THE GRANTOR ACKNOWLEDGES THAT no considerations were promised for the easement granted other than those considerations hereinabove written.

IN WITNESS WHEREOF, the said parties of the first part have hereupon set their hands and seals, on the day and year hereinabove written.

Raymond Carroll

Helen G. Carroll
STATE OF NEW MEXICO  
COUNTY OF Santa Fe  

On this 1st day of November, 1990, before me personally appeared Raymond C. and Helen G. Cowell known to me to be the parties described in and who executed the above and foregoing Easement and acknowledged to me that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year of this certificate first written.

My Commission expires December 30, 1993

(Note - The foregoing instrument should be executed by husband and wife in each instance where the grantors are married.)

Easement obtained by Robert G. Rutledge

COUNTY OF SANTA FE  
STATE OF NEW MEXICO  

I hereby certify that this instrument was filed for record on the 1st day of November, A.D. 1990, at 9:16 a.m. and was duly recorded in book 707, page 240-242 of the records of Santa Fe County.

Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, N.M.
Deputy
CITY OF SANTA FE

EASEMENT

THIS INDENTURE, made and entered into this 1st day of November, 1990, by and between Raymond C. and Helen G. Cowell, party of the first part and City of Santa Fe, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of $145.00 dollars of lawful money of the United States of America in hand paid by said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said party of the second part, a perpetual, full and unrestricted easement to construct, maintain and perform any other necessary acts relative to the proper safety and function of the following feature on NMP No. M-4811(2) Phase II along, over and across the following described strip, tract, and parcel of land and real estate lying situate and being in the County of Santa Fe, State of New Mexico, to wit:

M-4811(2)
(7-CME-4)

RAYMOND C. and HELEN G. COWELL
(Slopes)

A certain tract of land situate within Section 33, T17N, R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New Mexico, being a portion of TRACT "J", AMENDED PLAT OF LANDS FORMERLY OF JOSE PABLO GONZALES, as the same is shown and designated on the plat filed in the Office of the County Clerk of Santa Fe County, New Mexico on February 2, 1960 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone) and ground distances as follows, to wit:

BEGINNING at the southwest corner of the tract herein described, being a point on the westerly boundary line of the above mentioned TRACT "J" and also being a point on curve on the southerly right-of-way line of N.M.P. M-4811(2) County of Santa Fe, State of New Mexico whence the construction centerline P.O.C.
station 81+35.00 of said N.M.P. M-4811(2) bears N51°18'09"W a distance of 53.00 feet; and whence the City of Santa Fe Survey Monument "HUD 2" a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: X=568,972.50, Y=1,697,300.45) bears S02°01'16"W a distance of 5455.57 feet; thence along the said southerly right-of-way line of N.M.P. M-4811 (2) on a 04°46'44" curve (radius = 1198.92 feet, chord = N37°41'50"E a distance of 41.85 feet) thru an arc of 02°00'01" to the left a distance of 41.85 feet to the northwest corner of the tract herein described; thence S53°18'10"E along a radial line a distance of 10.00 feet to the northeast corner of the tract herein described; thence southwesterly on a 04°44'22" curve (radius = 1208.92 feet, chord = S37°48'32"W a distance of 46.91 feet) thru an arc of 02°13'24" to the right a distance of 46.91 feet to a point on the westerly boundary line of said TRACT "J", said point also being the southeast corner of the tract herein described; thence N26°04'38"W along the said westerly boundary line a distance of 11.04 feet to the point and place of beginning.

Containing 444 square feet, more or less.

Legal Description Verified By:

A. Dwain Weaver
NMPLS No. 6544

together with the full and unrestricted right unto the said party of the second part an unto the State of New Mexico, to use the same for public highway purposes to place such construction feature(s) slopes thereupon as may be necessary or desirable in connection with the use of the same for highway purposes: to prohibit all usage of said land for purposes which may be or become inconsistent with the regulations of the State Highway Department of the State of New Mexico.

THE GRANTOR ACKNOWLEDGES THAT no considerations were promised for the easement granted other than those considerations hereinabove written.

IN WITNESS WHEREOF, the said parties of the first part has have hereupon set their hand and seal, on the day and year hereinabove written.

Raymond E. Cowell
Kember G. Cowell
STATE OF NEW MEXICO

COUNTY OF Santa Fe

On this 1st day of November, 1990, before me personally appeared Raymond C. and Helen G. Cowell known to me to be the parties described in and who executed the above and foregoing Easement and acknowledged to me that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year of this certificate first written.

My Commission expires December 30, 1993

(Note - The foregoing instrument should be executed by husband and wife in each instance where the grantors are married.)

Easement obtained by Robert G. Rutledge

COUNTY OF SANTA FE
STATE OF NEW MEXICO

I hereby certify that this instrument was filed for record on the 7th day of May, A.D. 19__ at ___ o'clock ___ A.M. and was duly recorded in book ___ page ___ of the records of Santa Fe County.

Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, N.M.

Deputy
THIS INDENTURE, made and entered into this 1st day of November, 1990,
by and between Raymond C. and Helen G. Cowell
part ies the first part and City of Santa Fe, State of New Mexico,
party of the second part.

WITNESSETH: That the said part ies of the first part, for and in
consideration of the sum of $50.00 dollars of lawful money of the United
States of America in hand paid by said party of the second part, the receipt
whereof is hereby confessed and acknowledged, has granted, bargained, sold and
conveyed and by these presents do ______ grant, bargain, sell and convey unto
the said party of the second part, a perpetual, full and unrestricted easement
to construct, maintain and perform any other necessary acts relative to the
proper safety and function of the following feature on NMP No. M-4811(2)Phase II
along, over and across the following described strip, tract, and parcel of land
and real estate lying situate and being in the County of Santa Fe,
State of New Mexico, to wit:

M-4811(2)
(7-CME-1)

RAYMOND C. and HELEN G. COWELL
(Slopes)

A certain tract of land situate within the Cowell Parcel in
Section 33, T17N, R9E, N.M.P.M., City of Santa Fe, County of
Santa Fe, State of New Mexico, being a portion of TRACT "J",
AMENDED PLAT OF LANDS FORMERLY OF JOSE PABLO GONZALES, as the
same is shown and designated on the plat filed in the Office of
the County Clerk of Santa Fe County, New Mexico on February 2,
1960 and being more particularly described by New Mexico State
Plane Grid Bearings (Central Zone) and ground distances as
follows:

BEGINNING at the southeast corner of the tract herein described,
being a point on the westerly boundary line of the above
mentioned TRACT "J" and also being a point on curve on the
northerly right-of-way line of N.M.P. M-4811(2) County of Santa
Fe, State of New Mexico whence the construction centerline P.O.C. station 81+84.65 of said N.M.P. M-4811(2) bears S53°47'06"E a distance of 47.00 feet, and whence the City of Santa Fe Survey Monument "HUD 2" a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: X=568,972.50, Y=1,697,300.45) bears S80°53'57"W, a distance of 5421.92 feet; thence N26°04'38"W along the westerly boundary line of said TRACT "J" a distance of 11.31 feet to the northwest corner of the tract herein described; thence on a 05°15'42" curve (radius = 1088.92 feet, chord=N35°47'59"E a distance of 5.27 feet) thru an arc of 00°16'39" to the left a distance of 5.27 feet to a point on the northerly boundary of said TRACT "J"; thence N71°14'27"E along the said northerly boundary line of said TRACT "J" a distance of 17.04 feet to a point on the said northerly right-of-way line of said N.M.P. M-4811(2); thence southwesterly along the said northerly right-of-way line of N.M.P. M-4811(2) on a 05°12'50" curve (radius = 1098.92 feet, chord = S35°34'36"W a distance of 24.48 feet) thru an arc of 01°16'35" to the right a distance of 24.48 feet to the point and place of beginning.

Containing 149 square feet, more or less.

Legal Description Verified By:

A. Dwain Weaver
A. Dwain Weaver NMPLS No. 6544

Together with the full and unrestricted right unto the said party of the second part an unto the State of New Mexico, to use the same for public highway purposes to place such construction feature(s) slopes thereupon as may be necessary or desirable in connection with the use of the same for highway purposes: to prohibit all usage of said land for purposes which may be or become inconsistent with the regulations of the State Highway Department of the State of New Mexico.

THE GRANTOR ACKNOWLEDGES THAT no considerations were promised for the easement granted other than those considerations hereinabove written.

IN WITNESS WHEREOF, the said parties of the first part has have hereupon set their hands and seals, on the day and year hereinabove written.
STATE OF NEW MEXICO
COUNTY OF Santa Fe

On this __________ day of November __________, 1990, before me personally appeared Raymond C. and Helen G. Cowell known to me to be the parties described in and who executed the above and foregoing Easement and acknowledged to me that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year of this certificate first written.

My Commission expires ____________________

(Note - The foregoing instrument should be executed by husband and wife in each instance where the grantors are married.)

Easement obtained by ____________________

COUNTY OF SANTA FE
STATE OF NEW MEXICO

I hereby certify that this instrument was filed for record on the ___ day of _______, 19___, at ___ o'clock A.M. and was duly recorded in book __________ page __________ of the records of Santa Fe County.

Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, N.M.

Deputy
CITY OF SANTA FE

EASEMENT

THIS INDENTURE, made and entered into this 1st day of November, 1990, by and between Raymond C. and Helen G. Cowell, the first part and City of Santa Fe, State of New Mexico, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of $1,425.00 dollars of lawful money of the United States of America in hand paid by said party of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said party of the second part, a perpetual, full and unrestricted easement to construct, maintain and perform any other necessary acts relative to the proper safety and function of the following feature on NMP No. M-4811(2) Phase II along, over and across the following described strip, tract, and parcel of land and real estate lying situate and being in the County of Santa Fe, State of New Mexico, to wit:

M-4811(2)
(7-CME-6)

RAYMOND C. and HELEN G. COWELL
(Slopes)

A certain tract of land situate within Section 28 and 33, T17N, R9E, N.M.P.M., City of Santa Fe, County of Santa Fe, State of New Mexico, being a portion of TRACT "H", AMENDED PLAT OF LANDS FORMERLY OF JOSE PABLO GONZALES, as the same is shown and designated on the plat filed in the Office of the County Clerk of Santa Fe County, New Mexico on February 2, 1960 and being more particularly described by New Mexico State Plane Grid Bearings (Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, being a point on the northerly boundary line of the above mentioned TRACT "H" and point on the northerly right-of-way line of N.M.P. M-4811(2), County of Santa Fe, State of New Mexico, located 47.00 feet to the left of and opposite construction
centerline P.O.T. station 84+75.47 of N.M.P. M-4811(2) County of Santa Fe, State of New Mexico, whence the City of Santa Fe Survey Monument "HUD 2" a brass tablet set in concrete (New Mexico State Plane Grid Coordinates for Central Zone: X=568,972.50, Y=1,697,300.45) bears S78°38'46"W, a distance of 5599.33 feet;

thence S23°52'00"W along the said northerly right-of-way line of said N.M.P.M-4811(2) a distance of 43.86 feet to a point of curvature;
thence southwesterly along the said northerly right-of-way line on a 05°12'50" curve (radius = 1098.92, chord = S29°24'09"W a distance of 212.02 feet) thru an arc of 11°04'19" to the right a distance of 212.35 feet to a point on the southerly boundary line of said TRACT "H";
thence S17°14'27"W along the said southerly boundary line of said TRACT "H" a distance of 17.04 feet to a point on curve;
thence northeasterly on a 05°15'42" curve (radius = 1088.92, chord = N33°03'15"E a distance of 99.05 feet) thru an arc of 05°12'50" to the left a distance of 99.09 feet to a point;
thence N22°34'10"E a distance of 124.82 feet to a point; thence N23°52'00"E a distance of 25.42 feet to a point; on the said northerly boundary line of said TRACT "H";
thence N71°12'12"E along the said northerly boundary line a distance of 27.20 feet to the point and place of beginning.

Containing 3,648 square feet, more or less.

Legal Description Verified By:

A. Dwain Weaver

A. Dwain Weaver NMPLS No. 6544

together with the full and unrestricted right unto the said party of the second part an unto the State of New Mexico, to use the same for public highway purposes to place such construction feature(s) slopes thereupon as may be necessary or desirable in connection with the use of the same for highway purposes: to prohibit all usage of said land for purposes which may be or become inconsistent with the regulations of the State Highway Department of the State of New Mexico.

THE GRANTOR ACKNOWLEDGES THAT no considerations were promised for the easement granted other than those considerations hereinabove written.

IN WITNESS WHEREOF, the said parties of the first part have hereupon set their hand s and seal s, on the day and year hereinabove written.
STATE OF NEW MEXICO
COUNTY OF Santa Fe

On this 1st day of November, 1990, before me personally appeared Raymond C. and Helen G. Cowell known to me to be the parties described in and who executed the above and foregoing Easement and acknowledged to me that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year of this certificate first written.

My Commission expires December 30, 1993

(Note - The foregoing instrument should be executed by husband and wife in each instance where the grantors are married.)

Easement obtained by Robert G. Rutledge

COUNTY OF SANTA FE SS
STATE OF NEW MEXICO

I hereby certify that this instrument was filed for record on the 18th day of November, 1990, at 11:47 A.M., and was duly recorded in book 199, page 205-207, of the records of Santa Fe County.

Witness my Hand and Seal of Office
Jona G. Armijo
County Clerk, Santa Fe County, N.M.

Notary Public

County Clerk, Santa Fe County, N.M.

Deputy