

RIGHT-OF-WAY EASEMENT

THIS indenture, made this 13th day of September, 1991, between JOSEPH A. SOLIS and BARBARA L. SOLIS, his wife, and CHARLOTTE SMITH HILKE, as party of the first part and REX A. SHROYER, and EDNA F. SHROYER, his wife as parties of the second part.

WITNESSETH, that for good and valuable consideration paid to them by the parties of the second part, the receipt of which is hereby acknowledged, the parties of the first part hereby covenant and grants with and to the parties of the second part, their heirs and assigns, that it shall be lawful for them, their heirs and assigns, and their agents and servants, and TENANTS and occupants from time to time of the premises now held by the parties of the second part in Rio Arriba County, New Mexico and any other person or persons for their benefit and advantage at all times freely to pass and repass, on foot, with animals, vehicles, loads or otherwise, through and over a certain roadway connecting properties owned by Rex Shroyer in the west of the Solis and Smith tract. More particularly described as a thirty (30) foot wide right-of-way in a plat of survey prepared for Joe A. Solis by Metes & Bounds Surveying and Engineering on September 9, 1991 and recorded at the Rio Arriba County Courthouse at Book K-109, Page 2438.

That further, it shall be lawful for the parties of the second part, their heirs and assigns, to make and lay causeways or otherwise to repair said road or right-of-way as shall the occasion. That further, the said parties of the first part shall

CORRECTION GRANT OF EASEMENT

Joseph A. Solis and Barbara L. Solis, husband and wife, and Charlotte M. Smith, a/k/a Charlotte M. Smith Hilke, a married woman dealing with her sole and separate property, for good and valuable consideration the receipt and adequacy of which is hereby confessed and acknowledged, grant to W.N. Dixon and Susan S. Dixon, husband and wife, hereinafter collectively "Dixon", James H. Koch and Nene A. Koch, husband and wife, hereinafter collectively "Koch", and their guests, invitees, successors and assigns, a perpetual road and utilities easement in Rio Arriba County, New Mexico, more particularly described as follows, to-wit:

An easement thirty feet (30') in width, fifteen feet (15') on each side of the following centerline: beginning at the end of the road sometimes called "Buena Vista Drive", being the road connecting with Shroyer Drive and State Road 95 after it crosses the property of Donald A. MacCarnack, et al. and the property of Philip F. Sisneros; thence S 28° 17' 09" E, a distance of 107.89 feet; thence S 35° 39' 50" E, a distance of 39.93 feet; thence S 57° 37' 15" E, a distance of 205.10 feet; thence S 51° 38' 20" E, a distance of 268.59 feet; thence S 59° 09' 12" E, a distance of 34.66 feet; thence S 33° 38' 51" E, a distance of 44.67 feet; thence S 20° 45' 15" E, a distance of 125.86 feet; thence S 54° 16' 24" E, a distance of 39.25 feet; thence S 76° 28' 06" E, a distance of 119.89 feet; thence S 61° 26' 48" E, a distance of 14.67 feet, ending on the northwest boundary of the Dixons' and Kochs' property. All as shown on that certain plat of survey identified as Easement Survey for Joseph A. & Barbara L. Solis and Charlotte M. Smith, No. 97-131, prepared by William H. Albert, NMPS 7241, Metes & Bounds Surveyors-Engineers, filed for record on November 24, 1997 in the Office of the County Clerk of Rio Arriba County, New Mexico as Doc. No. 142,485 and recorded in Plat Book P-624 at page 5163 of the records of said county.

The easement hereinabove described contemplates, authorizes and permits (i) the construction, installation, operation, repair and maintenance of water, sewer, electricity, natural gas and other utilities and (ii) access, ingress to and egress from the Dixons' and Kochs' real estate in Rio Arriba County, New Mexico, which property is more particularly described in that certain Warranty Deed from Rex A. Shroyer and Edna F. Shroyer, husband and wife, dated August 3, 1984, to James H. Koch and others, which deed was filed for record in the Office of the County Clerk of Rio Arriba County, New Mexico on September 15, 1995 as Document No. 120697 and is recorded in Book 184, at page 451, of the records of said county.

This Correction Grant of Easement is made to clarify and correct the location of the easement granted by that certain Grant of Easement Joseph A. Solis, Barbara L. Solis and Charlotte M. Smith, dated November 19, 1986, to James H. Koch and others, which grant of easement was filed for record in the Office of the County Clerk of Rio Arriba County, New Mexico on September 19, 1989 as Document No. 66859 and is recorded in Book 169-A, at pages 800-803, of the records of said county.

WITNESS, their hands and seals this 4th day of December, 1997.

