

IMPROVEMENT LOCATION REPORT

THIS IS TO CERTIFY:

TITLE COMPANY _____ N/A _____ UNDERWRITER _____
LENDER _____ N/A _____ that on _____ JUNE 20, 2005

made an inspection of the premises situated at _____ LOT 135-B
_____ ALBUQUERQUE _____ BERNALILLO _____ County, New Mexico

PLAT REFERENCE: Bearings, distances and/or curve data are taken from the following plat. (including filing information if the plat is a filed plat).

PLAT NAME _____ SUNDANCE MESA _____

Filing Date: _____ MARCH 23, 1999 _____ VOLUME _____ 3 _____ FOLIO _____ 1848B _____

GENERAL NOTES:

The error of closure for this property is one (1) foot of error for every _____ N/A _____ feet along the perimeter of the legal description provided.

Easements shown hereon are listed in the Title Commitment No. _____ GF# - _____ provided by the Title Insurance Company shown above.

See Exhibit "A" to the Surveyor's Inspection Report for a complete Legal Description and Sketch of the property in question. (Page 2 of 2)

Improvement location is based on previous property surveys. No monuments were set with this inspection report.

This Tract is subject to all Easements, Restrictions and Reservations of record which pertain to the property in question.

This report is not to be relied upon for the establishment of fences, buildings and/or other future improvements.

I FURTHER CERTIFY as to the existence of the following at the time of said inspection:

1: Evidence of rights-of-ways, old highways or abandoned roads, lanes, trails or driveways sewer drains, water, gas or oil pipelines on or crossing the property in question.

_____ NONE _____

2: Springs, streams, rivers, ponds of lakes located on or bordering on or through the property in question.

_____ NONE _____

3: Evidence of cemeteries or family burial grounds located on the property in question.

_____ NONE _____

4: Overhead Utility poles, anchors, pedestals, wires or lines overhanging or crossing the property in questions and serving other properties.

_____ NONE _____

5: Joint driveways or walkways, joint garages, party walls or rights of support, steps or roofs used in common:

_____ NONE _____

6: Apparent encroachments. If buildings, projections or cornices thereof, or signs affixed thereto, fences, walls or other indications of occupancy appear to encroach upon or overhang adjoining property or the like appear to encroach upon or overhanging the property in question.

_____ NONE _____

7: Specific physical evidence of boundary lines on all sides of the property in question.

_____ SEE SKETCH (PAGE 2 OF 2) _____

8: Is the property in question improved?

_____ YES _____

9: Indications of recent building construction, alterations or repairs:

_____ NONE _____

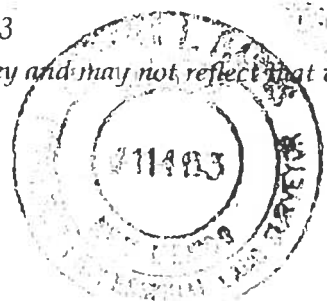
10: Approximate distances of structure or structures from at least two (2) property lines.

_____ SEE SKETCH (PAGE 2 OF 2) _____

Anthony L. Harris (Surveyor) N.M.P.M. # 11463

The above information is based on boundary information taken from a previous survey and may not reflect that which may be disclosed by a boundary Survey.

Anthony L. Harris



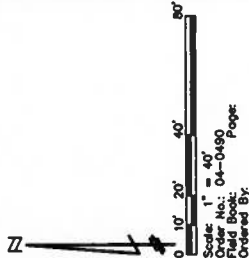
PLAT OF SURVEY
OF

LEGAL DESCRIPTION:

LOT ONE HUNDRED THIRTY-FIVE-B (135-B) OF SUNDANCE MESA SUBDIVISION, SANDOVAL COUNTY, NEW MEXICO, AS THE SAME IS SHOWN AND DESIGNATED ON THE REPLAT OF SAID SUBDIVISION, FILED IN THE OFFICE OF THE COUNTY CLERK OF SANDOVAL COUNTY, NEW MEXICO ON MARCH 23, 1999 IN PLAT BOOK 3, FOLIO 18488.

GENERAL NOTES:

- 1: OWNER OF RECORD PER AFFILIATED TITLE CO. TITLE BINDER DATED: JANUARY 29, 2004 IS JUSTY DAWN GUIDELL, CORY STEVEN GUIDELL, DUSTIN GUIDELL AND STEVEN M. GUIDELL & WENDY A. GUIDELL
- 2: LEGAL DESCRIPTION AND EASEMENTS SHOWN WAS PROVIDED BY AFFILIATED TITLE CO. COMMITMENT No. 200403-18.
- 3: PLATS USED TO ESTABLISH BOUNDARY:
A: PLAT OF SUNDANCE MESA SUBDIVISION
FILED: MARCH 23, 1999 IN BOOK 3, FOLIO 18488
4: FIELD WORK PERFORMED ON MARCH, 2004



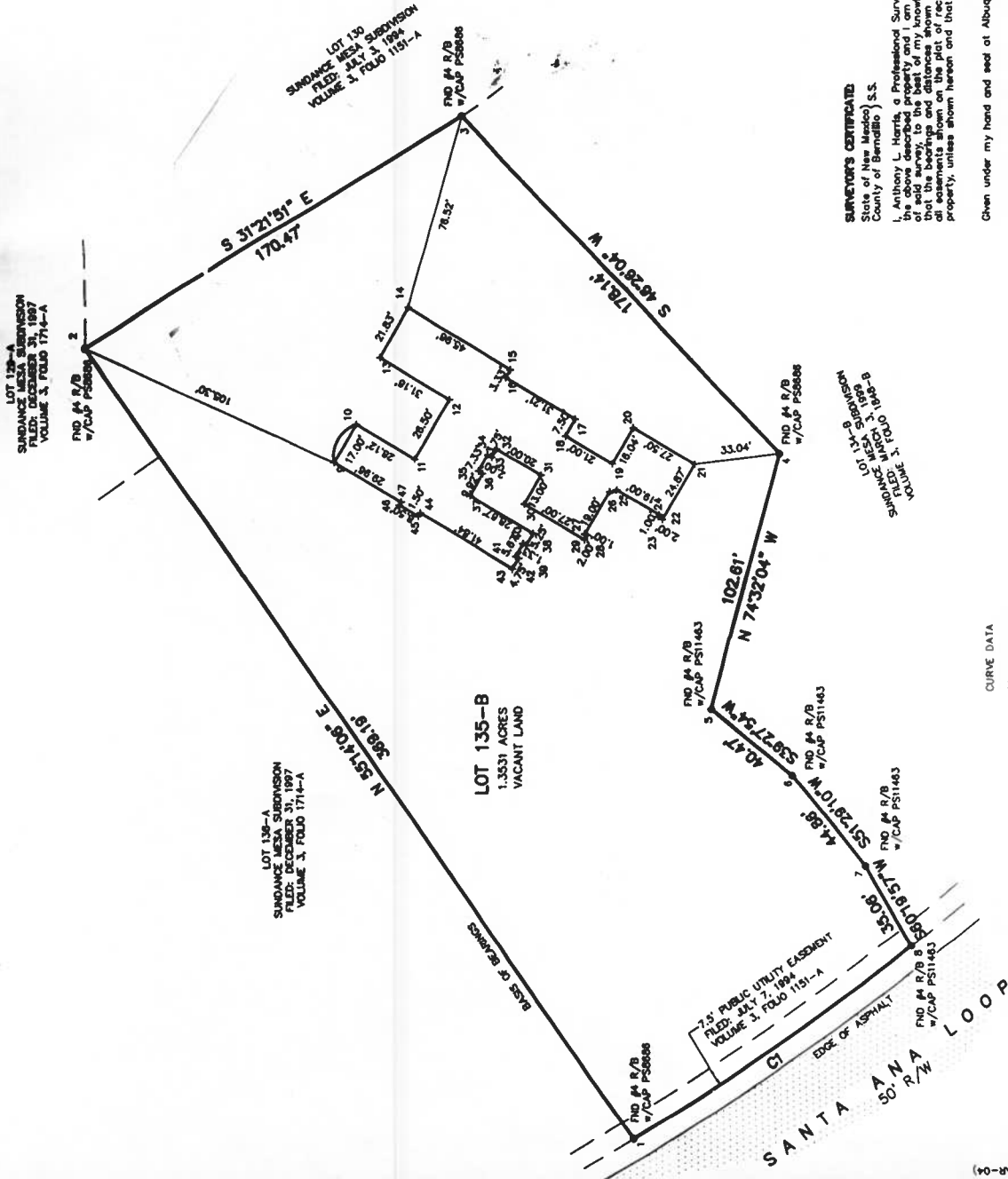
SURVEYOR'S CERTIFICATE:

State of New Mexico) S.S.
County of Bernalillo)

I, Anthony L. Harris, a Professional Surveyor, licensed under the laws of the State of New Mexico, do hereby certify that I have surveyed the above described property and am responsible for said survey and that the plat hereon shown is a true and correct representation of the same in the State of New Mexico; that the bearings and distances shown hereon are based on the Plat or Deed of Record, unless otherwise indicated herein; that it shows all easements shown on the plat of record; that there are no encroachments from the sold property onto adjoining properties onto sold property, unless shown hereon and that it shows the location of all permanent improvements pertinent to the said survey.

Given under my hand and seal of Albuquerque, New Mexico, this _____ day of _____, 2004.

Anthony L. Harris, N.M.P.S. #11483 HARRIS SURVEYING, INC.
2412-D Monroe Street, NE • Albuquerque, New Mexico 87110
Telephone (505) 859-8656 • FAX (505) 859-8645



CURVE DATA

C1
R = 1009.23'
D = 08°44'51"
CB = S 34°17'02" E
CH = 129.36'
L = 129.45'

EASEMENT AGREEMENT

THIS ENCROACHMENT EASEMENT AGREEMENT (hereinafter "Agreement") is made and executed this 18th day of July, 2002, by and between THOMAS J. ASHE LLC, a New Mexico Limited Liability Company (hereinafter "ASHE"), and MISTY DAWN GUEDELJ, an unmarried woman; CORY STEVEN GUEDELJ, an unmarried man; DUSTIN GUEDELJ, an unmarried man; and STEVEN M. GUEDELJ and WENDY A. GUEDELJ, TRUSTEES OF THE STEVEN M. GUEDELJ AND WENDY A. GUEDELJ TRUST (hereinafter collectively "GUEDELJS").

WITNESSETH:

WHEREAS, ASHE is the Owner of that certain real property being more particularly described as follows:

Lot One Hundred Thirty-four-B (134-B) of SUNDANCE MESA SUBDIVISION, Sandoval County, New Mexico, as the same is shown and designated on the Replat of said Subdivision, filed in the Office of the County Clerk of Sandoval County, New Mexico, on March 23, 1999, in Plat Book 3, Folio 1848B.

(hereinafter Lot 134-B); and

WHEREAS, GUEDELJS are the Owners of that certain real property being more particularly described as follows:

Lot One Hundred Thirty-five-B (135-B) of SUNDANCE MESA SUBDIVISION, Sandoval County, New Mexico, as the same is shown and designated on the Replat of said Subdivision, filed in the Office of the County Clerk of Sandoval County, New Mexico, on March 23, 1999, in Plat Book 3, Folio 1848B.

(hereinafter Lot 135-B); and

72122

RETURN TO: FIRST AMERICAN TITLE
SANDOVAL COUNTY, NEW MEXICO
2002-07-18

WHEREAS, ASHE and GUDELJS desire to acknowledge a ten foot (10') private driveway easement located within Lot 134-B; and

WHEREAS, ASHE and GUDELJS desire to acknowledge a no build easement located within Lot 135-B.

NOW, THEREFORE, in consideration of the above and other good and valuable consideration, the receipt of which is hereby acknowledged, it is agreed as follows:

1. ASHE and GUDELJ hereby declare that their respective lots are subject to the following described private driveway and public utility easement and said easement is for the benefit of Lots 134-B and 135-B:

SEE LEGAL DESCRIPTION ON EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE. ("Private Driveway and Public Utility Easement").

2. ASHE and GUDELJS further declare that their respective lots are subject to the following described no build easement which no build easement is for the benefit of Lots 134-B and 135-B.:

SEE LEGAL DESCRIPTION ON EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE. ("No Build Easement").

3. The Private Driveway and Public Utility Easement and the No Build Easement shall be referred to herein as "Easements".

4. The Private Driveway and Public Utility Easement shall be non-exclusive and shall provide ingress and egress for Lot 134-B and 135-B to and from Santa Ana Loop.

5. The Easements shall be perpetual and at all times shall be deemed to run with the land forever and shall be binding upon

and inure to the benefit of the undersigned, their heirs, personal representatives and assigns in all respects.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals the day and year first above written.

THOMAS J. ASHE LLC, a New Mexico Limited Liability Company

By: [Signature]
THOMAS J. ASHE, Member

[Signature]
MARTY DAWN GUELJ

[Signature]
DUSTIN GUELJ

[Signature]
CORY STEVEN GUELJ

STEVEN M. GUELJ AND WENDY A. GUELJ TRUST

By: [Signature]
STEVEN M. GUELJ, Trustee

By: [Signature]
WENDY A. GUELJ, Trustee

STATE OF NEW MEXICO)
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on July 11, 2002, by THOMAS J. ASHE, Member of THOMAS J. ASHE LLC, a New Mexico Limited Liability Company.

MY COMMISSION EXPIRES:
8/15/2005

[Signature]
NOTARY PUBLIC

72124

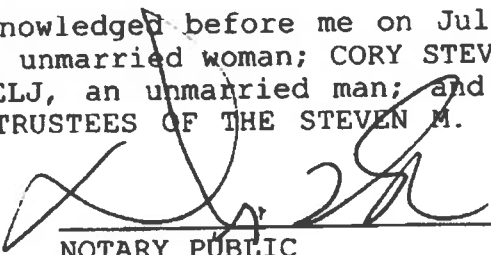
STATE OF NEW MEXICO)
)
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on July 18th, 2002, by MISTY DAWN GUEDELJ, an unmarried woman; CORY STEVEN GUEDELJ, an unmarried man; DUSTIN GUEDELJ, an unmarried man; and STEVEN M. GUEDELJ and WENDY A. GUEDELJ, TRUSTEES OF THE STEVEN M. GUEDELJ AND WENDY A. GUEDELJ TRUST.

MY COMMISSION EXPIRES:



OFFICIAL SEAL
DIANA L. SANCHEZ
NOTARY PUBLIC-STATE OF NEW MEXICO
My commission expires 12/04/03


NOTARY PUBLIC

STATE OF NEW MEXICO } SS	
COUNTY OF SANDOVAL } SS	
This instrument was filed for record on	
<u>3:47</u> AM <u>PM</u>	
JUL 24 2002	
Recorded in Vol. <u>405</u> of records	
of said county, folio <u>72122-72125</u>	
By _____	Clk. & Recorder <u>[Signature]</u>
	Dev. <u>[Signature]</u>

72125