

**Santolina Level A
Development Agreement**

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AGRE R:\$25.00 M. Toulouse Oliver, Bernalillo County



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**SANTOLINA LEVEL A
DEVELOPMENT AGREEMENT**

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This SANTOLINA LEVEL A DEVELOPMENT AGREEMENT (“**Agreement**”) is entered into as of the 10th day of August, 2015 by and between WESTERN ALBUQUERQUE LAND HOLDINGS LLC, a Delaware limited liability company (“**Owner**”), and BERNALILLO COUNTY, a political subdivision of the State of New Mexico (“**County**”). Owner and the County are individually referred to as a “**Party**” and are jointly referred to as the “**Parties**”.

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BACKGROUND INFORMATION:

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A. Owner is the current owner of approximately 13,851 acres of land located on Bernalillo County’s Southwest Mesa, generally bounded by Interstate 40 on the north; the escarpment area and the area around 118th Street on the east; the grant boundary separating this property from the Pajarito Mesa on the south; and the escarpment area separating this property from the Rio Puerco Valley on the west, and is more particularly described on Exhibit A attached hereto (the “**Property**”).

B. Long range development in Bernalillo County is guided by the Albuquerque/Bernalillo Comprehensive Plan (the “**Comprehensive Plan**”).

C. The County initially adopted the Planned Communities Criteria of the Comprehensive Plan on October 23, 1990, and re-established the Planned Communities Criteria on May 24, 2012 (the “**Planned Communities Criteria**”) in order to implement the planned communities provisions in the Comprehensive Plan.

D. The Planned Communities Criteria creates three (3) levels of approval for planned communities: “Level A”, “Level B”, and “Level C”. The first is the Level A Community Master Plan (the “**Master Plan**” or “**Level A Plan**”) to which this Agreement applies. The second is the Level B Village Master Plan (the “**Village Plan**” or the “**Level B Plan**”). The third is the Level C Subdivision or Site Development Plan (the “**Subdivision/Site Plan**” or the “**Level C Plan**”) for Subdivision or Building Permit. At each more detailed level of planning, specific design, location, and development issues will be refined in accordance with the higher level plan. Accordingly, the Village Plan will further refine the Master Plan, and the Subdivision/Site Plan will further refine the Master Plan and the Village Plan. In addition, separate and future development agreements will be entered into for each level of review, as described in the Planned Communities Criteria. The Village Plan and/or Subdivision/Site Plan development agreements will, with greater specificity, delineate development responsibilities for infrastructure design and construction costs, contributions, reimbursements, credits and public and private financing with respect to specific segments of the Project.

E. As provided for in the Planned Communities Criteria, Owner has caused to be prepared a Master Plan, a copy of which is attached hereto as Exhibit B. The Master Plan is subject to approval by the Board of County Commissioners (the “**Governing Body**”). The

1 development of the Property as provided in the Master Plan is referred to herein as the
2 "Project".

3
4 F. The Planned Communities Criteria, at Section 5. D. (4), requires Owner to present
5 to the County, in conjunction with the Master Plan, a Level A development agreement to: (i)
6 codify the Master Plan and the Land Use Plan illustrated at Exhibit 7 in the Master Plan ("Land
7 Use Plan"), (ii) outline a preliminary infrastructure/service agreement to cover phasing of the
8 Master Plan and public services/facilities, and designation of financial, operations and
9 management responsibilities over time, (iii) commit to mitigation of negative consequences of
10 development when known, (iv) provide an assignable agreement under mutually agreeable terms
11 which will be permanent unless renegotiated, (v) provide a document suitable for recording, and
12 (vi) identify incentives to be provided by the County to the Owner (collectively, the "PCC Level
13 A Development Agreement"). This Agreement constitutes the PCC Level A Development
14 Agreement.

15
16 G. The County previously adopted a Planned Community zoning designation by
17 Ordinance No. 2012-18, dated September 11, 2012.

18
19 H. Contemporaneously with the adoption of this Agreement and the Master Plan, the
20 Property is being zoned Planned Community ("PC Zoning"), pursuant to Section 19.5 of the
21 Bernalillo County Comprehensive Zoning Ordinance, in order to establish a zone category which
22 allows the uses controlled by the Master Plan.

23
24 I. The County's administration has approved and entered into this Agreement
25 subject to approval of the Governing Body.

26
27 NOW, THEREFORE, in consideration of the mutual covenants and conditions contained
28 herein, the Parties agree as follows:

29
30 AGREEMENT

31
32 1. Background Information. The Background Information and the exhibits attached
33 hereto are incorporated into the body of this Agreement.

34
35 2. Authorization. This Agreement is authorized by Article X of the New Mexico
36 Constitution; New Mexico statutes 4-37-1, *et seq.* NMSA 1978 (Powers); 3-21-1, *et seq.* NMSA
37 1978 (Zoning); 4-57-1, *et seq.* NMSA 1978 (Planning); Bernalillo County Resolution No. 2012-
38 46 approved by the Bernalillo County Commission on May 22, 2012 (Planned Communities
39 Criteria: Policy Element); and Bernalillo County Ordinance No. 2012-18 approved by the
40 Bernalillo County Commission on September 11, 2012 (Planned Communities Zoning).

41
42 3. Administration.

43 3.1 Future County Commission Actions. Nothing in this Agreement shall be
44 construed to prohibit a future County Commission from regulating for the health, safety and
45 welfare of County residents; provided that such regulation is rationally related to the alleviation
46 of legitimate threats to public health, safety and welfare.

1
2 3.2 Agreement Intents and Purposes. The Parties shall perform all further acts
3 and execute all amendments, instruments and consents necessary to accomplish and to give
4 effect to the intent and purposes of this Agreement.
5

6 3.3 Related Approvals. This Agreement is contingent upon action by the
7 Governing Body approving the Master Plan, the Land Use Plan, the PC Zoning, and this
8 Agreement.
9

10 3.4 Recordable Instrument. This Agreement is in recordable form and will be
11 recorded with the Bernalillo County Clerk and simultaneously submitted to the Director of
12 Planning and Development for Bernalillo County.
13

14 4. Allowances.
15

16 4.1 Master Plan. Owner has submitted to the County for approval the Master
17 Plan which includes the Land Use Plan. The Master Plan (a) complies with the submittal
18 requirements of the Planned Communities Criteria, (b) furthers the intent, policies and goals of
19 the Comprehensive Plan and the Planned Communities Criteria, and (c) establishes the scope of
20 the permitted development for the Property.
21

22 4.2 Land Uses. The Master Plan and the Land Use Plan establish: (a) a series
23 of land use districts acknowledged by the PC Zoning for the Property, pursuant to the Land Use
24 Plan, (b) permissible uses allowed within each land use district, (c) the allowable densities for
25 each land use district, (d) certain site characteristics for each land use district, and (e) procedures
26 for implementing the foregoing, including without limitation, procedures to amend the Master
27 Plan. The Master Plan, the Land Use Plan, and the PC Zoning are consistent with and serve to
28 implement the Comprehensive Plan and the Planned Communities Criteria.
29

30 4.3 Land Use Projections. The Level A Land Use Plan currently provides for
31 the following gross percentages of land use types:
32

<u>Land Use Category</u>	<u>Gross % of Property</u>
Village	48%
Industrial & business park	15%
Major Public Open Space	7%
Regional Parks	3%
Open space	13%
Urban center	5%
Business park	5%
Town center	4%

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44 4.4 Housing/Employment. The Level A Plan has been approved based upon
45 the Property having a reasonable balance between residential and employment land uses such
46 that the Project maintains the characteristics of a self-sustaining community throughout the

1 period of development. If residential uses outpace employment uses to create a significant
 2 imbalance in the housing/employment link, County shall have the right to use such imbalance as
 3 a basis for withholding future residential building permits by denial of future Level C residential
 4 subdivision submittals. At the time of subdivision approval, any imbalance between jobs and
 5 dwelling units will be evaluated pursuant to the dwelling unit threshold table below.
 6
 7

<u>Dwelling Units Thresholds</u>	<u>Jobs</u>
2,000	300
2,500	700
3,000	2,000
3,500	3,500
4,000	4,500
4,001 to 12,540	1.25 Jobs per Dwelling Unit ¹
12,541 to 25,080	1.39 Jobs per Dwelling Unit
25,081 to 34,000	1.59 Jobs per Dwelling Unit
34,001 to Full Buildout	2.0 Jobs per Dwelling Unit at Full Buildout

8
 9
 10 ¹ The 2012 Job Housing Ratio east of the Rio Grande is 1.39 (jobs per house) west of the Rio Grande is .56 (jobs per
 11 house) per the MRCOG 2040 MTP.
 12

13 The Santolina jobs to housing ratio anticipates substantially more jobs per dwelling unit than
 14 currently exists on the west side (.56) during the first third of the development phases, and the
 15 same number of jobs per dwelling unit as currently exists on the east side (1.39 or 2½ times the
 16 number of jobs per dwelling unit on the west side) during the second third of the development
 17 phases and a jobs to housing ratio surpassing the current jobs to housing ratio on the east side
 18 during the last third of the development phase. Nevertheless, as stated in the Santolina Level A
 19 Master Plan and evidenced by the land use category area percentages, the ultimate goal remains
 20 an approximate jobs to housing ratio of 2:1 or 75,000 jobs at full buildout. Qualifying jobs must
 21 be located within the boundaries of the Santolina master plan area.
 22

23 Definition of Job - A job is a position held by a full-time employee for at least 35 hours per
 24 week, or a full-time equivalent employee, in any industry. A full-time equivalent employee
 25 (FTE) is the aggregate number of hours per month of service of employees, who are less than
 26 full-time, divided by 140.
 27

28 Employment Categories as Defined by MRCOG:

29
 30 Basic Employment: The sum of employment in the North America Industrial Classification
 31 System (NAICS) categories of agriculture, forestry, fishing and hunting, mining, utilities,
 32 information, construction, manufacturing, transportation and warehousing, and wholesale trade.
 33 Basic also includes military employment.
 34

35 Retail Employment: The sum of employment in the North America Industrial Classification
 36 System (NAICS) categories of retail trade and eating and drinking establishments.

1
2 Service Employment: The sum of employment in the North America Industrial Classification
3 System (NAICS) categories of finance and insurance, real estate, rental and leasing, professional,
4 scientific, and technical services, management of companies, administrative and support and
5 waste management and remediation services, educational services, healthcare and social
6 assistance, arts, entertainment, and recreation, accommodation, other services, and public
7 administration including government employment.
8

9 5. Planned Communities Criteria Requirements.

10
11 5.1 Codification of the Master Plan and Land Use Plan. The adoption of the
12 Master Plan, the Land Use Plan, the PC Zoning, and approval of this Agreement and the
13 recording of this Agreement shall satisfy the Master Plan codification requirement of the Planned
14 Communities Criteria.
15

16 5.2 Preliminary Infrastructure/Service Agreement. This Agreement, including
17 Section 6 below, satisfies the Preliminary Infrastructure/Service Agreement requirement of the
18 Planned Communities Criteria.
19

20 5.3 Commitment to Mitigation of Negative Impacts. Owner agrees to mitigate
21 the negative impacts resulting from development of the Property; as such negative impacts may
22 be identified in the Level B and Level C review process.
23

24 5.4 Assignable Agreement. As set forth in Section 11.6 below, this
25 Agreement is assignable and expresses the terms and conditions mutually agreed to by the
26 Parties. The terms and conditions are permanent unless the Parties re-negotiate and agree to
27 amend this Agreement.
28

29 5.5 County Incentives. The Parties acknowledge that the County's current
30 economic development policies, incentives and programs are more particularly described under
31 Bernalillo County Economic Development Financing Policy & Procedures. Nothing in this
32 development agreement shall commit this current Commission and future Commissions to public
33 funding or financing mechanisms.
34

35 6. Infrastructure Improvements.

36
37 6.1 Categorizing Infrastructure. The Level B and/or Level C development
38 agreements will categorize infrastructure improvements, using industry practices and standards
39 customarily acceptable to and uniformly applied by Bernalillo County, as: (i) infrastructure that
40 solely benefits the Project (the "**Project Infrastructure**"), and/or (ii) infrastructure that benefits
41 the Project as well as other real property (the "**System Infrastructure**"). The determination of
42 whether infrastructure is Project Infrastructure or System Infrastructure shall be determined
43 using industry practices and standards customarily acceptable to and uniformly applied by
44 Bernalillo County. The owner of the Project Infrastructure or System Infrastructure shall be
45 responsible for the operation and maintenance of the infrastructure that it owns.
46

1 6.1.1 Project Infrastructure. Owner shall be responsible for all the costs
2 and expenses associated with all Project Infrastructure, which is that infrastructure that solely
3 benefits the Project. Project Infrastructure may be funded by Owner directly or from any and all
4 available financing mechanisms.

5
6 6.1.2 System Infrastructure. Owner will be responsible for its
7 proportionate share, as determined using industry practices and standards customarily acceptable
8 to and uniformly applied by Bernalillo County of the cost and expense associated with System
9 Infrastructure. The County will reasonably cooperate and participate with Owner and other
10 governmental and quasi-governmental entities and utility service providers with respect to any
11 System Infrastructure. System Infrastructure may be funded from any and all available financing
12 mechanisms.

13
14 6.2 Issues Concerning Particular Infrastructure.

15
16 6.2.1 Roadway Infrastructure. Owner shall be responsible for the
17 design, construction and dedication of all transportation improvements that are reasonably
18 necessary to service the Project and that are designated as Project Infrastructure. Any property
19 that is not within the boundaries of the Level A Plan, such as the Metropolitan Detention Center,
20 Sandia Motor Sports and Cerro Colorado landfill (“**Existing Uses**”) is not a part of the Project.
21 Owner shall not be responsible for any infrastructure associated with the Existing Uses, unless
22 determined to be System Infrastructure. Owner shall be responsible for its proportionate share of
23 the design, construction and dedication of all transportation improvements designated as System
24 Infrastructure. Owner has prepared a Transportation Master Plan which is described in the
25 Master Plan; however, such Master Plan is subject to adjustment through the more detailed
26 analysis to be conducted in connection with Level B Plans and Level C Plans. Owner shall not
27 be required to correct existing roadway deficiencies; however, the County may require Owner to
28 mitigate additional negative impacts resulting from the development of the Project which are
29 identified through the Level “B” and Level “C” review process.

30
31 6.2.2 Industrial Development Impacts. Any development that provides
32 for industrial uses that actually generate truck traffic carrying heavy loads (“HVT”) and such
33 HVT negatively impact existing roadway infrastructure that is otherwise in serviceable
34 condition, then the developer of the Level C Plan may be required to address and mitigate, using
35 industry practices and standards customarily acceptable to and uniformly applied by Bernalillo
36 County, such negative impacts caused by such HVT.

37 6.2.3 Storm Water Drainage Infrastructure. Owner shall be responsible
38 for the design and construction of all storm water drainage infrastructure that is reasonably
39 necessary to service the Project and designated as Project Infrastructure. Owner shall be
40 responsible for its proportionate share of the design, construction and dedication of all storm
41 water drainage improvements that are designated as System Infrastructure. The preliminary
42 storm water management plan is described in the Master Plan, but is subject to adjustment
43 through the more detailed analysis to be conducted in connection with Level B Plans and Level
44 C Plans. If the Albuquerque Metropolitan Arroyo Flood Control Authority (“AMAFCA”) provides
45 storm water drainage infrastructure for the Project, the Owner may enter into separate
46 agreements with AMAFCA concerning the terms of providing such storm water infrastructure to

1 the Project. All matters associated with existing and/or future AMAFCA storm water drainage
2 infrastructure for the Project shall be resolved solely between Owner and AMAFCA. The
3 County will not promote, support or enact any ordinance, legislation or policy that interferes with
4 and/or restricts the Owner's use of AMAFCA existing and/or future infrastructure and/or
5 agreements between the Owner and AMAFCA, as long as that use does not diminish or
6 otherwise negatively affect current County flood or drainage infrastructure.

7
8 6.2.4 Open Space, Parks, Recreation and Trail Facilities. Development
9 of open space, park, recreation and trail facilities shall comply with the Level A Plan. The Level
10 A Plan must be amended, if a Level B Plan or Level C Plan provide for changes to the types and
11 general locations of open space, park, recreation and/or trail facilities that significantly deviate
12 from the intent and framework established by the Level A Plan. Owner shall dedicate to the
13 County: (a) all open space, park, recreation and/or trail facilities that are designated Project
14 Infrastructure; and (b) the Owner's proportionate share of System Infrastructure. All dedications
15 shall be subject to the reservation of reasonable rights necessary for the development of the
16 Project, including but not limited to roadway, utility and drainage easements. All lands and
17 facilities dedicated and/or constructed by Owner must meet the industry practices and standards
18 customarily acceptable to and uniformly applied by Bernalillo County. The owner of the open
19 space, park, recreation or trail facilities shall be responsible for operating and management of
20 those facilities. The land area of any open space, park, recreation and/or trail facilities will be
21 considered in calculating the land use densities and open space requirements for the Project.

22
23 6.2.5 Water and Sewer Infrastructure. Albuquerque Bernalillo County Water
24 Utility Authority (“**Authority**”) may provide water and sewer service for the Project. Owner has
25 prepared a conceptual Water Master Plan and a conceptual Wastewater Master Plan, which are
26 described in the Master Plan; however, such master plans are subject to adjustment through the
27 more detailed analysis to be conducted in connection with Level B Plans and Level C Plans. If
28 the Authority provides water and sewer service for the Project, the Owner will enter into a
29 separate development agreement with the Authority concerning the terms of providing such
30 water and sewer service to the Project. All matters associated with water and sewer infrastructure
31 for the Project shall be resolved solely between Owner and the Authority. The County will not
32 promote, support or enact any ordinance, legislation or policy that interferes with and/or restricts
33 the Owner's use of the Authority's water and sewer infrastructure and/or agreements between the
34 Owner and Authority, as long as that use does not diminish or otherwise negatively affect current
35 County water or sewer service.

36
37 6.3 Phasing of Project and Infrastructure. The Project shall be developed in
38 multiple phases at such times, location and size as determined by market demand or the Owner.
39 The Project Infrastructure improvements shall be installed in phases on an as needed basis and
40 sized to serve the phase of the Project then proposed for and/or being developed. The Owner's
41 portion of all costs incurred for the construction of System Infrastructure that benefits the Project
42 shall be based on a fair-share, proportionate cost determination as described in Section 6.4.
43 Notwithstanding, residential development shall occur in a sequential manner adjacent to existing
44 infrastructure and consistent with ABCWUA's policies, consistent with the master plan.

1 6.4 Proportionate Share Requirements. As set forth in Section 6.1 above,
2 Owner shall be responsible for the costs of Project Infrastructure, and Owner shall only be
3 responsible for its proportionate share of the costs of System Infrastructure. Owner's
4 proportionate share of the costs of System Infrastructure shall be based on a fair-share,
5 proportionate cost determination, considering total infrastructure capacity and the capacity
6 required to serve the Project. If Owner elects to construct and/or pay for more than its
7 proportionate share of any System Infrastructure, the County will allow the Owner to recover
8 through any legal means all of the costs incurred by Owner in connection with such System
9 Infrastructure that exceed Owner's proportionate share.

10
11 6.5 Impact Fees. The County and Owner will comply with the New Mexico
12 Development Fees Act at 1978 NMSA, §§ 5-8-1, et seq. (the "Act") and the Bernalillo County
13 Impact Fees Ordinance at Chapter 46-1, et seq. (the "**Ordinance**") to the extent the Ordinance
14 and its implementation is not inconsistent with the Act, with the understanding that it is
15 anticipated the Project will be its own separate service area, except that Owner shall remain
16 obligated to comply with the terms and provisions of this **Section 6** pertaining to Infrastructure
17 Improvements.

18 6.6 Level of Service. The County will provide public services to the Project
19 consistent with the level of service provided to the remainder of the unincorporated areas of the
20 County. The design and construction requirements for all infrastructure improvements within the
21 Project will comply with the Master Plan and the applicable level(s)-of-service in the remainder
22 of the unincorporated areas of the County and pursuant to County policies applied in a non-
23 discriminatory manner.

24
25 6.7 Conveyance of Infrastructure Improvements. Upon completion of any
26 public roadway infrastructure, drainage facilities, parks, open space and trails, or any other
27 County infrastructure improvement, wherever located, constructed for the benefit of the general
28 public, which also benefits the Project, the County will accept the conveyance of any such
29 improvements and shall thereafter own, operate and maintain such improvements at its sole cost
30 and expense unless otherwise agreed upon at the time of such conveyance. The County reserves
31 the right to not accept infrastructure that is not designed and built to the County's standards.

32
33 6.8 County Capital Improvement Plan. The County may incorporate into its
34 Capital Improvement Plan System Infrastructure identified in future Level B Plans and Level C
35 Plans approved by the County.

36
37 6.9 General Cooperation. The County will cooperate with Owner in
38 connection with the funding, design and construction of all infrastructure improvements.

39 6.10 Existing Special Use Permits / Certain Interim Uses. All sites within the
40 Santolina Level A boundary area governed by a Special Use Permit or any site expected to be
41 developed with local, state and/or federal support shall be governed by Section 18, Special Use
42 Permits and Section 24, Administration of the Zoning Code until a Level B Plan, affecting such
43 site, has been adopted by Bernalillo County. No special use permit shall be issued without a
44 demonstration of available necessary infrastructure and utilities, including water, electricity and
45 sewer, to be installed before, or concurrently with, development of the site.

1 6.11 Pre-Level C Platting. No building permits for vertical construction may
2 be granted on sites, other than those provided for in Section 6.10, until a Level C subdivision or
3 site development plan affecting the subject property has been approved. However, Owner may
4 complete plats that do not authorize vertical construction in order to define boundaries of parcels
5 within the Master Plan area. Prior to or concurrent with the first Level B Plan approval, the
6 subject Level A master planned property shall be legally platted (“Boundary Plat”). A summary
7 platting procedure, such as that allowed for ‘a minor subdivision’ under County ordinances, shall
8 be permitted for the Boundary Plat, and for any subsequent platting actions, but not for major
9 subdivisions, prior to a Level C plan or a Level C subdivision plat approval. The Boundary Plat
10 and any subsequent plats, submitted in advance of a Level C plan or a Level C subdivision plat
11 approval shall provide legal access (easements) to all existing and proposed tracts within the
12 platted area, but infrastructure installation or guarantee shall not be required prior to Level C
13 plan or Level C subdivision plat approval; because, before building permits can be granted or
14 development can proceed, additional land use approvals and infrastructure installation and/or
15 guarantees are required at the Level C Plan approval stage and/or at the Level C subdivision plat
16 approval stage. Further, because there are existing parcels, which are grandfathered lots within
17 the Master Plan area, Owner may also employ the County replat procedure, without
18 infrastructure requirements, to achieve reconfigured lots in advance of a Level C subdivision
19 submittal. Additionally, in order to standardize the pre-Level C subdivision submittal process,
20 the County agrees to explore the adoption of a bulk land subdivision procedure, similar to that
21 available in the City of Albuquerque, for the creation of pre-Level C subdivision lots. Any
22 subdivision will occur in compliance with the County’s Subdivision Ordinance.
23

24 7. No Net Expense.

25
26 7.1 The Test. The Comprehensive Plan provides that planned communities
27 shall not be a net expense to the County. The “no net expense” policy is a mutual commitment
28 to achieve the goal of a responsible balance of infrastructure costs, including construction,
29 operation and maintenance, shared between the public and private sectors. The “no net expense”
30 test is satisfied if the County’s on-site public expenditures and off-site public expenditures
31 reasonably allocated to the Project have been, or will be, off-set by revenues and/or economic
32 and fiscal benefits (direct, indirect and induced) from the Project.
33

34 7.2 Satisfaction of the Test at Master Plan and Village Plan Levels.

35 7.2.1 Level A. Owner engaged David Taussig & Associates to prepare
36 Fiscal and Economic Impact Studies for the Project both dated August 22, 2013 (collectively, the
37 “**Impact Study**”), which are on file with the County and incorporated herein by this reference.
38 The purpose of the Impact Study was to provide a detailed summary of the projected fiscal and
39 economic impacts and benefits to the County as a result of the development of the Project. The
40 Impact Study concludes that the County will receive significant positive fiscal and economic
41 impacts as a result of the development of the Project; therefore, the Santolina Project fully
42 satisfies the “no net expense” policy contained in the Comprehensive Plan.

43 7.2.2 Level B. The Level B analysis for subsequent development phases
44 of the Project must also satisfy the “no net expense” policy. If the development of a phase results

1 in a revenue shortfall, then such shortfall will be mitigated. If the development of a phase results
2 in excess revenue, then such excess revenue will be carried forward and used when applying the
3 no net expense test to future phases.

4 8. Parties' Rights.

5
6 8.1 Property Rights. Owner shall have the right to develop and complete the
7 Project as provided in this Agreement, the Master Plan, the Land Use Plan, and the adopted PC
8 Zoning.

9
10 8.2 Master Plan. Owner shall have the right to develop the Project and engage
11 in land uses in the manner and to the extent set forth in and pursuant to the applicable provisions
12 of this Agreement, the Master Plan, the Land Use Plan, and the PC Zoning.

13
14 8.3 Timing of Development. In recognition of the size of the Project, the
15 time required to complete development, the need for development to proceed in phases, and the
16 possible impact of economic conditions, cycles, varying market conditions and financing
17 availability during the course of development, Owner shall have the right to develop the Property
18 in such order and at such rate and time as the market dictates, subject to the conditions of this
19 Agreement and approved Level B Plans and Level C Plans. Notwithstanding, residential
20 development shall occur in a sequential manner adjacent to existing infrastructure and consistent
21 with ABCWUA's policies, consistent with the master plan.

22
23 8.4 Compliance with County Regulations; Conflicts. The establishment of the
24 rights under this Agreement shall not preclude the application of County ordinances, rules,
25 regulations and procedures of general applicability ("**County Regulations**"), except to the extent
26 that such County Regulations conflict with the provisions of this Agreement; provided, that in
27 the event of a conflict between this Section 8.4 and Section 3.1, Section 3.1 shall govern. The
28 Owner does not waive its rights to oppose adoption of any such proposed ordinances or
29 regulations that are not already in existence.

30
31 8.5 Changes in Regulations. This Agreement shall not preclude the
32 application of changes in County Regulations, which may occur from time to time during the
33 term of this Agreement, if specifically mandated and required by changes in State or Federal
34 laws or regulations, to development of the Property. To the extent that such changes in County,
35 State or Federal laws prevent or preclude compliance with one or more provisions of this
36 Agreement, the County and Owner shall cooperate as may be required to amend this Agreement
37 to enable compliance to the extent reasonably possible.

38
39 9. Cooperation in the Event of Legal Challenge. In the event of any administrative,
40 legal or equitable action or other proceeding instituted by any person not a party to this
41 Agreement challenging the validity of any provision of any of the approvals including this
42 Agreement, the Parties shall cooperate in defending such action or proceeding to settlement or
43 final judgment including all appeals. Each Party shall select its own legal counsel and retain
44 such counsel at its own expense.

1 10. Notices. Any notice or communication required hereunder between the County,
2 or Owner must be in writing, and may be given either personally or by registered or certified
3 mail, return receipt requested. If given by registered or certified mail, such notice or
4 communication shall be deemed to have been given and received on the first to occur of: (i)
5 actual receipt by any of the addressees designated below as the Party to whom notices are to be
6 sent, or (ii) fifteen (15) business days after a registered or certified letter containing such notice,
7 properly addressed, with postage prepaid, is deposited in the United States mail. If personally
8 delivered, a notice shall be deemed to have been given when delivered to the Party to whom it is
9 addressed. Any Party may at any time, by giving thirty (30) days written notice to the other
10 Party, designate any other address in such notice or communication shall be given. Except in
11 case of notice of termination, in which event, Expanded Notice shall be given, such notices or
12 communications shall be given to the Parties at their addresses set forth below:
13

14 If to the County: Bernalillo County
15 Attn: Tom Zdunek, County Manager
16 One Civic Plaza – 10th Floor
17 Albuquerque, NM 87102
18 Telephone: (505) 468-7000
19 Fax: (505) 462-9813
20 E-Mail: tzdunek@bernco.gov
21

22 and
23

24 If to Owner: Western Albuquerque Land Holdings Inc.
25 c/o Garrett Development Corporation
26 Attn: Jeff Garrett
27 6991 East Camelback Road, Suite D212
28 Scottsdale, AZ 85251
29 Telephone: (480) 236-5059
30 Fax: (505) 897-8597
31 E-mail: jeff@gdc-az.com
32

33 and
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35 Western Albuquerque Land Holdings LLC
36 c/o Jeffrey P. Hubbard, Esq.
37 Brier, Irish, Hubbard & Erhart, PLC
38 2400 East Arizona Biltmore Circle Drive, Suite 1300
39 Phoenix, AZ 85016
40 Telephone: 602-515-0160
41 Fax: 602-522-3945
42 E-Mail: jhubbard@bihlaw.com
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44 and
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1 Western Albuquerque Land Holdings LLC
2 c/o John P. Salazar, Esq.
3 Rodey Law Firm
4 201 Third Street NW, Suite 2200
5 Albuquerque, NM 87102
6 Telephone: (505) 768-7220
7 Fax: (505) 768-7395
8 E-mail: jsalazar@rodey.com
9

10 11. Miscellaneous General Provisions.
11

12 11.1 Enforced Delay. Whether stated or not, all periods of time in this
13 Agreement are subject to this Section. Neither Owner nor the County, as the case may be, shall
14 be considered to have caused a default in the event such Party's delay in the performance of a
15 non-monetary obligation under this Agreement is due to causes beyond its control and without its
16 fault, negligence or failure to comply with applicable laws including, but not restricted to, (i) acts
17 of God, acts of the Federal or state government, acts of a third party, litigation or other action
18 authorized by law concerning the validity and enforceability of this Agreement or relating to
19 transactions contemplated hereby, fires, floods, epidemics, quarantine, restrictions, strikes,
20 embargoes, labor disputes, and unusually severe weather or the delays of subcontractors or
21 materialmen due to such causes, act of a public enemy, war, terrorism or act of terror, nuclear
22 radiation, declaration of national emergency or national alert, blockade, insurrection, riot, labor
23 strike or interruption, extortion, sabotage, or similar occurrence or any exercise of the power of
24 eminent domain by any governmental body on behalf of any public, quasi-public, or private
25 entity, or declaration of moratorium or similar hiatus directly affecting the Property by any
26 governmental entity; (ii) the order, judgment, action, or determination of any court,
27 administrative agency, governmental authority or other governmental body (collectively, an
28 "Order") which delays the completion of the work or other non-monetary obligation of the Party
29 claiming the delay, unless it is shown that such Order is the result of the failure to comply with
30 Applicable Laws by the Party claiming the delay; provided, however, that the contesting in good
31 faith of any such Order shall not constitute or be construed or deemed as a waiver by a Party of
32 Enforced Delay; and (iii) unreasonable delay in processing or unreasonable denial of any
33 application, permit, license, request for approval, plan, plat or other submittal made by Owner to
34 any governmental agency other than the County (an "Enforced Delay").
35

36 11.2 Limited Severability. In the event that any provision of this Agreement is
37 declared void or unenforceable (or is construed as requiring the County to do any act in violation
38 of any applicable law) such provision shall be deemed severed from this Agreement and this
39 Agreement shall otherwise remain in full force and effect; provided that this Agreement shall
40 retroactively be deemed reformed to the extent reasonably possible in such a manner so that the
41 reformed agreement (and any related agreements effective as of the same date) provide
42 essentially the same rights and benefits (economic and otherwise) to the Parties as if such
43 severance and reformation were not required. The Parties further shall perform all acts and
44 execute all amendments, instruments and consents necessary to accomplish and to give effect to
45 the intent and purposes of this Agreement as and if reformed in accordance with this Section.
46

1 11.3 Further Assurances. Each Party shall perform such other and further acts
2 and to execute and deliver such additional agreements, documents, affidavits, certifications,
3 acknowledgments and instruments as any other Party may reasonably request from time to time
4 to consummate, evidence, confirm or carry out the intent and purposes of this Agreement.
5

6 11.4 Construction. Each reference in this Agreement to any of the rights
7 approved hereunder shall be deemed to refer to the rights as they may be amended from time to
8 time pursuant to the provisions of this Agreement, whether or not the particular reference refers
9 to such possible amendment. This Agreement has been reviewed and revised by legal counsel for
10 the County and Owner, and no presumption or rule that ambiguities shall be construed against
11 the drafting party shall apply to the interpretation or enforcement of this Agreement.
12

13 11.5 Successors and Assigns. The provisions of this Agreement are binding
14 upon and shall inure to the benefit of the Parties, and all of their successors in interest and
15 assigns; provided; however, that Owner's rights and obligations hereunder may be assigned, in
16 whole or in part, only to a person or entity that has acquired title to the Property or a portion
17 thereof or an interest therein. In the event of a complete assignment, Owner shall be released
18 from all of its obligations under this Agreement, provided that: (i) Owner agrees in writing to
19 assign all of its obligations under this Agreement to such assignee, (ii) the assignee agrees in
20 writing to assume all of such obligations, and (iii) such assignment and agreement is recorded in
21 the office of the Bernalillo County Clerk. In the event of a partial assignment, Owner shall be
22 released from the obligations assigned to and assumed by Owner's assignee, provided that: (i)
23 Owner agrees in writing to assign certain of its obligations under this Agreement to such
24 assignee, (ii) the assignee agrees in writing to assume the obligations assigned to such assignee,
25 and (iii) such assignment and agreement is recorded in the office of the Bernalillo County Clerk
26 and provides for the allocation of obligations being retained by the Owner and the obligations
27 being assigned to and assumed by the assignee. This Agreement shall not impose any obligations
28 upon and shall automatically terminate without the execution or recordation of any further
29 document or instrument as to any residential or commercial lot which has been finally
30 subdivided and sold with a completed structure thereon for which a certificate of occupancy or
31 equivalent has been issued. Thereafter, such lot shall be released from and no longer be subject
32 to or burdened by the provisions of this Agreement. A default by a subsequent owner of a portion
33 of the Property shall not be deemed a default by Owner or any other subsequent owner of a
34 different portion of the Property, and the County may not withhold or condition its performance
35 under this Agreement, or exercise any remedy, as to Owner or any subsequent owner of a portion
36 of the Property who is not in default of this Agreement. With the exception of Owner and the
37 County, no subsequent owner of a portion of the Property may enforce this Agreement as against
38 any other owner of a portion of the Property.
39

40 11.6 Secured Lender's Rights, Including Right to Cure. A secured lender or
41 mortgagee is any lender whose loan is secured by property within the Project boundaries. Any
42 mortgagee that wishes to receive notices of default from the County pursuant to this Agreement
43 may provide written notice to the County requesting such notice. The County shall notify any
44 such mortgagee requesting notice of default under this Agreement, and provide to any such
45 mortgagee the same opportunity to cure as is provided to Owner herein. Such action shall not
46 give rise to any liability on the part of the mortgagee, and this Agreement shall not be terminated

1 by the County as to any mortgagee: (a) who has requested notice but the mortgagee is not given
2 notice by the County or (b) if either of the following is true:

3
4 (a) The mortgagee cures any default involving the payment of money
5 by Owner within sixty (60) days after notice of default;

6
7 (b) As to defaults requiring title or possession of all or any portion of
8 the Property to effectuate a cure: (i) the mortgagee agrees in writing, within ninety (90) days
9 after the written notice of default, to perform the proportionate share of Owner's obligations
10 under this Agreement allocable to that part of the Property in which the mortgagee has an interest
11 conditioned upon the mortgagee's acquisition of that part by foreclosure (including a trustee
12 sale) or by a deed in lieu of foreclosure; (ii) the mortgagee commences foreclosure proceedings
13 to reacquire title to all or the applicable portion of the Property within the ninety (90) days and
14 thereafter diligently pursues the foreclosure to completion; and (iii) the mortgagee (or any
15 purchaser of Owner's interest at foreclosure, or trust, or sale, or by deed in lieu of foreclosure)
16 promptly and diligently cures the default after obtaining title or possession. Subject to the
17 foregoing, in the event any mortgagee records a notice of default as to its mortgage or deed of
18 trust, Owner's rights and obligations under this Agreement may be transferred to the mortgagee
19 or to any purchaser of Owner's interest at a foreclosure or trustee sale and until such transfer the
20 Owner shall remain liable for all such obligations unless released by the County.

21
22 The County recognizes that the provisions of this Agreement may be a matter of concern
23 to any mortgagee intending to make a loan secured by a mortgage or deed of trust encumbering
24 the Property or a portion thereof. If such mortgagee should require, as a condition to such
25 financing, any modification of this Agreement to protect its security interest in the Property or
26 portion thereof, the County shall execute the appropriate amendments; provided, however, that
27 the County shall not be required (but is permitted) to make any modification that would (i)
28 materially and adversely affect the County's rights hereunder, or (ii) increase the County's
29 obligations hereunder.

30
31 This Agreement may be amended without the approval or execution of any such
32 amendment by any mortgagee. However, if the County receives notice from a mortgagee
33 requesting a notice of proposed amendment, the County shall provide a copy of any proposed
34 amendment to such mortgagee.

35
36 11.7 Covenant of Good Faith and Fair Dealing. Each Party shall use its best
37 efforts and take and employ all necessary actions to ensure that the rights secured by the other
38 Parties through this Agreement can be enjoyed and no Party shall take any action that will
39 deprive the other Parties of the enjoyment of the rights secured through this Agreement.

40
41 11.8 Term of Agreement. The term of this Agreement shall commence upon
42 the execution date of this Agreement and shall extend until completion of the Project.

43
44 11.9 No Waiver of Rights. Neither the County nor Owner shall be under any
45 obligation to exercise at any time any right granted to a Party. Failure by a Party to insist upon
46 the strict performance of any of the provisions of this Agreement by the other Party, or the

1 failure by a Party to exercise its rights upon the default of the other Party, shall not constitute a
2 waiver of such Party's right to insist and demand strict compliance by the other Party with the
3 terms of this Agreement thereafter. No waiver shall be effective unless it is in writing and is
4 signed by the Party asserted to have granted such waiver.
5

6 11.10 Governing Law, Interpretation and Conflict Resolution. This Agreement
7 and any dispute arising hereunder shall be governed and interpreted in accordance with the laws
8 of the State of New Mexico. This Agreement shall be construed as a whole according to its fair
9 language and common meaning to achieve the objectives and purposes of the Parties, and the
10 rule of construction to the effect that ambiguities are to be resolved against the drafting Party
11 shall not be employed in interpreting this Agreement, all Parties having been represented by the
12 counsel in the negotiation and preparation of this Agreement. If there is a conflict between the
13 body of this Agreement and one or more of the Exhibits to this Agreement, including the Master
14 Plan or any document or submittal associated with or pertaining to the Master Plan, the body of
15 this Agreement shall control.
16

17 11.11 Exhibits and Recitals. Any exhibit attached hereto shall be deemed to
18 have been incorporated into this Agreement by this reference with the same force and effect as if
19 fully set forth in the body of this Agreement. The recitals set forth at the beginning of this
20 Agreement and the introductory paragraph preceding the recitals are incorporated into this
21 Agreement, and the Parties hereby confirm the accuracy of the recitals.
22

23 11.12 Day. Day shall mean a calendar day. However, if the last day of any time
24 period stated in this Agreement or the date on which any obligation to be performed under this
25 Agreement shall fall on a Saturday, Sunday or legal holiday, then the duration of such time
26 period or the date of performance, as applicable, shall be extended so that it shall end on the next
27 succeeding day which is not a Saturday, Sunday or legal holiday.
28

29 11.13 Time of Essence. Time is of the essence in implementing the terms of this
30 Agreement.
31

32 11.14 Entire Agreement. This Agreement constitutes the entire agreement
33 between the Parties pertaining to its subject matter. All prior and contemporaneous agreements,
34 representations and understandings of the Parties, oral or written (including any term sheets,
35 discussion outlines or similar documents), are hereby superseded and merged into this
36 Agreement.
37

38 11.15 Amendment. The Agreement may be amended or modified from time to
39 time by mutual consent of the parties following the same legal formalities followed in the
40 approval of this Agreement and approval of an adopting resolution in the same manner as the
41 original Agreement is approved. Amendment or modification of the Master Plan by the Owner
42 shall comply with the procedural and substantive provisions of state statutes, and County plans
43 and ordinances in effect on the date of application for such amendment or modification. If the
44 County enters into a development agreement in the future for a project containing at least 500
45 acres with another landowner outside of Santolina that provides terms or conditions which, when
46 taken as a whole, are more favorable to that landowner than provided in this Agreement, then the

1 County and the Owner may amend this Agreement to include the more favorable terms or
2 conditions so that this Agreement, on a go forward basis is, at least, as favorable to Owner as the
3 terms and conditions contained in the development agreement entered into with the other
4 landowner. Nothing in this section shall be construed to mean that the County shall be obligated
5 to extend more favorable terms to the owner should the County enter into a development
6 agreement with another landowner where terms or conditions are deemed more favorable than
7 those contained within this agreement. Any changes to this agreement shall be proceeded by a
8 thirty (30) day publication period prior to final action by the commission.
9

10 11.16 Counterparts. This Agreement may be executed in two (2) or more
11 counterparts, including facsimile and/or electronic counterparts, each of which shall be deemed
12 an original, but all of which together constitute one (1) and the same instrument. The signature
13 pages from one (1) or more counterparts may be removed from such counterparts and such
14 signature pages all attached to a single instrument so that the signatures of all Parties may be
15 physically attached to a single document.
16

17 11.17 Findings and Conditions. If and to the extent any findings and conditions
18 adopted in conjunction with the master plan approval are specifically addressed in the
19 Development Agreement, the language of the Development Agreement shall control if it is more
20 specific.
21
22
23

24 [Balance of Page Intentionally Left Blank; Signature Page Follows]
25
26

1 Executed as of the day and year first set out above.

2
3 **COUNTY:**

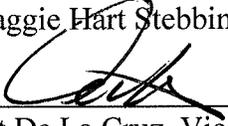
4
5 BERNALILLO COUNTY, a political subdivision of the State of New Mexico

6
7
8 By: 
9 Its: County Manager

10
11
12 **BOARD OF COUNTY COMMISSIONERS**

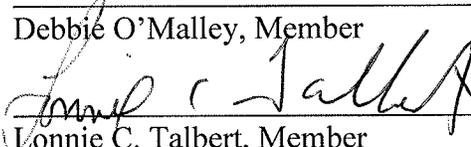
13 **VOTED 'NO'**

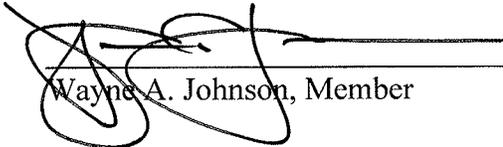
14 _____
15 Maggie Hart Stebbins, Chair

16 
17 _____
18 Art De La Cruz, Vice Chair

19
20 **VOTED 'NO'**

21 _____
22 Debbie O'Malley, Member

23 
24 _____
25 Lonnie C. Talbert, Member

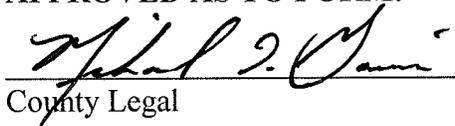
26 
27 _____
28 Wayne A. Johnson, Member



29 **ATTEST:**

30 
31 _____
32 Maggie Toulouse Oliver, County Clerk

33
34
35
36 **APPROVED AS TO FORM:**

37 
38 _____
39 County Legal

1 **Owner:**

2
3 WESTERN ALBUQUERQUE LAND HOLDINGS LLC, a Delaware limited liability company

4
5 By: Five Mile Capital SPE, LLC, a Delaware
6 limited liability company, its Servicing Member

7
8 By: Five Mile Capital Pooling Domestic LLC,
9 its Sole Member

10
11 By: Five Mile Capital Partners, LLC, its Manager

12
13 By: [Signature]
14 Name: James Glasgow, Jr.
15 Title: Managing Director

16
17 STATE OF New York
18) ss.
19 COUNTY OF New York

20
21 This instrument was acknowledged before me on the 10th day of
22 August, 2015, by James Glasgow, the
23 Managing Director of Five Mile Capital Partners, LLC, Manager of Five
24 Mile Capital Pooling Domestic LLC, Sole Member of Five Mile Capital SPE, LLC, Servicing
25 Member of Western Albuquerque Land Holdings, LLC, a Delaware limited liability company,
26 for and on behalf thereof.

27
28 [Signature: Stella Vidal]
29 Notary Public

30
31 My Commission Expires: 4/27/19



EXHIBIT A

Legal Description of Property

The Santolina plan area is generally bounded by Interstate 40 to the north, 118th Street and the escarpment open space to the east, the Pajarito Mesa on the south, and the escarpment area adjacent to the Rio Puerco Valley on the west, encompassing projected sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16 & 17, T9N, R1E and sections 6, 7, 8, 16, 17, & 18, T9N, R2E and sections 32, 33, 34, 35, & 36, T10N, R1E and sections 30 & 31, T9N, R2E, N.M.P.M., Town of Atrisco Grant, Albuquerque, Bernalillo County, New Mexico and containing approximately 13,851 acres, generally zoned PC Zone pursuant to an approved Level A Community Master Plan,

as more particularly described in and on **Exhibit A-1** attached hereto.

EXHIBIT A-1

**Santolina Master Legal Description
November 14, 2014**

Parcel A-1 (TVI / CNM Tract)

BEING a parcel of land located in Bernalillo County, New Mexico and being and comprising of all of Parcel A-1 of the plat of Rio Bravo Southwest Town of Atrisco Grant "South Tract" as filed on November 2, 1999 in the office of the Bernalillo County Clerk as Book 99C, Page 302. Tract contains 40.0003 acres of land, more or less.

Parcel B-1-A (Board of Education)

BEING a parcel of land located in Bernalillo County, New Mexico and being and comprising of all of Parcel B-1-A of the plat of Rio Bravo Southwest Town of Atrisco Grant "South Tract" as filed on September 28, 2004 in the office of the Bernalillo County Clerk as Book 2004C, Page 307. Tract contains 15.0000 acres of land, more or less.

Parcel B-2-A (Youth Development Inc.)

BEING a parcel of land located in Bernalillo County, New Mexico and being and comprising of all of Parcel B-2-A of the plat of Rio Bravo Southwest Town of Atrisco Grant "South Tract" as filed on September 28, 2004 in the office of the Bernalillo County Clerk as Book 2004C, Page 307. Tract contains 10.0000 acres of land, more or less.

ST-1

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 5,6,7 and 8, Township 9 North, Range 1 East and projected Sections 31 and 32, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Tract 3 (T3) South Tract Parcel ST-1 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, and as shown on Boundary Survey Plat of Lands of Westland DevCo filed September 4, 2008 in Book 2008S, page 133 as Document 2008098567 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 1.5" aluminum cap stamped "K & P WST 36" at the northwest corner of the tract herein described, identical to the northwest corner of said Parcel ST-1, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S87°04'27"E a distance of 17009.76 feet;

THENCE along the northerly boundary of the tract herein described, coincident with said northerly boundary of Parcel ST-1, the following three (3) courses;

N74°58'26"E a distance of 3220.01 feet to a found 3" brass cap stamped "K & P WST 37" at a point of curvature; 400.50 feet along the arc of a non-tangent curve to the right having a radius of 4796.64 feet, a central angle of 4°47'02" and a chord bearing N77°21'44"E a distance of 400.39 feet to a found 3" brass cap stamped "WST 38" at a point of tangency; N79°45'08"E a distance of 1649.99 feet to the northeast corner of the tract herein described, identical to the northeast corner of said Parcel ST-1;

THENCE along the easterly boundary of the tract herein described, coincident with said easterly boundary of Parcel ST-1, the following three (3) courses;

S10°20'30"E a distance of 52.17 feet to a found 1/2" rebar marking a point of curvature; 892.04 feet along the arc of a curve to the right having a radius of 4780.89 feet, a central angle of 10°41'26" and a chord bearing S04°59'47"E a distance of 890.75 feet to a found 1/2" rebar at a point of tangency; S00°17'59"W a distance of 8685.08 feet to a found rebar and survey cap stamped "LS 7924" at a point of curvature at the southeast corner of the tract herein described, identical to the southeast corner of said Parcel ST-1;

THENCE along said curve, 78.93 feet along the arc of a curve to the right having a radius of 50.00 feet, a central angle of 90°26'39" and a chord bearing S45°29'50"W a distance of 70.98 feet to a found rebar and survey cap stamped "LS 7924" at a point of tangency;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Parcel ST-1, the following three courses;

N89°19'58"W a distance of 2116.12 feet to a found rebar and survey cap stamped "LS 11993"; N89°23'59"W a distance of 1718.75 feet to a found rebar and survey cap stamped "LS 11993"; N89°20'03"W a distance of 626.36 feet to a found rebar and survey cap stamped "LS 11993" at the southwest corner of the tract herein described, identical to the southwest corner of said Parcel ST-1;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Parcel ST-1, the following four (4) courses;

N04°06'19"W a distance of 2920.66 feet to a found rebar and survey cap "UNREADABLE"; S89°39'52"E a distance of 82.78 feet to a found rebar and survey cap "UNREADABLE"; N05°29'17"W a distance of 5409.08 feet to a found aluminum cap stamped "K & P NE COR TRACT 3"; N05°28'06"W a distance of 111.06 feet to the POINT OF BEGINNING.

This tract contains 1013.1908 acres, more or less.

ST-2

BEING a parcel of land located in Bernalillo County, New Mexico and being and comprising of all of Unit 2 of the Plat of Santolina as filed on November 10, 2014 in the office of the Bernalillo County Clerk as Book 2014C, Page 117.
Tract contains 284.4058 acres of land, more or less.

ST-3

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 1 through 5, and 8 through 17, Township 9 North, Range 1 East and projected Sections 7, 8, and 16 through 18, Township 9 North, Range 2 East, and projected Sections 25, and 32 through 36, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising a portion of Parcel ST-3 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, and as shown on Boundary Survey Plat of Lands of Westland DevCo filed September 4, 2008 in Book 2008S, page 133 as Document 2008098567 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:
BEGINNING at a found 3 1/4" aluminum cap stamped "ROW" at the northeast corner of the tract herein described, identical to the northeast corner of said Parcel ST-3 and a point on the west right-of-way line of Paseo De Vulcan, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S56°50'15"W a distance of 10,687.85 feet;
THENCE along the easterly boundary of the tract herein described, coincident with said Parcel ST-3 and said westerly right-of-way of Paseo Del Vulcan, the following two (2) courses; S07°40'59"W a distance of 379.07 feet to a found 3 1/4" aluminum cap stamped "ROW"; S09°29'57"W a distance of 13057.38 feet to a found 3 1/4" aluminum cap stamped "ROW 8+00";
THENCE crossing said right-of-way, S80°31'00"E a distance of 300.05 feet to a found 3 1/4" aluminum cap stamped "ROW", being a point on the easterly right-of-way of said Paseo Del Vulcan;
THENCE continuing along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Parcel ST-3 and said easterly right-of-way of Paseo Del Vulcan, N09°29'33"E a distance of 124.01 feet to a found 3 1/4" aluminum cap stamped "ROW" at the intersection of the easterly right-of-way of Paseo Del Vulcan and the southerly right-of-way of Dennis Chavez Boulevard;
THENCE continuing along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Parcel ST-3 and the southerly right-of-way of Dennis Chavez Boulevard, N89°49'01"E a distance of 3383.00 feet to a found rebar and survey cap stamped "LS 11993";
THENCE leaving said right-of-way and continuing along the easterly boundary of the tract herein described, coincident with said easterly boundary of Parcel ST-3, the following three (3) courses;
S00°10'55"E a distance of 2066.21 feet to a found rebar and survey cap stamped "LS 11993";
N89°49'05"E a distance of 1475.88 feet to a found rebar and survey cap stamped "LS 11993";
N00°10'37"W a distance of 2066.18 feet to a found rebar and survey cap stamped "LS 11993", also being a point on the southerly right-of-way of Dennis Chavez Boulevard;

THENCE continuing along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Parcel ST-3 and the southerly right-of-way of Dennis Chavez Boulevard, the following nine (9) courses;

N89°49'26"E a distance of 1127.79 feet to a found rebar and survey cap stamped "LS 11993";
S00°10'14"E a distance of 99.78 feet to a found rebar and survey cap stamped "LS 11993";
N89°49'56"E a distance of 700.02 feet to a found rebar and survey cap stamped "LS 11993";
S00°10'12"E a distance of 100.04 feet to a found rebar and survey cap stamped "LS 11993";
N89°49'12"E a distance of 800.03 feet to a found rebar and survey cap stamped "LS 11993";
N00°10'41"W a distance of 100.03 feet to a found rebar and survey cap stamped "LS 11993";
N89°48'59"E a distance of 800.01 feet to a found rebar and survey cap stamped "LS 11993";
N00°09'42"W a distance of 99.96 feet to a found rebar and survey cap stamped "LS 11993";
N89°49'05"E a distance of 3455.52 feet to a found rebar and survey cap stamped "LS 11993" at the intersection of the southerly right-of-way of Dennis Chavez Boulevard and the westerly right-of-way of 118th Street;

THENCE leaving said right-of-way of Dennis Chavez Boulevard and continuing along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Parcel ST-3 and said westerly right-of-way of 118th Street, S11°15'23"E a distance of 3358.95 feet to a found rebar and survey cap stamped "LS 11993";

THENCE crossing said 118th street right-of-way, N78°43'52"E a distance of 156.00 feet to a found rebar and survey cap stamped "LS 11993" on the easterly right-of-way of said 118th Street;

THENCE continuing along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Parcel ST-3 and the easterly right-of-way of 118th Street, N11°15'30"W a distance of 855.49 feet to a found rebar and survey cap stamped "PS 14733";
THENCE leaving said right-of-way and continuing along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Parcel ST-3, the following three courses;

N89°56'02"E a distance of 203.86 feet to a found PK Nail;

S11°15'35"E a distance of 857.71 feet;

S89°48'49"E a distance of 1450.41 feet to a point, also being the northwest corner of a Tract of land described in Quitclaim Deed filed March 23, 1987 in Book D298-A, page 651;

THENCE leaving said easterly boundary of Parcel ST-3 and continuing along the easterly boundary of the tract herein described S00°19'20"W a distance of 1229.62 feet to a point on the northerly right-of-way of Gun Club Road;

THENCE continuing along the easterly boundary of the tract herein described, coincident with said northerly right-of-way of Gun Club Road, N89°57'00"E a distance of 839.87 feet to a found rebar and survey cap stamped "LS 11993", identical to the southeast corner of Exception 66-B, as the same is shown and designated on in Special Master's Deed filed December 15, 2010 as Document 2010128590;

THENCE continuing along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Exception 66-B, N00°19'02"E a distance of 1039.32 feet to a point, identical to the northeast corner of said Exception 66-B;

THENCE continuing along the easterly boundary of the tract herein described, N89°54'45"E a distance of 22.05 feet to a point;

THENCE continuing along the easterly boundary of the tract herein described, the following four (4) courses;

S00°12'38"W a distance of 710.09 feet;

N89°08'29"E a distance of 1080.19 feet;

N89°11'03"E a distance of 29.94 feet;

S00°02'27"E a distance of 1442.26 feet to a found 5/8" rebar, identical to the southwest corner of Tract 25-D, ROW One South Town of Atrisco Grant as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on August 23, 1994 in Book 94C, page 279 and also Being a point on the northerly right-of-way of Lisa Road;

THENCE continuing along the easterly boundary of the tract herein described, S00°08'52"E a distance of 59.71 feet to a 1/2" pipe, identical to the northwest corner of Tract 25-A, ROW Two South, Town of Atrisco Grant as the same is shown and designated on the plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on June 20, 1996 in Book 96C, page 271;

THENCE continuing along the easterly boundary of the tract herein described, coincident with the westerly boundary of Tracts 25-A thru 25-D, ROW Two South, Town of Atrisco Grant filed in the Office of the County Clerk of Bernalillo County, New Mexico on June 20, 1996 in Book 96C, page 271, S00°02'03"W a distance of 1074.54 feet to the southwest corner of said Tract 25-D;

THENCE continuing along the easterly boundary of the tract herein described, coincident with the southerly Boundary of said Tract 25-D, N89°32'09"E a distance of 16.53 feet to the easterly boundary of said Parcel ST-3;

THENCE continuing along the easterly boundary of the tract herein described, coincident with said easterly boundary of said Parcel ST-3, S00°23'06"E a distance of 419.21 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Parcel ST-3;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Parcel ST-3, the following two (2) courses;

N89°42'02"W a distance of 689.31 feet to a found 2 1/2" brass cap stamped "WHITEMAN 3 MI";

N89°42'41"W a distance of 2643.99 feet to a found 2 1/2" brass cap stamped "3.5 MI", identical to a southerly angle point on said Parcel ST-3;

THENCE continuing along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Parcel ST-3, the following eleven (11) courses;

N89°44'33"W a distance of 2631.56 feet to a found 2 1/2" brass cap stamped "WHITEMAN 4 MI";

N89°46'19"W a distance of 2627.88 feet to a found 2 1/2" brass cap stamped "WHITEMAN 4 1/2 MI";

N89°44'55"W a distance of 2635.89 feet to a found 2 1/2" brass cap stamped "5 MI";

N89°45'14"W a distance of 2640.52 feet to a found 2 1/2" brass cap stamped "WHITEMAN 5 1/2 MI";

N89°45'10"W a distance of 2276.33 feet to a found 1 1/2" aluminum cap stamped "PNM LS 4249";

N00°15'26"E a distance of 1900.02 feet to a found 1 1/2" aluminum cap stamped "PNM LS 4249";

N89°44'44"W a distance of 3399.77 feet to a found 1 1/2" aluminum cap stamped "PNM LS 4249";
S00°15'24"W a distance of 1899.97 feet to a found 5/8" rebar;
N89°45'38"W a distance of 2243.76 feet to a found 2 1/2" brass cap stamped "7 MI";
N89°42'05"W a distance of 2640.23 feet to a found 2 1/2" brass cap stamped "WHITEMAN 7 1/2 MI";
N89°42'16"W a distance of 86.78 feet to the southeast corner of a City of Albuquerque Board of education Tract as the same is shown and designated in Warranty Deed filed December 17, 1982 in Book D174-A, page 539 as Document#82 66248;

THENCE leaving said southerly boundary of Parcel ST-3 and continuing along the southerly boundary of the tract herein described, coincident with the boundary of said Board of Education Tract, the following three (3) courses;

N00°00'00"E a distance of 484.55 feet;

S90°00'00"W a distance of 659.77 feet;

S00°00'00"W a distance of 481.15 feet to the southwest corner of said Board of Education Tract, also being a point on the southerly boundary of said Parcel ST-3;

THENCE leaving said boundary of the Board of Education Tract and continuing along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Parcel ST-3, the following six (6) courses;

N89°42'16"W a distance of 1892.07 feet to a found 2 1/2" brass cap stamped "WHITEMAN 8 MI";

N89°39'48"W a distance of 1407.79 feet to a found 2 1/2" brass cap stamped "WHITEMAN C15 C16";

N89°40'00"W a distance of 1232.82 feet to a found 2 1/2" brass cap stamped "WHITEMAN 8 1/2 MI";

N89°40'11"W a distance of 2640.70 feet to a found 2 1/2" brass cap stamped "WHITEMAN 9 MI";

N89°39'41"W a distance of 2639.43 feet to a found 2 1/2" brass cap stamped "9 1/2 MI";

N89°24'13"W a distance of 120.55 feet to a found rebar and survey cap stamped "PS 11993" at the southwest corner of the tract herein described, identical to the southwest corner of said Parcel ST-3;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Parcel ST-3, the following nine (9) courses;

N00°17'45"E a distance of 2221.52 feet;

S89°42'15"E a distance of 60.00 feet to a found rebar and survey cap stamped "PS 11993";

N00°17'01"E a distance of 60.02 feet to a found rebar and survey cap stamped "PS 11993";

N00°18'38"E a distance of 2627.39 feet to a found rebar and survey cap stamped "PS 11993";

N00°17'37"E a distance of 1638.51 feet to a found rebar and survey cap stamped "PS 11993"

N00°17'56"E a distance of 8873.40 feet to a point of curvature;

903.24 feet along the arc of a non-tangent curve to the left having a radius of 4840.89 feet, a central angle of 10°41'26" and a chord bearing N04°59'47"W a distance of 901.93 feet to a point (non-tangent);

N10°20'30"W a distance of 52.07 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Parcel ST-3;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Parcel ST-3, the following five (5) courses;
N79°45'08"E a distance of 18468.59 feet;
S10°39'45"E a distance of 30.16 feet to a found 5/8" rebar;
N79°45'30"E a distance of 874.73 feet to a found rebar and survey cap stamped "LS 3243";
N10°11'16"W a distance of 30.26 feet to a found 1" iron pipe;
N79°45'12"E a distance of 1744.15 feet to the POINT OF BEGINNING.
This tract contains 10,119.9812 acres, more or less.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 16, Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Exception EX-6 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, and as shown on Boundary Survey Plat of Lands of Westland DevCo filed September 4, 2008 in Book 2008S, page 133 as Document 2008098567 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found rebar and survey cap stamped "PS 11993" at the northwest corner of the tract herein described, identical to the northwest corner of said Exception EX-4, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears N63°09'24"W a distance of 23,830.35 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Exception EX-6, N89°53'12"E a distance of 839.79 feet to a found rebar and survey cap stamped "LS 11993" at the northeast corner of the tract herein described, identical to the northeast corner of said Exception EX-6;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Exception EX-6, S00°19'02"W a distance of 1037.90 feet to a found rebar and survey cap stamped "LS 11993" at the southeast corner of the tract herein described, identical to the southeast corner of said Exception EX-6;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Exception EX-6, S89°57'00"W a distance of 509.89 feet to a found rebar and survey cap stamped "LS 11993" at the southwest corner of the tract herein described, identical to the southwest corner of said Exception EX-6;

THENCE along the westerly boundary of the tract herein described, the following three (3) courses;

N00°19'20"E a distance of 330.04 feet to a found rebar and survey cap stamped "LS 11993";

S89°57'06"W a distance of 329.99 feet to a found rebar and survey cap stamped "LS 11993";

N00°19'20"E a distance of 706.92 feet to the POINT OF BEGINNING.

Tract contains 17.5010 acres, more or less.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 7, Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 6-B as the same is shown and designated in Special Master's Deed

filed December 15, 2010 as Document 2010128590, being and comprising all of Parcel B-3-A Rio Bravo Southwest Town of Atrisco Grant "South Tract", as the same is shown and designated on the Plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on September 28, 2004 in Book 2004C, page 307, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows: BEGINNING at a found rebar and survey cap stamped "LS 11993" at the northwest corner of the tract herein described, identical to the northwest corner of said Parcel B-3-A, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears N50°53'23"W a distance of 14,414.07 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Parcel B-3-A, N89°48'58"E a distance of 737.94 feet to a found rebar and survey cap stamped "LS 11993" at the northeast corner of the tract herein described, identical to the northeast corner of said Parcel B-3-A;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Parcel B-3-A, S00°10'59"E a distance of 295.19 feet to a found rebar and survey cap stamped "LS 11993" at the southeast corner of the tract herein described, identical to the southeast corner of said Parcel B-3-A;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Parcel B-3-A, S89°49'05"W a distance of 737.95 feet to a found rebar and survey cap stamped "LS 11993" at the southwest corner of the tract herein described, identical to the southwest corner of said Parcel B-3-A;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Parcel B-3-A, N00°10'50"W a distance of 295.16 feet to the POINT OF BEGINNING.

Tract contains 5.0005 acres, more or less.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCELS:

EXCEPTION 1

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 35, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Exception EX-1 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, and as shown on Boundary Survey Plat of Lands of Westland DevCo filed September 4, 2008 in Book 2008S, page 133 as Document 2008098567 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found rebar and survey cap stamped "PS 11993" at the southwest corner of the tract herein described, identical to the southwest corner of said Exception EX-1, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S04°21'52"W a distance of 3618.70 feet;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Exception EX-1, N10°14'28"W a distance of 600.08 feet a found rebar and survey cap stamped "LS 11993" at the northwest corner of the tract herein described, identical to the northwest corner of said Exception EX-1;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Exception EX-1, N79°45'46"E a distance of 437.40 feet to a found rebar and survey cap stamped "LS 11993" at the northeast corner of the tract herein described, identical to the northeast corner of said Exception EX-1;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Exception EX-1, S03°41'05"W a distance of 618.30 feet to a found #4 rebar at the southeast corner of the tract herein described, identical to the southeast corner of said Exception EX-1;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Exception EX-1, S79°46'28"W a distance of 288.59 feet to the POINT OF BEGINNING.

Tract contains 5.0009 acres, more or less.

EXCEPTION 2

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 2, 3 and 10, Township 9 North, Range 1 East and projected Sections 34 & 35, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Exception EX-7 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, and as shown on Boundary Survey Plat of Lands of Westland DevCo filed September 4, 2008 in Book 2008S, page 133 as Document 2008098567 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found rebar and survey cap stamped "PS 11993" at the northeast corner of the tract herein described, identical to the northeast corner of said Exception EX-2, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S08°35'16"W a distance of 4327.23 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of Exception EX-2 the following three (3) courses;

S03°40'25"W a distance of 12,983.80 feet to a point;

S89°34'17"E a distance of 85.37 feet to a found brass cap in concrete post stamped "9216";

S00°25'40"W a distance of 708.81 feet to a steel post at the southeast corner of the tract herein described, identical to the southeast corner of said Exception EX-2;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Exception EX-2, N89°34'07"W a distance of 458.97 feet to a steel post at the southwest corner of the tract herein described, identical to the southwest corner of said Exception EX-2;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Exception EX-2, the following eleven (11) courses;

N00°25'57"E a distance of 708.66 feet to a 4" x 4" concrete post;

N89°34'03"W a distance of 32.00 feet to a point;

N00°25'57"E a distance of 680.63 feet to a point;

S89°34'03"E a distance of 320.00 feet to a point;

S00°25'57"W a distance of 680.48 feet to a point;

S89°34'17"E a distance of 55.57 feet to a point;

N03°40'25"E a distance of 8451.13 feet to a found rebar and survey cap stamped "PS 11993";

N89°39'29"W a distance of 388.26 feet to a found rebar and survey cap stamped "LS 11993";
N00°19'04"E a distance of 400.01 feet to a found rebar and survey cap stamped "LS 11993";
S89°40'00"E a distance of 411.72 feet to a found rebar and survey cap stamped "LS 11993";
N03°40'25"E a distance of 4133.71 feet to a found rebar and survey cap stamped "LS 11993" at
the northwest corner of the tract herein described, identical to the northwest corner of said
Exception EX-2;
THENCE along the northerly boundary of the tract herein described, S86°07'47"E a distance of
29.93 feet to the POINT OF BEGINNING.
Tract contains 25.0610 acres, more or less.

EXCEPTION 7

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 16,
Township 9 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New
Mexico, being and comprising all of Exception EX-7 as the same is shown and designated in
Special Master's Deed filed December 15, 2010 as Document 2010128590, and as shown on
Boundary Survey Plat of Lands of Westland DevCo filed September 4, 2008 in Book 2008S,
page 133 as Document 2008098567 and being more particularly described by New Mexico State
Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, identical to the northeast
corner of said Exception EX-7, WHENCE the City of Albuquerque survey control aluminum
disc stamped "LANDFILL 1993" having New Mexico State Plane grid coordinates (NAD 83
Central Zone) N=1,456,447.534 and E=1,455,984.439 bears S73°09'53"W a distance of 6744.04
feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly
boundary of said Exception EX-7, S00°12'26"E a distance of 660.00 feet to the southeast corner
of the tract herein described, identical to the southeast corner of said Exception EX-7;

THENCE along the southerly boundary of the tract herein described, coincident with the
southerly boundary of said Exception EX-7, S89°47'34"W a distance of 660.00 feet to the
southwest corner of the tract herein described, identical to the southwest corner of said Exception
EX-7;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly
boundary of said Exception EX-7, N00°12'26"W a distance of 660.00 feet to the northwest
corner of the tract herein described, identical to the northwest corner of said Exception EX-7;

THENCE along the northerly boundary of the tract herein described, coincident with the
northerly boundary of said Exception EX-7, N89°47'34"E a distance of 660.00 feet to the POINT
OF BEGINNING.

Tract contains 10.0000 acres, more or less.

EXCEPTION 8

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 18,
Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New
Mexico, being and comprising a tract of land as described In Warranty Deed filed February 18,
1997 in Book 97-4, page 9481 as Document 97016859 and being more particularly described as
follows:

BEGINNING at the northwest corner of the tract herein described, WHENCE the USC & GS
brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83

Central Zone) N=1,471,749.997 and E=1,470,926.961 bears N47°50'38"W a distance of 19654.76 feet;
THENCE along the northerly boundary of the tract herein described, S00°00'00"W a distance of 660.00 feet to the northeast corner of the tract herein described;
THENCE along the easterly boundary of the tract herein described, S90°00'00"E a distance of 659.77 feet to the southeast corner of the tract herein described;
THENCE along the southerly boundary of the tract herein described, N00°00'00"E a distance of 660.00 feet to the southwest corner of the tract herein described;
THENCE along the westerly boundary of the tract herein described, S90°00'00"W a distance of 659.77 feet to the POINT OF BEGINNING.
Tract contains 9.9966 acres, more or less.

EXCEPTION D

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 16, Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Tract 6M, ROW One North as the same is shown and designated on the unfiled Plat of the Town of Atrisco Grant and as described in Warranty Deed filed January 24, 2000 in Book A1, page 7187 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:
BEGINNING at a found 1" iron pipe at the northwest corner of the tract herein described, identical to the northwest corner of said Tract 6M, ROW One North, also being a point on the southerly right-of-way of Love Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears N62°28'33"W a distance of 24,944.91 feet;
THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 6M and the southerly right-of-way of Love Road, N89°09'15"E a distance of 1050.64 feet to the northeast corner of the tract herein described, identical to the northeast corner of said Tract 6M;
THENCE leaving said Love Road right-of-way along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 6M, S00°13'45"E a distance of 284.02 feet to a found 1" iron pipe at the southeast corner of the tract herein described, identical to the southeast corner of said Tract 6M and also being a point on the northerly right-of-way of Gun Club Road;
THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 6M and the northerly right-of-way of Gun Club Road, N89°52'49"W a distance of 1051.00 feet to a found 1" iron pipe at the southwest corner of the tract herein described, identical to the southwest corner of said Tract 6M;
THENCE leaving said northerly right-of-way of Gun Club Road along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 6M, N00°08'37"W a distance of 266.32 feet to the POINT OF BEGINNING.
Tract contains 6.6377 acres, more or less.

EXCEPTION E

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 16, Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Lot 34, ROW One South as the same are shown and

designated on the unfiled Plat of the Town of Atrisco Grant and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found rebar and survey cap stamped "RHC LS 4577" at the southwest corner of the tract herein described, identical to the southwest corner of said Lot 34, ROW One South, also being a point on the northerly right-of-way of Lisa Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears N58°43'25"W a distance of 24,831.58 feet; THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Lot 34, ROW One South, N00°03'18"E a distance of 1037.00 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Lot 34, also being a point on the southerly right-of-way of Gun Club Road;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Lot 34 and the southerly right-of-way of Gun Club Road, S89°58'03"E a distance of 209.99 feet to a found 5/8" rebar at the northeast corner of the tract herein described;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Lot 34, S00°03'18"W a distance of 1037.00 feet to a found rebar and survey cap stamped "RHC LS 4577" at the southeast corner of the tract herein described, identical to the southeast corner of said Lot 34, also being a point on the northerly right-of-way of Lisa Road;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Lot 34 and the northerly right-of-way of Lisa Road, N89°58'03"W a distance of 209.99 feet to the POINT OF BEGINNING.

Tract contains 4.9991 acres, more or less.

EXCEPTION F

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 16, Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Lot 31, ROW One South as the same are shown and designated on the unfiled Plat of the Town of Atrisco Grant, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 1" iron pipe at the northwest corner of the tract herein described, identical to the northwest corner of said Lot 31, ROW One South, also being a point on the southerly right-of-way of Gun Club Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone)

N=1,471,749.997 and E=1,470,926.961 bears N61°31'15"W a distance of 24,862.67 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Lot 31, ROW One South and the southerly right-of-way of Gun Club Road, S89°58'41"E a distance of 209.91 feet to a found 1" iron pipe at the northeast corner of the tract herein described, identical to the northeast corner of said Lot 31;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Lot 31, S00°02'08"W a distance of 1036.60 feet to a found 1" iron pipe at the southeast corner of the tract herein described, identical to the southeast corner of said Lot 31, also being a point on the northerly right-of-way of Lisa Road;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Lot 31 and the northerly right-of-way of Lisa Road, N89°54'33"W a distance of 209.85 feet to a found 1" iron pipe at the southwest corner of the tract herein described, identical to the southwest corner of said Lot 31;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Lot 31, N00°01'56"E a distance of 1036.35 feet to the POINT OF BEGINNING.

This tract contains 4.9939 acres, more or less

EXCEPTION G

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 16, Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Lots 26, 27, 30-A and 30-B, ROW One South as the same are shown and designated on the unfiled Plat of the Town of Atrisco Grant; together with Lots 28A thru 28D, Lands of Hyer as the same are shown and designated on the plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico on February 28, 2002 in Book 2002C, page 78; together with all of Lots 29A thru 29D, Lands of Shana Lane Properties, Inc. as the same are shown and designated on the plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico on April 6, 2006 in Book 2006C, page 112 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 1" iron pipe at the northwest corner of the tract herein described, identical to the northwest corner of said Lot 30-A, ROW One South, also being a point on the southerly right-of-way of Gun Club Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone)

N=1,471,749.997 and E=1,470,926.961 bears N61°48'51"W a distance of 25,100.15 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the southerly right-of-way of Gun Club Road, S89°56'16"E a distance of 1050.31 feet to a found rebar and survey cap stamped "NMLS 6446" at the northeast corner of the tract herein described, identical to the northeast corner of said Lot 26, ROW One South;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Lot 26, ROW One South, S00°03'49"W a distance of 1035.91 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Lot 26 and also being a point on the northerly right-of-way of Lisa Road;

THENCE along the southerly boundary of the tract herein described, coincident with the northerly right-of-way of Lisa Road, S89°59'53"W a distance of 1049.80 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Lot 30-A, ROW One South;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Lot 30-A, N00°02'08"E a distance of 1037.09 feet to the POINT OF BEGINNING.

Tract contains 24.9858 acres, more or less.

EXCEPTION N

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 16, Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New

Mexico, being and comprising all of Lots 26 thru 30 Lands of Mary Francis Abraham as the same is shown and designated on the Plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on November 20, 1988 in Book C25, page 135 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 1" iron pipe at the northwest corner of the tract herein described, identical to the northwest corner of Lot 30, Lands of Mary Francis Abraham, also being a point on the southerly right-of-way of Lisa Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears N59°39'11"W a distance of 25,635.54 feet; THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said lots 26 thru 30 and said southerly right-of-way of Lisa Road, S89°56'55"E a distance of 1049.89 feet to a found 1" iron pipe at the northeast corner of the tract herein described, identical to the northeast corner of said Lot 26; THENCE leaving said right-of-way along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Lot 26, S00°00'06"W a distance of 1074.93 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Lot 26; THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Lots 26 thru 30, S89°37'14"W a distance of 1049.91 feet to a found 1" iron pipe at the southwest corner of the tract herein described, identical to the southwest corner of said Lot 30; THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Lot 30, N00°00'06"E a distance of 1082.83 feet to the POINT OF BEGINNING.

Tract contains 26.0032 acres, more or less.

EXCEPTION O

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 16, Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Lot 31, Lands of Mary Francis Abraham as the same is shown and designated on the Plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on November 20, 1988 in Book C25, page 135 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 1" iron pipe at the northwest corner of the tract herein described, identical to the northwest corner of Lot 31, Lands of Mary Francis Abraham, also being a point on the southerly right-of-way of Lisa Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears N59°20'45"W a distance of 25,402.95 feet; THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Lot 31, and the southerly right-of-way of Lisa Road, S89°58'14"E a distance of 210.17 feet to the northeast corner of the tract herein described, identical to the northeast corner of said Lot 31; THENCE leaving said right-of-way along the easterly boundary of said Lot 31, S00°00'46"W a distance of 1083.18 feet to a found 1" iron pipe at the southeast corner of the tract herein described, identical to the southeast corner of said Lot 31;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Lot 31, S89°34'50"W a distance of 210.11 feet to a found 1" iron pipe at the southwest corner of the tract herein described, identical to the southwest corner of said Lot 31;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Lot 31, N00°00'34"E a distance of 1084.82 feet to the POINT OF BEGINNING.

Tract contains 5.2293 acres, more or less.

TOTAL GROSS ACREAGE = 10,142.4827 Acres, more or less

TOTAL EXCEPTION ACREAGE = -122.9075 Acres, more or less

TOTAL NET ACREAGE = 10,019.5752 Acres, more or less

ST-4

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 1 and 12, Township 9 North, Range 1 East, projected Sections 25 & 36, Township 10 North, Range 1 East, projected Sections 5, 6, 7 & 8, Township 9 North, Range 2 East and projected Sections 29, 30, 31 & 32, Township 10 North, Range 2 East New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Parcel ST-4 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, and as shown on Boundary Survey Plat of Lands of Westland DevCo filed September 4, 2008 in Book 2008S, page 133 as Document 2008098567 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found rebar and survey cap stamped "LS 11993" at the northeast corner of the tract herein described, identical to the northeast corner of said Parcel ST-4, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S68°03'47"W a distance of 17,212.05 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Parcel ST-4, the following twenty-four (24) courses;

S10°58'56"E a distance of 37.61 feet to a found AMAFCA brass cap stamped "R/W 27";
N76°39'39"E a distance of 20.70 feet to a found AMAFCA brass cap stamped "R/W 26";
S11°05'23"E a distance of 200.83 feet to a found AMAFCA brass cap stamped "R/W 25";
S23°18'33"E a distance of 55.50 feet to a found rebar and survey cap stamped "LS 11993";
S00°40'19"W a distance of 912.82 feet to a found rebar and survey cap stamped "LS 11993";
S88°19'47"E a distance of 46.59 feet to a found 3/4" iron pipe;
S01°09'50"W a distance of 3953.77 feet to a found AMAFCA brass cap stamped "AMAFCA R/W 13 M8";
N54°19'18"W a distance of 613.06 feet to a found AMAFCA brass cap stamped "R/W";
S89°51'42"W a distance of 655.52 feet to a found AMAFCA brass cap stamped "R/W";
S12°58'59"W a distance of 1322.32 feet to a found AMAFCA brass cap stamped "R/W";
S89°52'20"W a distance of 359.92 feet to a found AMAFCA brass cap stamped "R/W";
S00°08'04"E a distance of 440.23 feet to a found AMAFCA brass cap stamped "R/W";

S32°08'54"E a distance of 739.95 feet to a found AMAFCA brass cap stamped "R/W";
N89°52'08"E a distance of 370.64 feet to a found AMAFCA brass cap stamped "R/W";
S75°06'41"E a distance of 320.73 feet to a found AMAFCA brass cap stamped "R/W";
S09°07'43"E a distance of 300.35 feet to a found AMAFCA brass cap stamped "R/W";
N89°43'58"E a distance of 120.32 feet to a found AMAFCA brass cap stamped "R/W";
N08°51'40"E a distance of 1019.24 feet to a found AMAFCA brass cap stamped "R/W";
S89°56'21"E a distance of 382.00 feet to a found AMAFCA brass cap stamped "R/W LS 4078";
S00°53'40"W a distance of 5259.49 feet to a found 3" brass cap stamped "WST 2";
N89°47'23"E a distance of 2717.49 feet to a found rebar and survey cap stamped "LS 11993";
S01°42'26"E a distance of 761.58 feet to a found rebar and survey cap stamped "LS 11993" at a point of curvature;
514.70 feet along the arc of a curve to the left having a radius of 3078.00 feet, a central angle of 9°34'51" and a chord bearing S06°30'00"E a distance of 514.10 feet to a found rebar and survey cap stamped "LS 11993" at a point (non-tangent);
S11°17'27"E a distance of 448.14 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Parcel ST-4, also being a point on the northerly right-of-way of Dennis Chavez Boulevard;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Parcel ST-4 and the northerly right-of-way of Dennis Chavez Boulevard, the following twelve (12) courses;

S89°49'14"W a distance of 3441.27 feet to a found rebar and survey cap stamped "LS 11993";
N00°11'42"W a distance of 49.96 feet to a found rebar and survey cap stamped "LS 11993";
S89°48'33"W a distance of 800.11 feet to a found rebar and survey cap stamped "LS 11993";
N00°09'09"W a distance of 100.00 feet to a found rebar and survey cap stamped "LS 11993";
S89°49'44"W a distance of 799.97 feet to a found rebar and survey cap stamped "LS 11993";
S00°11'29"E a distance of 99.99 feet to a found rebar and survey cap stamped "LS 11993";
S89°48'50"W a distance of 700.12 feet to a found rebar and survey cap stamped "LS 11993";
S00°16'20"E a distance of 79.95 feet to a found rebar and survey cap stamped "LS 11993";
S89°49'05"W a distance of 4000.07 feet;
S00°10'55"E a distance of 20.00 feet;
S89°49'05"W a distance of 1952.64 feet to a found brass cap stamped "ROW 11+27.05" at the southwest corner of the tract herein described, identical to the southwest corner of said Parcel ST-4;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Parcel ST-4, the following ten (10) courses;

N09°29'57"E a distance of 9875.94 feet to a found brass cap stamped "BERNALILLO COUNTY 110+03.06";
N89°59'48"E a distance of 1892.65 feet to a found 5/8" rebar;
N02°43'15"E a distance of 688.98 feet to a found rebar and survey cap stamped "LS 11993";
N27°29'45"W a distance of 390.54 feet to a found rebar and survey cap stamped "LS 11993";
N00°31'12"E a distance of 619.22 feet;
N00°36'26"E, 324.33 feet to a found 5/8" rebar;

N13°40'18"E a distance of 217.99 feet to a found rebar and survey cap stamped "LS 11993";
N27°17'32"W a distance of 401.08 feet to a found rebar and survey cap stamped "LS 11993";
N26°44'22"E a distance of 428.06 feet to a found 3" brass cap stamped "BH 12-L7";
N20°03'32"E a distance of 454.15 feet to a found rebar and survey cap stamped "LS 11993" at
the most northerly corner of the tract herein described, identical to the most northerly corner of
said Parcel ST-4;

THENCE along the northerly boundary of the tract herein described, coincident with the
northerly boundary of said Parcel ST-4, the following two (2) courses;

S14°59'49"E a distance of 910.71 feet to a found 3" brass cap stamped "Koogle & Pouls WST
42";

N75°01'01"E a distance of 5216.25 feet to the POINT OF BEGINNING.

Tract contains 2223.4349 acres, more or less.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 36,
Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New
Mexico, being all of Parcel 2-B as the same is shown and designated in Special Master's Deed
filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 5-B-3-D
Tierra West Estates, as the same is shown and designated on the Plat thereof, filed in the Office
of the County Clerk of Bernalillo County, New Mexico on February 18, 1998 in Book 98C, page
45, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83
Central Zone) and ground distances as follows:

BEGINNING at a found 3" aluminum cap stamped "Bernalillo County 110+03.06" at the
southwest corner of the tract herein described, identical to the southwest corner of said Tract 5-
B-3-D, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State
Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears
S73°21'50"W a distance of 9102.18 feet;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly
boundary of said Tract 5-B-3-D, N09°30'07"E a distance of 881.84 feet to a found rebar and
survey cap stamped "LS 11993" at the northwest corner of the tract herein described, identical to
the northwest corner of said Tract 5-B-3-D;

THENCE along the northerly boundary of the tract herein described, coincident with the
northerly boundary of said Tract 5-B-3-D, N89°59'54"E a distance of 849.73 feet to the northeast
corner of the tract herein described, identical to the northeast corner of said Tract 5-B-3-D;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly
boundary of said Tract 5-B-3-D, S09°30'07"W a distance of 881.84 feet to a found rebar and
survey cap stamped "LS 11993" at the southeast corner of the tract herein described, identical to
the southeast corner of said Tract 5-B-3-D;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 5-B-3-D, S89°59'54"W a distance of 849.73 feet to the POINT OF BEGINNING.

Tract contains 16.9661 acres, more or less.

LESS AND EXCEPTING THE FOLLOWING DESCRIBED PARCELS:

EXCEPTION 3

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 6, Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Exception EX-3 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, and as shown on Boundary Survey Plat of Lands of Westland DevCo filed September 4, 2008 in Book 2008S, page 133 as Document 2008098567 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found rebar and survey cap stamped "PS 11993" at the northwest corner of the tract herein described, identical to the northwest corner of said Exception EX-3, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears N75°50'16"W a distance of 14,236.26 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Exception EX-3, S86°01'41"E a distance of 210.01 feet to a found rebar and survey cap stamped "PS 11993" at the northeast corner of the tract herein described, identical to the northeast corner of said Exception EX-3;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Exception EX-3, S03°58'44"W a distance of 1037.06 feet to a found rebar and survey cap stamped "PS 11993" at the southwest corner of the tract herein described, identical to the southwest corner of said Exception EX-3;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Exception EX-3, N86°02'29"W a distance of 210.06 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Exception EX-3;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Exception EX-3, N03°58'53"E a distance of 1037.11 feet to the POINT OF BEGINNING.

Tract contains 5.0005 acres, more or less.

EXCEPTION 4

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 6 and 7, Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Exception EX-4 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, and as shown on Boundary Survey Plat of Lands of Westland DevCo filed September 4, 2008 in Book 2008S, page 133 as Document 2008098567 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found rebar and survey cap stamped "PS 11993" at the northwest corner of the tract herein described, identical to the northwest corner of said Exception EX-4, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears N71°33'30"W a distance of 14,470.48 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Exception EX-4, S86°02'37"E a distance of 210.03 feet to a found rebar and survey cap stamped "PS 11993" at the northeast corner of the tract herein described, identical to the northeast corner of said Exception EX-4;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Exception EX-4, S03°58'43"W a distance of 1037.09 feet to a found rebar and survey cap stamped "PS 11993" at the southwest corner of the tract herein described, identical to the southwest corner of said Exception EX-4;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Exception EX-4, N86°00'14"W a distance of 210.00 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Exception EX-4;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Exception EX-4, N03°58'37"E a distance of 1036.94 feet to the POINT OF BEGINNING.

Tract contains 4.9997 acres, more or less.

EXCEPTION 5

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 7, Township 9 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising all of Exception EX-5 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, and as shown on Boundary Survey Plat of Lands of Westland DevCo filed September 4, 2008 in Book 2008S, page 133 as Document 2008098567 and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found Koogle and Pouls brass cap stamped "WST 2" at the northeast corner of the tract herein described, identical to the northeast corner of said Exception EX-5, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears N71°24'52"W a distance of 16,773.79 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Exception EX-5, S00°12'35"E a distance of 1037.00 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Exception EX-5;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Exception EX-5, S89°47'25"W a distance of 840.00 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Exception EX-5; thence along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Exception EX-5, N00°12'35"W a distance of 1037.00 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Exception EX-5;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Exception EX-5, N89°47'25"E a distance of 840.00 feet to the POINT OF BEGINNING.

Tract contains 19.9973 acres, more or less.

TOTAL GROSS ACREAGE = 2240.4010 Acres, more or less
TOTAL EXCEPTION ACREAGE = -29.9975 Acres, more or less
TOTAL NET ACREAGE = 2210.4035 Acres, more or less

APS Parcel

A certain tract of land situate within the Town of Atrisco Grant, within the southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of projected Section 15, Township 9 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being and comprising a tract of land described in Warranty Deed filed December 17, 1982 in Book D174-A, pages 539-540, as Document #82 66248, records of Bernalillo County, New Mexico, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears N05°12'53"E a distance of 13,908.89 feet;

THENCE along the easterly boundary of the tract herein described, S00°00'00"W a distance of 484.55 feet to the southeast corner of the tract herein described, also being a point on the southerly boundary of the Town of Atrisco Grant, WHENCE a found brass cap at the 7 1/2 mile mark bears S89°42'16"E a distance of 86.78 feet;

THENCE along the southerly boundary of the tract herein described, coincident with said southerly grant boundary N89°42'16"W a distance of 659.78 feet to the southwest corner of the tract herein described;

THENCE leaving said Grant boundary along the westerly boundary of the tract herein described, N00°00'00"E a distance of 481.15 feet to the northwest corner of the tract herein described;

THENCE along the northerly boundary of the tract herein described, S90°00'00"E a distance of 659.77 feet to the POINT OF BEGINNING.

This tract contains 7.3135 acres, more or less.

Parcel 1-B

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 34, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 1-B as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tracts 153-B and 154, Lands of Shalit & Westland Development Co., Inc. Row 1, Unit B, Town of Atrisco Grant, West of Westland, as the same is shown and designated on the Plat thereof, filed in the Office of the County Clerk of Bernalillo County, New Mexico on July 19, 1991 in Book 91C, Page 144, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northwest corner of the tract herein described, identical to the northwest corner of said Tract 154, also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S14°51'28"E a distance of 4943.14 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 153-B and 154 and the southerly right-of-way of said I-40, N79°45'20"E a distance of 420.00 feet to the northeast corner of the tract herein described, identical to the northeast corner of said Tract 153-B;

THENCE leaving said right-of-way along the easterly boundary of the tract herein described, S10°13'48"E a distance of 765.66 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Tract 153-B;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 153-B and 154, S79°45'08"W a distance of 420.00 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 154;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 154, N10°13'48"W a distance of 765.68 feet to the POINT OF BEGINNING.

Tract contains 7.3825 acres, more or less.

Parcel 56

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 30, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 56 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 97, Row One, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found rebar and survey cap at the southeast corner of the tract herein described, identical to the southeast corner of said Tract 97, also being a point on the northerly right-of-way of Sunset Gardens Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S63°29'34"W a distance of 16,219.86 feet;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 97 and the northerly right-of-way of Sunset Gardens Road, S75°01'34"W a distance of 209.59 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 97;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 97, N14°58'43"W a distance of 906.79 feet to a found 1/2" rebar at the northwest corner of the tract herein described, identical to the northwest corner of said Tract 97, also being a point on the southerly right-of-way of Central Avenue;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 97 and the southerly right-of-way of Central Avenue, N75°03'48"E a distance of 207.33 feet to a found 1/2" rebar at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 97;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 97, S15°07'18"E a distance of 906.66 feet to the POINT OF BEGINNING.

Tract contains 4.3391 acres, more or less.

Parcel 57

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 30, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 57 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 98, Row One, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 1/2" rebar at the southeast corner of the tract herein described, identical to the southeast corner of said Tract 98, also being a point on the northerly right-of-way of Sunset Gardens Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S63°17'59"W a distance of 15,955.80 feet;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 98 and the northerly right-of-way of Sunset Gardens Road, S75°00'51"W a distance of 209.58 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 98;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 98, N14°58'40"W a distance of 906.71 feet to a found 1/2" rebar at the northwest corner of the tract herein described, identical to the northwest corner of said Tract 98, also being a point on the southerly right-of-way of Central Avenue;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 98 and the southerly right-of-way of Central Avenue, N74°59'24"E a distance of 209.57 feet to a found 1/2" rebar at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 98;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 98, S14°58'43"E 906.79 feet to the POINT OF BEGINNING.

Tract contains 4.3625 acres, more or less.

Parcel 58

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 30, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 58 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 100, Row One, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 1/2" rebar at the southwest corner of the tract herein described, identical to the southwest corner of said Tract 100, also being a point on the northerly right-of-way of Sunset Gardens Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S62°49'27"W a distance of 15,341.28 feet;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 100, N14°58'40"W a distance of 907.12 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 100, also being a point on the southerly right-of-way of Central Avenue;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 100 and the southerly right-of-way of Central Avenue, N75°01'15"E a distance of 209.23 feet to a found 1/2" rebar at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 100;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 100, S14°58'40"E a distance of 906.84 feet to a found 1/2" rebar at the southeast corner of the tract herein described, identical to the southeast corner of said Tract 100, also being a point on the northerly right-of-way of Sunset Gardens Road;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 100 and the northerly right-of-way of Sunset Gardens Road, S74°56'40"W a distance of 209.23 feet to the POINT OF BEGINNING.

Tract contains 4.3564 acres, more or less

Parcels 59-61

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 30, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcels 59, 60 and 61, as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590 being and comprising all of Tracts 98 thru 100, ROW One, Unit B, West of the Original Townsite of Westland, as the same are shown and designated on the unfiled Plat thereof, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 1/2" rebar at the southeast corner of the tract herein described, identical to the southeast corner of said Tract 98, also being a point on the northerly right-of-way of Sunset Gardens Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S60°57'27"W a distance of 13,339.06 feet;

THENCE along the southerly boundary of the tract herein described, coincident with the northerly right-of-way of Sunset Gardens Road, S74°59'52"W a distance of 630.18 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 100;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 100, N14°53'16"W a distance of 918.96 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 100, also being a point on the southerly right-of-way of Central Avenue SW;

THENCE along the northerly boundary of the tract herein described, coincident with the southerly right-of-way of Central Avenue SW the following two (2) courses;

N79°44'24"E a distance of 138.62 feet;

N75°03'13"E a distance of 491.52 feet to a found 5/8" rebar at the northeast corner of said Tract 98;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 98, S14°55'07"E a distance of 907.02 feet to the POINT OF BEGINNING.

This tract contains 13.1391 acres, more or less.

Parcel 62

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 26 and 35, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 62 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising a westerly portion of Tract 130, Row One, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northwest corner of the tract herein described, identical to the northwest corner of said Tract 130, also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S36°00'51"W a distance of 7104.56 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 130 and the southerly right-of-way of said Interstate 40, N79°45'20"E a distance of 55.02 feet to the northeast corner of the tract herein described also the westerly boundary of quitclaim deed filed as document #2007120545 on August 20, 2007 in the office of the Bernalillo County Clerk;

THENCE leaving said southerly right-of-way of I-40, along the easterly boundary of the tract herein described, identical to said westerly boundary described in document #2007120545, S10°17'43"E a distance of 750.36 feet to the southeast corner of the tract herein described, also being a point on the southerly boundary of said Tract 130;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 130, S79°45'08"W a distance of 57.10 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 130;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 130, N10°08'11"W a distance of 750.36 feet to the POINT OF BEGINNING.

Tract contains 0.9657 acre, more or less.

Parcel 63, 64 & 68

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 26 and 35, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcels 63, 64 and 68 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tracts 134 and 135, Row One, Unit B, West of the Original Townsite of Westland, as the same are shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northwest corner of the tract herein described, identical to the northwest corner of said Tract 135, also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S28°59'44"W a distance of 6361.67 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 134 and 135 and the southerly right-of-way of I-40, the following three (3) courses:

N79°45'20"E a distance of 211.45 feet;

S10°08'23"E a distance of 15.00 feet;

N79°45'20"E a distance of 210.10 feet to the northeast corner of the tract herein described, identical to the northeast corner of said Tract 134;

THENCE leaving said southerly right-of-way along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 134, S10°08'11"E a distance of 750.40 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Tract 134;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 134 and 135, S79°45'08"W a distance of 420.02 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 135;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 135, N10°15'05"W a distance of 765.42 feet to the POINT OF BEGINNING.

This tract contains 7.3215 acres, more or less.

Parcels 65 & 66

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 26 and 35, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcels 65 and 66 as the same are shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 137

and an easterly portion of Tract 138, Row One, Unit B, West of the Original Townsite of Westland, as the same are shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central zone) and ground distances as follows:

BEGINNING at the northwest corner of the tract herein described, a point on the northerly boundary of said Tract 138, identical to the northeast corner of deed filed as Book A78, Page 978 on May 25, 2004 in the office of the Bernalillo County Clerk, also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S24°41'08"W a distance of 6009.78 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 137 and 138 and the southerly right-of-way of I-40, N79°45'20"E a distance of 313.31 feet to the northeast corner of the tract herein described, identical to the northeast corner of said Tract 137;

THENCE leaving said right-of-way along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 137, S10°14'21"E a distance of 765.44 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Tract 137;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 137 and 138, S79°45'08"W a distance of 314.58 feet to the southwest corner of the tract herein described, identical to the southeast corner of said deed filed as Book A78, Page 978;

THENCE along the westerly boundary of the tract herein described, coincident with the easterly boundary of said deed filed as Book A78, Page 978, N10°08'40"W a distance of 765.46 feet to the POINT OF BEGINNING.

Tract contains 5.5168 acres, more or less.

Parcel 67

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 26 and 35, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 67 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 139, Row One, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northwest corner of the tract herein described, identical to the northwest corner of said Tract 139, also being a point on the southerly right-of-way of Interstate 40 (I-40),

project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S22°08'45"W a distance of 5834.93 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 139 and the southerly right-of-way of said I-40, N79°45'20"E a distance of 210.09 feet to the northeast corner of the tract herein described, identical to the northeast corner of said Tract 139;

THENCE leaving said right-of-way along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 139, S10°06'05"E a distance of 765.47 feet to the southeast corner of the tract herein described;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 139, S79°45'08"W a distance of 209.70 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 139;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 139, N10°07'48"W a distance of 765.48 feet to the POINT OF BEGINNING.

Tract contains 3.6885 acres, more or less.

Parcel 69 – 72

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 34, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcels 69 thru 72 as the same are shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tracts 157 thru 160, Row 1, Unit B, West of the Original Townsite of Westland, as the same are shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 157, also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S20°20'37"E a distance of 5004.67 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 157, S10°14'57"E a distance of 765.71 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Tract 157;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 157 thru 160, S79°45'08"W a distance of 840.10 feet to the

southwest corner of the tract herein described, identical to the southwest corner of said Tract 160;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 160, N10°14'28"W a distance of 765.76 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 160, also being a point on said southerly right-of-way of I-40;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 157 thru 160 and said southerly right-of-way of I-40, N79°45'20"E a distance of 840.00 feet to the POINT OF BEGINNING.

Tract contains 14.7671 acres, more or less.

Parcel 73

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 34, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 73 as the same are shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 165, Row 1, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 165, also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S38°13'26"E a distance of 5579.25 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 165, S10°14'01"E a distance of 765.81 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Tract 165;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 165, S79°45'08"W a distance of 210.02 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 165;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 165, N10°14'22"W a distance of 765.82 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 165, also being a point on said southerly right-of-way of I-40;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 165 and said southerly right-of-way of I-40, N79°45'20"E a distance of 210.10 feet to the POINT OF BEGINNING.

Tract contains 3.6930 acres, more or less.

Parcel 74 – 76

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 34, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcels 74 thru 76 as the same are shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tracts 166 thru 168, Row 1, Unit B, West of the Original Townsite of Westland, as the same are shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 164, also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S40°37'04"E a distance of 5710.96 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 166, S10°14'22"E a distance of 765.83 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Tract 166;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 166 thru 168, S79°45'08"W a distance of 629.99 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 168;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 168, N10°13'39"W a distance of 765.86 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 168, also being a point on said southerly right-of-way of I-40;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 165 thru 168 and said southerly right-of-way of I-40, N79°45'20"E a distance of 629.83 feet to the POINT OF BEGINNING.

Tract contains 11.0747 acres, more or less.

Parcel 77

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 33, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 77 as the same are shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 175, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more

particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 175,
also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137,
WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S54°42'46"E a distance of 6904.25 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 175, S10°14'26"E a distance of 765.94 feet to the southeast corner of the tract herein described, identical to the southeast corner of said tract 175;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 175, S79°45'08"W a distance of 151.76 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 175;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 175, N10°14'26"W a distance of 765.95 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 175, also being a point on said southerly right-of-way of I-40;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 175, N79°45'20"E a distance of 151.76 feet to the POINT OF BEGINNING.

Tract contains 2.6685 acres, more or less.

Parcel 78 – 82

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 33, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcels 77 thru 82 as the same are shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tracts 176 thru 180, Row 1, Unit B, West of the Original Townsite of Westland, as the same are shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 176,
also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137,
WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S55°50'45"E a distance of 7042.31 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 176, S10°14'26"E a distance of 765.95 feet to the southeast corner of the tract herein described, identical to the southeast corner of said tract 176;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 176 thru 180, S79°45'08"W a distance of 758.80 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 180;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 180, N10°14'26"W a distance of 765.99 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 180, also being a point on said southerly right-of-way of I-40;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 176 thru 180, N79°45'20"E a distance of 758.80 feet to the POINT OF BEGINNING.

Tract contains 13.3430 acres, more or less.

Parcel 83 – 84

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 33, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcels 83 and 84 as the same are shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tracts 189 and 190, Row 1, Unit B, West of the Original Townsite of Westland, as the same are shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 189, also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S67°50'26"E a distance of 9194.42 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 189, S10°14'15"E a distance of 766.11 feet to the southeast corner of the tract herein described, identical to the southeast corner of said tract 189;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 189 thru 190, S79°45'08"W a distance of 393.56 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 190;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 190, N10°15'10"W a distance of 766.13 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 190, also being a point on said southerly right-of-way of I-40;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 189 and 190, N79°45'20"E a distance of 393.77 feet to the POINT OF BEGINNING.

Tract contains 6.9237 acres, more or less.

Parcel 85

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 33, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 85 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 192, Row 1, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 192, also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S70°00'18"E a distance of 9753.74 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 192, S10°17'19"E a distance of 751.15 feet to the southeast corner of the tract herein described, identical to the southeast corner of said tract 192;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 192, S79°45'08"W a distance of 210.32 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 192;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 192, N10°14'18"W a distance of 751.16 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 192, also being a point on said southerly right-of-way of I-40;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 192, N79°45'20"E a distance of 209.66 feet to the POINT OF BEGINNING.

Tract contains 3.6211 acres, more or less.

Parcel 86

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 33, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 86 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 196, Row 1, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 196, also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S72°28'07"E a distance of 10,540.76 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 196, S10°14'46"E a distance of 751.20 feet to the southeast corner of the tract herein described, identical to the southeast corner of said tract 196;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 196, S79°45'08"W a distance of 209.86 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 196;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 196, N10°15'59"W a distance of 751.21 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 196, also being a point on said southerly right-of-way of I-40;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 196, N79°45'20"E a distance of 210.13 feet to the POINT OF BEGINNING.

Tract contains 3.6214 acres, more or less.

Parcel 87

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 32 and 33, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 87 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 198, Row 1, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof excepting therefrom a portion of right-of-way for Interstate 40,, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 198,
also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137,
WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S73°29'49"E a distance of 10,914.35 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 198, S10°17'12"E a distance of 751.22 feet to the southeast corner of the tract herein described, identical to the southeast corner of said tract 198;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 198, S79°45'08"W a distance of 210.01 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 198;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 198, N10°17'19"W a distance of 751.24 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 198, also being a point on said southerly right-of-way of I-40;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 198, N79°45'20"E a distance of 210.04 feet to the POINT OF BEGINNING.

Tract contains 3.6221 acres, more or less.

Parcel 88

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 32, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 88 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 202, Row 1, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 202,
also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137,
WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S75°34'18"E a distance of 11,767.36 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 202, S10°17'54"E a distance of 751.28 feet to the southeast corner of the tract herein described, identical to the southeast corner of said tract 202;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 202, S79°45'08"W a distance of 211.01 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 202;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 202, N10°17'54"W a distance of 751.29 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 202, also being a point on said southerly right-of-way of I-40;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 202, N79°45'20"E a distance of 211.01 feet to the POINT OF BEGINNING.

Tract contains 3.6393 acres, more or less.

Parcel 89

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 32, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 89 as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 210, Row 1, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 210, also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S78°41'13"E a distance of 13,368.68 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 210, S10°09'14"E a distance of 751.38 feet to the southeast corner of the tract herein described, identical to the southeast corner of said tract 210;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 210, S79°45'08"W a distance of 209.98 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 210;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 210, N10°07'41"W a distance of 751.39 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 210, also being a point on said southerly right-of-way of I-40;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 210, N79°45'20"E a distance of 209.64 feet to the POINT OF BEGINNING.

Tract contains 3.6192 acres, more or less.

Parcel 90 – 92

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 32, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcels 90 thru 92 as the same are shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising a portion of Tracts 216 thru 220, Row 1, Unit B, West of the Original Townsite of Westland, as the same are shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 1" iron pipe at the northeast corner of the tract herein described, also being a point on the easterly boundary of said Tract 216, identical to the southeast corner of Parcel 9-4 as shown on Right-of-Way Map for Interstate 40 (I40), Project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S81°58'19"E a distance of 14,504.29 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 216, S15°02'31"E a distance of 437.21 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Tract 216;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 216 thru 220, S74°58'26"W a distance of 1049.90 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 220;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 220, N15°02'31"W a distance of 437.20 feet to the northwest corner of the tract herein described, also being a point on the southerly boundary of said Right-of-Way Parcel 9-4;

THENCE along the northerly boundary of the tract herein described, coincident with the southerly boundary of said Right-of-Way Parcel 9-4, N74°58'24"E a distance of 1049.90 feet to the POINT OF BEGINNING.

Tract contains 10.5376 acres, more or less.

Parcel 93-94

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 31 and 32, Township 10 North, Range 1 East, New Mexico Principal Meridian, Bernalillo County, New

Mexico, being all of Parcels 93 and 94 as the same are shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising a portion of Tract 221 and all of Tracts 222 thru 225, Row 1, Unit B, West of the Original Townsite of Westland, as the same are shown and designated on the unfiled Plat thereof, excepting therefrom a portion of right-of-way for Interstate 40, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the northeast corner of the tract herein described, also being a point on the southerly right-of-way of Interstate 40 (I-40), project 1-040-3(31)137, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S82°46'55"E a distance of 15,715.05 feet;

THENCE along the easterly boundary of the tract herein described, coincident with the westerly line of Right-of-Way Parcel 9-4 of said I-40 project, S15°01'48"E a distance of 269.08 feet to a found 2" iron pipe;

THENCE continuing along the easterly boundary of the tract herein described, coincident with the southerly line of said Right-of-Way Parcel 9-4, N74°58'24"E a distance of 89.88 feet to a point on the easterly boundary of said Tract 221;

THENCE continuing along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 221, S15°01'45"E a distance of 437.20 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Tract 221;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 221 thru 225, S74°58'26"W a distance of 1050.00 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 225;

THENCE along the westerly boundary of the tract herein described, N15°00'29"W a distance of 706.25 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 225, also being a point on the southerly right-of-way of I-40;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 221 thru 225 and said southerly right-of-way, N74°58'20"E a distance of 959.86 feet to the POINT OF BEGINNING.

Tract contains 16.4669 acres, more or less.

Parcel 95a

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 30, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being a portion of Parcel 95, as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tracts 94 and 95, ROW Two, Unit B, West of the Original Townsite of Westland, as the same is shown

and designated on the unfiled Plat thereof, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 1/2" rebar at the southeast corner of the tract herein described, identical to the southeast corner of said Tract 94, also being a point on the northerly right-of-way of Eucariz Avenue, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S67°38'47"W a distance of 16,719.48 feet;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 94 and 95 and the northerly right-of-way of Eucariz Avenue, S74°52'25"W a distance of 419.07 feet to a found 5/8" rebar at the southwest corner of the tract herein described, identical to the southwest corner of said Tract 95;

THENCE leaving said right-of-way along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 95, N14°58'39"W a distance of 1036.71 feet to a found 5/8" rebar at the northwest corner of the tract herein described, identical to the northwest corner of said Tract 95, also being a point on the southerly right-of-way of Sunset Gardens Road;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 94 and 94 and said southerly right-of-way of Sunset Gardens Road, N74°59'09"E a distance of 418.72 feet to a found 5/8" rebar at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 94;

THENCE leaving said right-of-way along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 94, S14°59'48"E a distance of 1035.89 feet to the POINT OF BEGINNING,

Tract contains 9.9655 acres, more or less.

Parcel 95b

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 30, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being a portion of Parcel 95, as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tracts 96 and 97, ROW Two, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 5/8" rebar at the southwest corner of the tract herein described, identical to the southwest corner of said Tract 97, also being a point on the northerly right-of-way of Eucariz Avenue, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S67°14'03"W a distance of 15,829.21 feet;

THENCE leaving said right-of-way along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 97, N14°58'39"W a distance of 1037.11 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 97, also being a point on the southerly right-of-way of Sunset Gardens Road;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 96 and 97 and said southerly right-of-way of Sunset Gardens Road, N74°59'02"E a distance of 418.88 feet to a found 5/8" rebar at the northeast corner of the tract herein described, identical to the northeast corner of said Tract 96;

THENCE leaving said right-of-way along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 96, S14°58'39"E a distance of 1037.11 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Tract 96, also being a point on the northerly right-of-way of Eucariz Avenue;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 96 and 97 and the northerly right-of-way of Eucariz Avenue, S74°59'02"W a distance of 418.88 feet to the Point of Beginning.

This tract contains 9.9729 acres, more or less.

Parcel 95c

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 30, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being a portion of Parcel 95, as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tracts 98 thru 100 and 89 and 90, ROW Two, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 5/8" rebar at the northwest corner of the tract herein described, identical to the northwest corner of said Tract 90, also being a point on the southerly right-of-way of Sunset Gardens Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S62°42'32"W a distance of 14,918.90 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 98 thru 100 and 89 and 90 and said southerly right-of-way of Sunset Gardens Road, N74°58'38"E a distance of 1047.51 feet to the northeast corner of the tract herein described, identical to the northeast corner of said tract 98;

THENCE leaving said right-of-way along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 98, S14°58'39"E a distance of 1037.11 feet to a found 5/8" rebar at the southeast corner of the tract herein described, identical to the southeast corner of said Tract 98, also being a point on the northerly right-of-way of Eucariz Avenue;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 98 thru 100 and 89 and 90 and the northerly right-of-way of Eucariz Avenue, S75°00'04"W a distance of 1047.39 feet to the southwest corner of the tract herein described, identical to the southwest corner of said Tract 90;

THENCE leaving said right-of-way along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 90, N14°59'02"W a distance of 1036.67 feet to the Point of Beginning.

This tract contains 24.9332 acres, more or less.

Parcel 95d

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 30, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being a portion of Parcel 95, as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tracts 91 thru 95, ROW Two, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 5/8" rebar at the northwest corner of the tract herein described, identical to the northwest corner of said Tract 95, also being a point on the southerly right-of-way of Sunset Gardens Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S61°44'43"W a distance of 13,837.18 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 91 thru 95 and said southerly right-of-way of Sunset Gardens Road, N74°49'28"E a distance of 1048.39 feet to a found 1/2" rebar at the northeast corner of the tract herein described, identical to the northeast corner of said tract 91;

THENCE leaving said right-of-way along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 91, S14°59'02"E a distance of 1036.67 feet to a found 5/8" rebar at the southeast corner of the tract herein described, identical to the southeast corner of said Tract 91, also being a point on the northerly right-of-way of Eucariz Avenue;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 91 thru 95 and the northerly right-of-way of Eucariz Avenue, S75°03'51"W a distance of 1048.57 feet to a found 5/8" rebar at the southwest corner of the tract herein described, identical to the southwest corner of said Tract 95;

THENCE leaving said right-of-way along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 95, N14°58'25"W a distance of 1032.28 feet to the Point of Beginning.

This tract contains 24.8995 acres, more or less.

Parcel 95e

A certain tract of land situate within the Town of Atrisco Grant, within projected Section 30, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being a portion of Parcel 95, as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tracts 96 thru 100, ROW Two, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 1/2" rebar at the northwest corner of the tract herein described, identical to the northwest corner of said Tract 100, also being a point on the southerly right-of-way of Sunset Gardens Road, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S60°37'26"W a distance of 12,760.38 feet;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tracts 96 thru 100 and said southerly right-of-way of Sunset Gardens Road, N74°45'31"E a distance of 1047.78 feet to a found 5/8" rebar at the northeast corner of the tract herein described, identical to the northeast corner of said tract 96;

THENCE leaving said right-of-way along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 96, S14°58'25"E a distance of 1032.28 feet to a found 1" iron pipe at the southeast corner of the tract herein described, identical to the southeast corner of said Tract 96, also being a point on the northerly right-of-way of Eucariz Avenue;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tracts 96 thru 100 and the northerly right-of-way of Eucariz Avenue, S74°54'41"W a distance of 1047.60 feet to a found 5/8" rebar at the southwest corner of the tract herein described, identical to the southwest corner of said Tract 100;

THENCE leaving said right-of-way along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 100, N14°58'59"W a distance of 1029.49 feet to the Point of Beginning.

This tract contains 24.7943 acres, more or less.

Parcel 95f

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 30 and 31, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being a portion of Parcel 95, as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising all of Tract 101, ROW Two, Unit B, West of the Original Townsite of Westland, as the same is shown and

designated on the unfiled Plat thereof, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at the southwest corner of the tract herein described, identical to the southwest corner of said Tract 101, also being a point on the northerly right-of-way of Eucariz Avenue, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S64°58'14"W a distance of 12278.14 feet;

THENCE leaving said right-of-way along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 101, N14°56'00"W a distance of 1028.78 feet to the northwest corner of the tract herein described, identical to the northwest corner of said Tract 101, also being a point on the southerly right-of-way of Sunset Gardens Road;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 101 and the southerly right-of-way of Sunset Gardens Road, N74°45'32"E a distance of 209.11 feet to the northeast corner of the tract herein described, identical to the northeast corner of said Tract 101;

THENCE leaving said right-of-way along the easterly boundary of the tract herein described, coincident with the easterly boundary of said Tract 101, S 14°58'59" E, 1029.33 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Tract 101, also being a point on the northerly right-of-way of said Eucariz Avenue;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 101 and said right-of-way of Eucariz Avenue, S74°54'41"W a distance of 210.00 feet to the POINT OF BEGINNING.

Tract contains 4.9505 acres, more or less.

Parcel 96

A certain tract of land situate within the Town of Atrisco Grant, within projected Sections 29 and 30, Township 10 North, Range 2 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, being all of Parcel 96, as the same is shown and designated in Special Master's Deed filed December 15, 2010 as Document 2010128590, being and comprising a westerly portion of Tract 91, Row Two, Unit B, West of the Original Townsite of Westland, as the same is shown and designated on the unfiled Plat thereof, and being more particularly described by New Mexico State Plane Grid Bearings (NAD83 Central Zone) and ground distances as follows:

BEGINNING at a found 1/2" rebar at the southwest corner of the tract herein described, identical to the southwest corner of said Tract 91, also being a point on the northerly right-of-way of Eucariz Avenue, WHENCE the USC & GS brass disc stamped "PAST 1969" having New Mexico State Plane grid coordinates (NAD 83 Central Zone) N=1,471,749.997 and E=1,470,926.961 bears S67°49'34"W a distance of 17,135.17 feet;

THENCE along the westerly boundary of the tract herein described, coincident with the westerly boundary of said Tract 91, N15°00'34"W a distance of 1035.72 feet to a found 2" iron pipe at the northwest corner of the tract herein described, identical to the northwest corner of said Tract 91, also being a point on the southerly right-of-way of Sunset Gardens Road;

THENCE along the northerly boundary of the tract herein described, coincident with the northerly boundary of said Tract 91 and the southerly right-of-way of Sunset Gardens Road, N75°01'48"E a distance of 156.24 feet to a found 5/8" rebar at the northeast corner of the tract herein described;

THENCE along the easterly boundary of the tract herein described, the following three courses;

S11°17'13"E a distance of 990.06 feet;

N74°55'58"E a distance of 118.04 feet;

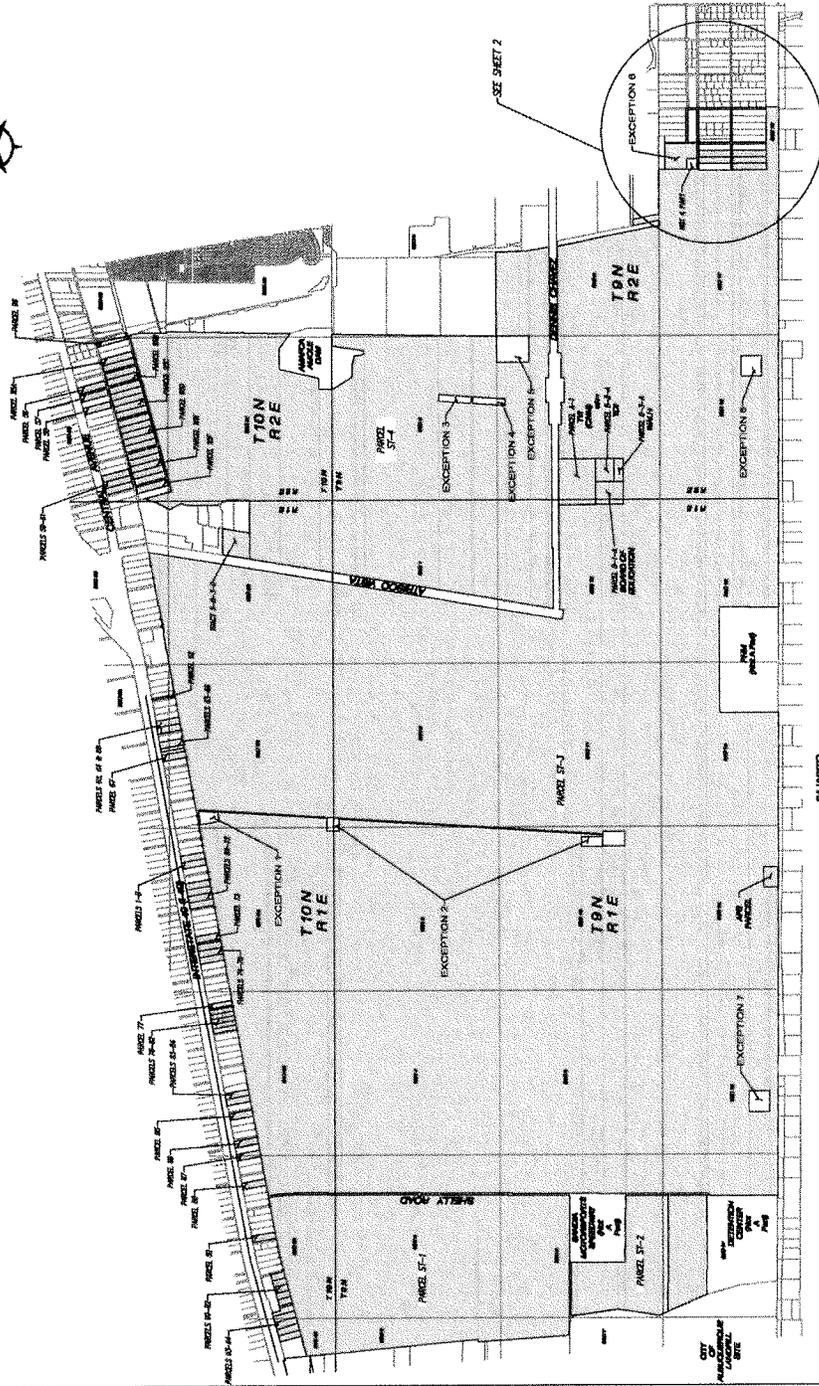
S15°00'34"E a distance of 47.76 feet to the southeast corner of the tract herein described, identical to the southeast corner of said Tract 91, also being a point on the northerly right-of-way of Eucariz Avenue;

THENCE along the southerly boundary of the tract herein described, coincident with the southerly boundary of said Tract 91 and the northerly right-of-way of Eucariz Avenue, S74°59'26"W a distance of 210.00 feet to the POINT OF BEGINNING.

Tract contains 3.0447 acres, more or less.

Total acreage = 13,851.1194 acres, more or less

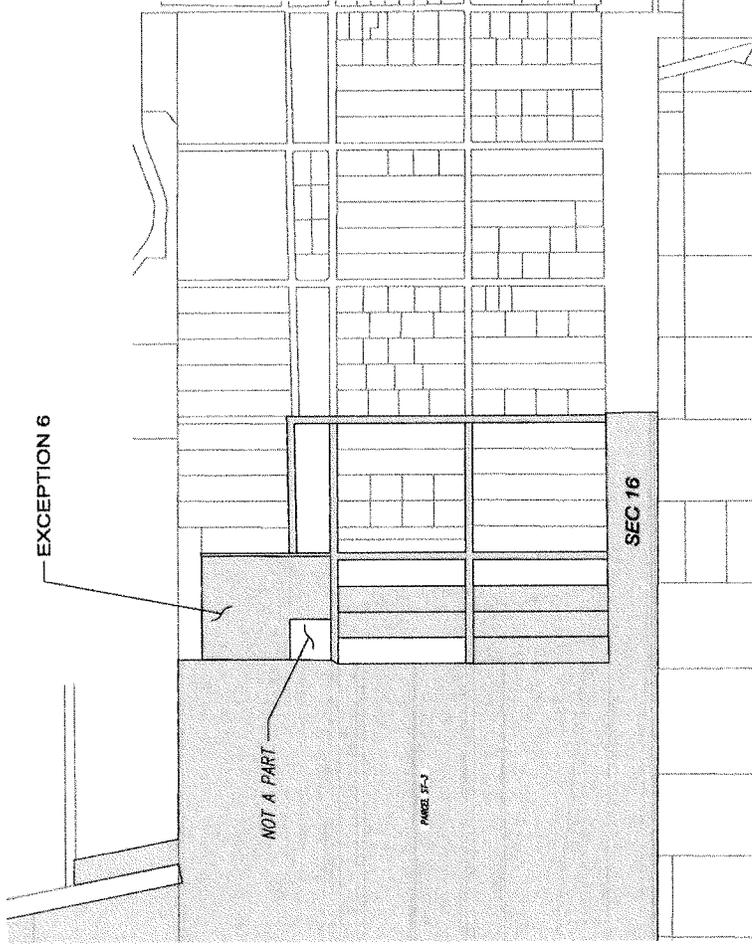
MASTER LEGAL DESCRIPTION
EXHIBIT FOR SANTOLINA
 NOVEMBER 14, 2014



Bohannon Huston

SHEET 1 OF 2

MASTER LEGAL DESCRIPTION
EXHIBIT FOR AMENDING
NOVEMBER 14, 2014



Bohannon & Huston

SHEET 2 OF 2

EXHIBIT A-1
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THIS DOCUMENT IS UNCLASSIFIED AND IS NOT SUBJECT TO THE PROVISIONS OF THE NATIONAL ARCHIVES AND RECORDS ADMINISTRATION'S DISSEMINATION POLICY.

EXHIBIT B

Master Plan

The Level A Master Plan for Santolina prepared for Western Albuquerque Land Holdings, LLC by Garrett Development Corporation, Consensus Planning, Bohannon Huston, Inc. and SEC Planning, LLC dated June 16, 2015. A copy of the Master Plan may be obtained from the County or Owner at the addresses set forth in the PCC Level A Development Agreement, a copy of which is also recorded immediately following the recordation of this Level A Development Agreement.