

### SPECIAL WARRANTY DEED

SANDIA FOUNDATION, a New Mexico nonprofit corporation, for consideration paid, grants to THE REGENTS OF THE UNIVERSITY OF NEW MEXICO, a body corporate of the State of New Mexico, whose address is Director of Real Estate/Real Estate Office, University of New Mexico, Scholes Hall Rm. 252, Albuquerque, NM 87131, the following described real estate in Bernalillo County, New Mexico:

Described on Exhibit "A" attached hereto and incorporated herein by this reference.

SUBJECT TO general real estate taxes not yet due and payable, and the matters set forth on Exhibit "B" attached hereto and incorporated herein by this reference.



with special warranty covenants.

WITNESS its hand    and seal    this 30th day of October, 1998.

SANDIA FOUNDATION,  
a New Mexico nonprofit corporation

*RP* By John Perovich  
John Perovich, Chairman, Board of Trustees

County of Bernalillo    )  
                                  )    ss  
State of New Mexico    )

This instrument was acknowledged before me on Nov. 2, 1998 by John Perovich as Chairman of the Board of Trustees of SANDIA FOUNDATION, a New Mexico nonprofit corporation.

Sue Dunworth  
Notary Public Sue Dunworth  
My Commission Expires: \_\_\_\_\_

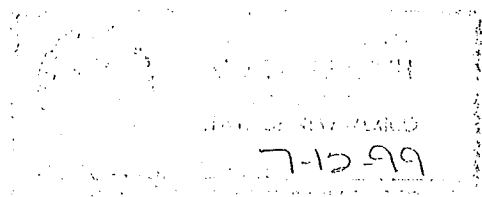


EXHIBIT A

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## PARCEL V:

Being that certain tract or land situate within projected Section 16, Township 10 North, Range 3 East, New Mexico Principal Meridian, Bernalillo County, New Mexico, within the TOWN OF ALBUQUERQUE GRANT being also a portion of Tract Z, SOUTHWESTERN CONSTRUCTION COMPANY, as said Tract Z is shown and designated on the plat filed for assessment purposes only as "Plat of Tract Z, of SOUTHWESTERN CONSTRUCTION COMPANY in the City of Albuquerque, New Mexico for ASSESSMENT PURPOSES," plat of which was filed for record in the office of the County Clerk of Bernalillo County, New Mexico, on April 26, 1971, in Volume C7, folio 209; and being more particularly described by metes and bounds survey as follows:

BEGINNING, FOR A TIE, at the NMSHC Brass Cap Monument stamped "STA I-25-25," having New Mexico State Plane Coordinate Values (Central Zone) of Y=1,488,865.56 and X=385,269.81; whence, the NMSHC Brass Cap Monument stamped "STA I-25-24," having New Mexico State Plane Coordinate Values (Central Zone) of Y=1,491,031.05 and X=385,985.66 bears N. 18 deg. 17' 32" E.; thence,

N. 82 deg. 23' 44" E., 1,685.82 feet distance to the most Southerly corner and TRUE POINT OF BEGINNING of the tract of land herein described, said corner also 1) a Point of Curve on the Easterly right-of-way line of Legion Road, N.E., and 2) a point on the Westerly boundary line of Tract X, SOUTHWEST CONSTRUCTION COMPANY ET AL, as said Tract X is shown and designated on the plat filed for assessment purposes only as "Plat of various tracts of LANDS OF SOUTHWESTERN CONSTRUCTION COMPANY ET AL in the City of Albuquerque, New Mexico, FOR ASSESSMENT PURPOSES," plat of which was filed for record in the office of the County Clerk of Bernalillo County, New Mexico, on January 6, 1967, in Volume C6, folio 149; thence,

Northwesterly, 347.16 feet distance along the Southerly boundary line of the tract of land herein described being common to the Northerly right-of-way line of aforementioned Legion Road, N.E. along the arc of a curve bearing to the left (said arc having a radius of 220.99 feet, a central angle of 90 deg. 00' 30", and a long chord which bears

N. 40 deg. 42' 42" W., 312.55 feet distance) to a Point of Tangency; thence,

N. 85 deg. 42' 57" W., 95.45 feet distance along the aforementioned common line to a Point; thence,

N. 04 deg. 17' 03" E., 836.73 feet distance along the Westerly boundary line of the tract of land herein described to its Northwest corner, said corner being a point on the Southerly boundary line of an unplatted tract of land; thence,

S. 81 deg. 20' 57" E., 213.42 feet distance along the Northerly boundary line of the tract of land herein described being common to the Southerly boundary line of the aforementioned unplatted tract of land to the Northeast corner of the tract of land herein described; thence,

S. 18 deg. 00' 57" E., 182.48 feet distance along the Easterly boundary of the tract of land herein described being common to the aforementioned unplatted tract of land to a point being common to the Northwest corner of Tract KK of the above-mentioned SOUTHWESTERN CONSTRUCTION COMPANY ET AL; thence,

S. 18 deg. 44' 47" E., 181.14 feet distance continuing along the Easterly boundary line of the tract of land herein described being common to the Westerly boundary line of aforementioned Tract KK to a point common to the Southwest corner of said Tract KK, and the Northwest corner of Tract OH of the above-mentioned SOUTHWESTERN CONSTRUCTION COMPANY ET AL; thence,

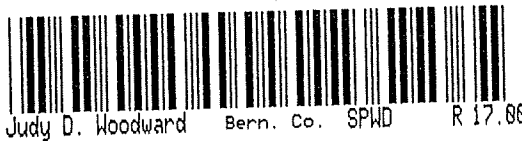
S. 17 deg. 37' 57" E., 367.64 feet distance continuing along the Easterly boundary line of the tract of land herein described being common to the Westerly boundary line of aforementioned Tract OH to a point being common to 1) the Southwest corner of said Tract OH; 2) the Northwest corner of Tract LL of aforementioned SOUTHWESTERN CONSTRUCTION COMPANY ET AL and the Northerly corner of Tract X-1 of said SOUTHWESTERN CONSTRUCTION COMPANY ET AL; thence,

N. 85 deg. 42' 57" W., 174.13 feet distance along the Southerly boundary line of the tract of land herein described being common to the Northwesterly boundary line of aforementioned

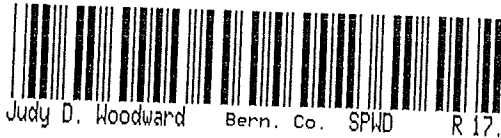
Tract X-1 to a point common to the Northwest corner of said Tract X-1; thence,

S. 41 deg. 58' 27" E., 0.67 feet distance along a Southeasterly boundary line of the tract of land herein described being common to the Southwesterly boundary line of aforementioned Tract X-1 to a point common to the most Northerly corner of above-mentioned Tract X; thence,

S. 04 deg. 17' 33" W., 364.43 feet distance along the Easterly boundary line of the tract of land herein described being common to the Westerly boundary line of aforementioned Tract X to the most Southerly corner and TRUE POINT OF BEGINNING of said tract.



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EXHIBIT B

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AS TO PARCEL V:

Right of Way granted to the Mountain States Telephons and Telegraph Co., by instrument dated June 4, 1926, filed June 19, 1926, recorded July 17, 1926 in Book 90, page 499, records Bernalillo County, New Mexico.

Easement granted to Public Service Company of New Mexico, a New Mexico corporation and the Mountain States Telephone and Telegraph Company, a Colorado corporation, recorded December 14, 1954 in Book D299, page 149 as Document No. 42195, records Bernalillo County, New Mexico.

Easement granted to Public Service Company of New Mexico, a New Mexico corporation and the Mountain States Telephone and Telegraph Company, a Colorado corporation, recorded July 17, 1958 in Book D433, page 613 as Document No. 72485, records Bernalillo County, New Mexico.

Easement granted to Public Service Company of New Mexico, a New Mexico corporation, recorded September 26, 1958 in Book D444, page 132 as Document No. 82852, records Bernalillo County, New Mexico.

Easement granted to Public Service Company of New Mexico, a New Mexico corporation, recorded October 16, 1958 in Book D446, page 559 as Document No. 85602, records Bernalillo County, New Mexico.

Grant of Easement granted to the State Highway Commission of New Mexico by instrument recorded June 28, 1961 in Book D600, page 503 as Document No. 27543, records Bernalillo County, New Mexico.

Grant of Easement for Storm Sewer Easement granted to the City of Albuquerque, New Mexico, a municipal corporation by instrument recorded November 20, 1972 in Book Misc. 286, page 674 as Document No. 20465, records Bernalillo County, New Mexico.

Easement granted to Public Service Company of New Mexico, a New Mexico corporation and US West Communications, Inc., a Colorado corporation, recorded March 13, 1996 in Book 96-7, page 5569 as Document No. 96028708, records Bernalillo County, New Mexico.

25 Foot Road Easement to City of Albuquerque along the Northerly side of the insured premises as shown on Plat recorded December 29, 1967 in Volume D3, folio 180, records Bernalillo County, New Mexico.

Long Term Lease dated November 18, 1976 by and between Sandia Foundation, a New Mexico non-profit corporation, as Lessor, and Galles Motor Company, as Lessee, as evidenced by that certain Memorandum of Leases recorded January 24, 1977 in Book Misc. 516, page 660 as Document No. 77-4039, records Bernalillo County, New Mexico. By actions of the Lessor and Lessee said Lease has been ratified, extended, assigned, conveyed, amended, sublet and attorned to by:

Ratification, Extension and Assignment of Leases recorded January 24, 1977 in Book Misc. 516, page 663 as Document No. 77-4040;

Assignment of Lease (Parcel Z) recorded October 18, 1988 in Book Misc. 675-A, page 782 as Document No. 8893797;

Quitclaim Deed (Parcel Z) recorded October 18, 1988 in Book D345-A, page 393 as Document No. 8893798;

Memorandum of Amendments to Leases recorded September 24, 1991 in Book BCR 91-16, page 9786 as Document No. 91080094;

Sublease (Parcel Z) recorded October 18, 1988 in Book Misc. 675-A, page 788 as Document No. 8893799;

Attornment and Estoppel Agreement (Parcel Z) recorded September 24, 1991 in Book BCR 91-16, page 9778 and Document No. 91080093; and

Reaffirmation of Attornment and Estoppel Agreement (Parcel Z) recorded November 12, 1996 in Book 96-30, page 1490 as Document No. 96122786, all records Bernalillo County, New Mexico.

Said Leasehold Estate has also been encumbered by:

Leasehold Real Property Deed of Trust, Security Agreement and Financing Statement recorded September 24, 1991 in Book BCR 91-16, page 9631 as Document No. 91080088;

First Amendment to Leasehold Real Property Deed of Trust, Security Agreement and Financing Statement recorded November 12, 1996 in Book 96-30, page 1472 as Document No. 96122785;

Assignment of Subleases and Rents recorded September 24, 1991 in Book BCR 91-16, page 9721 as Document No. 91080089;

Assignment of Subleases and Rents recorded September 24, 1991 in Book BCR 91-16, page 9742 as Document No. 91080090;

Leasehold Real Property Deed of Trust, Security Agreement and Financing Statement recorded January 31, 1997 in Book 97-3, page 5233 as Document No. 97010713;

Assignment of Leases and Rents recorded January 31, 1997 in Book 97-3, page 5294 as Document No. 97010714; and

Assignment of Leases and Rents recorded January 31, 1997 in Book 97-3, page 5308 as Document No. 97010715, all records Bernalillo County, New Mexico.



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Option and Lease Agreement dated July 24, 1995 by and between Galle Motor Company, as Lessor, and Albucell Limited Partnership by U.S. West New Vector Group, Inc., general partner, as Lessee, as evidenced by that certain Memorandum of Option and Lease Agreement recorded November 8, 1995 in Book 95-27, page 3208 as Document No. 95115033, records Bernalillo County, New Mexico. Said Option and Lease Agreement has been appended by:

- (a) Recognition and Consent Agreement recorded January 26, 1996 in Book 96-3, page 315 as Document No. 96009336;
- (b) Non-Disturbance Agreement recorded January 26, 1996 in Book 96-3, page 325 as Document No. 96009337; and
- (c) Notice of Exercise of Option recorded January 26, 1996 in Book 96-3, page 331 as Document No. 96009338, all records Bernalillo County, New Mexico.

Rights of Tenants under unrecorded Leases and/or Rental Agreements, Sub-Leases and Assignments thereto.

Pro rata charges for water, sewer, and/or standby charges and any possible assessments for paving, sidewalk, sewer and water extensions which are or might be a lien by law, but have not yet been filed for record in the office of the County Clerk of Bernalillo County, New Mexico.

Any consequences arising out of the failure to record a Land Division and/or Summary Plat of the insured premises in the office of the County Clerk of Bernalillo County, New Mexico.

Encroachments, Prescriptive Easements and other matters as disclosed by that certain A.L.T.A./A.C.S.M. Land Title Survey dated August 4, 1998, prepared by Thomas W. Patrick, N.M.P.S. No. 12651.



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