



# Lawyers Title Insurance Corporation

301 Gold Avenue SW  
Albuquerque, New Mexico 87102  
505 / 247-1011  
FAX 505 / 247-1011 Ext. 38

March 5, 1992

Gene Walton  
RODEY, DICKASON, SLOAN, AKIN & ROBB, P.A.  
Counselors and Attorneys at Law  
201 3rd Street, N.W.  
Albuquerque, New Mexico 87102

RE: McCauley / The Regents of the University of New Mexico Real  
Estate Transaction  
Our File TIA# A78454BR

Dear Mr. Walton:

Please find enclosed a copy of the Pro-forma Owner's Policy which  
was discussed with Doug Wright with our company.

If you should have any questions regarding the enclosed, please  
contact Doug or myself.

Sincerely,

**LAWYERS TITLE INSURANCE CORPORATION**

*Bertha Rostro*

Bertha Rostro,  
Senior Escrow Officer

encl.

cc: Al Ussery  
Kim Murphy

RDSA&R MAR 05 1992

LAWYERS TITLE  
INSURANCE CORPORATION

NATIONAL HEADQUARTERS  
RICHMOND, VIRGINIA

OWNER'S POLICY  
SCHEDULE A

CASE NUMBER  
A78454BR /tls

DATE OF POLICY  
at

AMOUNT OF INSURANCE  
\$900,000.00

POLICY NUMBER\*  
TO BE ASSIGNED  
\*The policy number shown  
on this Schedule must  
agree with the preprinted  
number on the cover sheet

1. NAME OF INSURED:

The Regents of the University of New Mexico, a corporation of the State of New Mexico

2. THE ESTATE OR INTEREST IN THE LAND DESCRIBED HEREIN AND WHICH IS COVERED BY THIS POLICY IS:

Fee Simple

3. THE ESTATE OR INTEREST REFERRED TO HEREIN IS AT DATE OF POLICY VESTED IN:

The Regents of the University of New Mexico, a corporation of the State of New Mexico

4. THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS:

SEE ATTACHED EXHIBIT "A"

**SPECIMEN**

Countersignature Authorized Officer or Agent

Issued at Albuquerque, New Mexico

THIS POLICY IS INVALID UNLESS THE COVER SHEET AND SCHEDULE B ARE ATTACHED.  
Policy 113 NMI (Rev. 3-1-91) ALTA Owner's Policy (10-21-87)

LAWYERS TITLE  
INSURANCE CORPORATION

NATIONAL HEADQUARTERS  
RICHMOND, VIRGINIA

CASE NUMBER  
A78454BR

OWNER'S POLICY CONTINUED  
EXHIBIT "A"

POLICY NUMBER  
TO BE ASSIGNED

PARCEL I:

A certain parcel of land situate in Section 16, Township 10 North, Range 3 East, New Mexico Principal Meridian, within the City limits of the City of Albuquerque, New Mexico, lying West of University Boulevard, NE (Cougar Field Area), and being more particularly described by metes-and-bounds survey as follows:

Beginning at the Southeast corner of the parcel herein described, said Southeast corner being a Point on Curvature on the Westerly right-of-way line of University Boulevard NE, whence the Northeast corner of Lot numbered One (1) in Block numbered Twenty-three (23) of the COUNTRY CLUB ADDITION, First Extension North, as the same is shown and designated on the Plat of said Addition, filed in the Office of the County Clerk of Bernalillo County, New Mexico, on May 16, 1938, bears S. 16 deg. 28' 58" E., 2,724.15 feet distance; thence,

N. 81 deg. 23' 00" W., 381.26 feet distance to the Southwest corner of the Parcel herein described; thence,

N. 08 deg. 37' 00" E., 292.51 feet distance to the Northwest corner of the Parcel herein described; thence,

S. 81 deg. 23' 00" E., 315.27 feet distance to the Northeast corner of the Parcel herein described, said Northeast corner being a point on the Westerly right-of-way line of University Boulevard, NE: thence,

S. 02 deg. 32' 30" E., 123.58 feet distance along said Westerly right-of-way line of University Boulevard NE to a Point on Curvature; thence,

Southeasterly, 176.42 feet distance continuing along said Westerly right-of-way line, University Boulevard NE along the arc of a curve bearing to the left (said arc having a radius of 1,909.86 and a chord which bears S. 05 deg. 11' 16" E., 176.34 feet distance) to a Point on Curvature, said Point on Curvature being the Southeast corner of the parcel herein described and place of beginning.

(Continued)

SPECIMEN



LEGAL DESCRIPTION CONTINUED

PARCEL II:

A certain parcel of land situate in Section 16, Township 10 North, Range 3 East, New Mexico Principal Meridian, within the City limits of the City of Albuquerque, Bernalillo County, New Mexico, lying West of University Boulevard N.E. (Cougar Field Area), and being more particularly described by metes and bounds survey as follows:

BEGINNING at the Northeast corner of the parcel herein described, said Northeast corner being a point on curvature on the Westerly right of way line of University Blvd., N.E.; whence the Northeast corner of Lot numbered One (1) in Block numbered Twenty-three (23) of the Country Club Addition, First Extension North, as the same is shown and designated on the plat of said Addition, filed in the Office of the County Clerk of Bernalillo County, New Mexico on May 16, 1938 bears S. 16 deg. 28'58" E., 2,724.15 feet distance;

THENCE, N. 81 deg. 23'00" W., 381.26 feet distance to the Northwest corner of the parcel herein described;

THENCE, S. 08 deg. 37'00" W., 10.00 feet distance to the Southwest corner of the parcel herein described;

THENCE, S. 81 deg. 23'00" E., 384.03 feet distance to the Southeast corner of the parcel herein described, said Southeast corner being a point on curve on the Westerly right of way line of University Blvd., N.E.;

THENCE, Northwesterly, 10.38 feet distance along the arc of a curve bearing to the right (said arc having a Radius of 1,909.86 feet and a Chord which bears N. 07 deg. 59'23" W., 10.38 feet distance) along the Westerly right of way line of University Blvd., N.E. to the Northeast corner and place of beginning of the parcel herein described.

(Continued)

SPECIMEN

**LEGAL DESCRIPTION CONTINUED**

NOTE: This is a proforma policy to or on behalf of the party to be insured. It does not reflect the present status of title and is not a Commitment to insure the interest or estate as shown herein, nor does it evidence the willingness of the Company to provide any additional or affirmative coverages which may be shown or referred to herein. Any such Commitment must be an express written undertaking on appropriate forms of the Company.

**SPECIMEN**

LAWYERS TITLE  
INSURANCE CORPORATION

NATIONAL HEADQUARTERS  
RICHMOND, VIRGINIA

OWNER'S POLICY

CASE NUMBER            DATE OF POLICY  
A78454BR

POLICY NUMBER\*  
TO BE ASSIGNED  
\*The policy number shown on this schedule  
must agree with the preprinted number  
on the cover sheet

SCHEDULE B

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE BY REASON OF THE FOLLOWING:

GENERAL EXCEPTIONS:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Encroachments, overlaps, conflicts in boundary lines, shortages in area, or other matters which would be disclosed by an accurate survey and inspection of the premises.
4. Any lien, claim or right of lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Community property, survivorship, or homestead rights, if any, of any spouse of the insured.
6. Any titles or rights asserted by anyone including, but not limited to, persons, corporation, governments, or other entities, to lands comprising the shores or bottoms of navigable streams, lakes, or land beyond the line of the harbor or bulkhead lines established or changed by the United States Government.
7. Unpatented mining claims; reservations or exceptions in patents or in acts authorizing the issuance thereof; water rights, claims or title to water.
8. Taxes or assessments which are not shown as existing liens by the public record.
9. Taxes for the year 1992 and thereafter.

SPECIFIC EXCEPTIONS:

SPECIMEN

Attached on Schedule B Continued



LAWYERS TITLE  
INSURANCE CORPORATION  
NATIONAL HEADQUARTERS  
RICHMOND, VIRGINIA

CASE NUMBER  
A78454BR

SCHEDULE B CONTINUED

POLICY NUMBER  
TO BE ASSIGNED

10. Easement granted to Public Service Company of New Mexico and The Mountain States Telephone and Telegraph Company, dated May 24th, 1967, filed on May 26th, 1967 in Book Misc. 69, Page 137, as Document No. 51041, records Bernalillo County, New Mexico.
11. Easement granted to Public Service Company of New Mexico and The Mountain States Telephone and Telegraph Company, dated June 1st, 1967, filed on June 5th, 1967 in Book Misc. 69, Page 845, as Document No. 51885, records Bernalillo County, New Mexico.
12. Right of Way Easement granted to Mountain States Telephone and Telegraph Company by instrument dated September 22nd, 1970, filed on March 16th, 1971 in Book Misc. 208, Page 75, as Document No. 16474, records Bernalillo County, New Mexico.
13. Encroachments as set forth on ALTA/ACSM Land Title Survey dated February 4, 1992, prepared by Thomas H. Wagner, N.M.P.S. No. 3517, and more particularly delineated as follows:
  - A) Encroachment by Three (3") inch diameter posts, light poles, concrete pad and asphalt into the Right of Way Easement granted to Mountain States Telephone and Telegraph Company by instrument dated September 22nd, 1970, filed on March 16th, 1971 in Book Misc. 208, Page 75, as Document No. 16474, records Bernalillo County, New Mexico.
  - B) Encroachments by chainlink fence and edge of asphalt onto the adjoining land owner to the North of the insured premises;
  - C) Encroachments by asphalt curb, chainlink fences, Three (3") inch diameter posts and asphalt onto the adjoining land owner to the South of the insured premises; and
  - D) Encroachments by power poles and lines along the Westerly side onto the insured premises.

NOTE: SCHEDULE B, ITEMS NUMBERED ONE (1) THROUGH FIVE (5) OF THE ABOVE MENTIONED POLICY ARE HEREBY DELETED.

SPECIMEN