

#### ROGER L. COPPLE

ATTORNEY AT LAW

FIRST NORTHERN PLAZA - P. O. BOX 40 SANTA FE, NEW MEXICO 87501 (505) 982-4004

September 10, 1982

Professional Land Surveying 1404 Second Street Santa Fe, New Mexico 87501

ATTN: Gary Dawson

Re: Bechtel National, Inc./United States Department of Energy -Contract No. DE-AC05-810R20722-FUSRAP

Dear Mr. Dawson:

As required by the terms of Purchase Contract No. 14501-01/04-PC-19 which involves the captioned contract I have prepared and enclose the following items:

1. <u>Surveyor's Certificate (Exhibit A)</u>: This is a modification of the standard certification form, and it should be used in order that the Survey Plat may be filed for public record in Los Alamos and Santa Fe Counties in accordance with Section 14-8-16(b), NMSA, 1978. When the plat is recorded, Section 47-1-46, NMSA, 1978, permits description of the land by reference to the recorded plat.

2. <u>Reservation and Exception (Exhibit B)</u>: This reservation and exception is designed for use in a document transferring title from a United States governmental entity to county, private or state ownership when a specific reglation prohibiting use by the grantee has not been adopted.

3. <u>Burden On Title (Exhibits C):</u> This form is designed for use in lieu of that in Exhibit B in a document transferring title from a United States governmental entity to county, private or state ownership when a specific regulation prohibiting use by the grantee has been adopted. This form could be used only after the Notice of Restriction has been filed for record.

4. Notice of Restriction (Exhibit D): This document is for

### ROGER L. COPPLE

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filing in the office of the County Clerks of Los Alamos and Santa Fe Counties after a specific regulation prohibiting use by a grantee or others is prepared and becomes effective 30 days after publication in the Federal Register. See 10 Code of Federal Regulations, Section 160 for an example.

With certain exceptions, to be entitled to be filed for record in the office of a County Clerk an instrument must be acknowledged. Section 14-8-4, NMSA, 1978. The plat, instruments which contain language in forms Exhibit B or C, and the notice form Exhibit D are not listed in the exceptions; and therefore, acknowledgments are required for recording.

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Sincerely yours,

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Roger L. Copple

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#### SURVEYOR'S CERTIFICATE

I, GARY DAWSON, HEREBY CERTIFY THAT THIS PLAT IS A TRUE REPRESEN-TATION OF AN ACTUAL SURVEY COMPLETED BY ME ON SEPTEMBER 7, 1982; AND THAT THE SURVEY WAS MADE AND THE PLAT PREPARED IN THE FURTHERANCE OF THE PERFORMANCE OF BECHTEL NATIONAL, INC.'S CONTRACT NO. DE-ACO5-810-R20722-FUSRAP WITH THE UNITED STATES DEPARTMENT OF ENERGY AND ARE TRUE AND CORRECT WITHIN THE ACCURACIES REQUIRED FOR 3rd ORDER, CLASS II SURVEYS, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

GARY DAWSON, NMPLS #7014

STATE OF NEW MEXICO ) : ss. COUNTY OF SANTA FE )

The foregoing surveyor's certificate was acknowledged before me on September 7, 1982 by Gary Dawson, a professional land surveyor registered (licensed) in New Mexico.

Notary Public

My Commission Expires:



# E=10584

There is EXCEPTED from this conveyance and RESERVED unto the grantor or its successors in name, title or authority until the year 2142 the exclusive right to make excavation of any type, including grading, ditching or drilling, upon any part of the land described in the Survey Plat which was recorded in Book \_\_\_\_\_\_ at page \_\_\_\_\_\_ of the Plat Records of Los Alamos County, New Mexico and Book \_\_\_\_\_\_ at page \_\_\_\_\_\_\_ of the Plat Records of Santa Fe County, New Mexico; and by acceptance of delivery of this instrument the grantee and its successors in right or title agree that for the protection of the environment, people and property they are prohibited from and shall prohibit others from exercising the exclusive right excepted and reserved unto the grantor.

## EE10584

This conveyance is made subject to the Notice of Restriction on Use of Real Property which is recorded in Book\_\_\_\_\_\_ at page \_\_\_\_\_ of the Miscellaneous Records of Los Alamos County, New Mexico and Book\_\_\_\_\_ at page \_\_\_\_\_ of the Miscellaneous Records of Santa Fe County, New Mexico.

## NOTICE OF RESTRICTION ON USE OF REAL PROPERTY

	iven that until the year 2142 all land and
interests in land which	is described in the Survey Plat which is
recorded in Book a	t page of the Plat Records of Los Alamos
	Book at page of the Plat Records of
	xico is subject to the prohibitions against
	including grading, ditching and drilling set-
forth in Title	_ Code of Federal Regulations, Section
DATED:	(Name of Entity)
	Ву
	(name and title of officer)
State of County of	)
	: SS.
County of	
The foregoing inst	rument was acknowledged before me this day
of , 19 ,	by (name and title of officer) on behalf of
(name of entity)	by (name and title of officer) on behalf of

Notary Public

My Commission Expires: