

Prepared by: RETURN:

City Attorney's Office  
200 N.W. 1st Avenue  
Delray Beach, Florida 33444

PCN 12-43-46-08-21-012-0010  
Address: 450 N. Swinton Avenue

### **RIGHT-OF-WAY DEED**

THIS INDENTURE made this \_\_ day of \_\_\_\_\_, 202\_, between **FRANK GUERRIERI** and **JODY GUERRIERI**, with a mailing address of 450 N. Swinton Avenue, Delray Beach, Florida 33444, GRANTORS, and **CITY OF DELRAY BEACH, FLORIDA**, a Florida municipal corporation with a mailing address of 100 N.W. 1st Avenue, Delray Beach, Florida 33444, GRANTEE.

(Whenever used herein the term "GRANTOR" and "GRANTEE" include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporation, whenever the context so admits or requires.)

#### W I T N E S S E T H :

That GRANTOR, for and in consideration of the mutual promises herein contained and other good and valuable consideration, does hereby grant, remise, release, quit claim and convey unto GRANTEE, its successors and assigns, all right, title, interest, claim and demand which GRANTOR has in and to the following-described land, situate, lying and being in the County of Palm Beach, State of Florida, to-wit:

See Exhibit "A" attached hereto.

This Deed is made for the purpose of giving and granting to GRANTEE, its successors and assigns, a right-of-way and easement in and to said lands for public highway, street, and public utility purposes; and is made, executed and delivered with the express understanding and condition that should the same ever be discontinued or abandoned as a public highway or street, the title to same shall thereupon revert to and revest in GRANTOR or assigns.

That this right-of-way shall be subject only to those easements, restrictions, and reservation of record. GRANTOR agrees to provide for the release of any and all mortgages or liens encumbering this right-of-way. GRANTOR also agrees to erect no building or effect any other kind of construction or improvements upon the above-described property.

GRANTOR does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever claimed by, through or under it, that it has good right and lawful authority to grant the above-described right-of-way and that the same is unencumbered. Where the context of this Right-of-Way Deed allows or permits, the same shall include the successors or assigns of the parties.

TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereto belonging or in anywise incident or appertaining, and all the estate, right, title, interest, and claim whatsoever of the said GRANTOR, in law or in equity to the only proper use, benefit, and behalf of the said GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, said Grantor has signed and sealed these presents the day and year first above written.

WITNESS #1  
[Signature]  
Signature  
Frankie Guerrieri II  
Printed or Typed Name

213 SE 24th Ave  
Boynton Beach, FL 33414  
Address

GRANTOR  
By: [Signature]  
Name: Frank Guerrieri  
Date: 5/20/2025

WITNESS #2:  
[Signature]  
Signature  
Jonathan Shroyer  
Printed or Typed Name

8832 Cottage Harbor way  
Knoxville TN 38923  
Address



My Commission Expires: 05/31/2026

STATE OF Tennessee  
COUNTY OF Knox

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 20 day of May, 2025 by Frank Guerrieri (name of person acknowledging).

Personally known  OR Produced Identification  
Type of Identification Produced Drivers License

[Signature]  
Notary Public - State of Tennessee  
Matthew Adam Adkins

WITNESS #1

Frankie Guerrieri II  
Signature

Frankie Guerrieri II  
Printed or Typed Name

213 SE 24th Ave.  
Bayton Beach, FL 33444  
Address

WITNESS #2:

Jonathan Shaper  
Signature

Jonathan Shaper  
Printed or Typed Name

3892 Cottage House Way  
Knoxville TN 37923  
Address

STATE OF Tennessee  
COUNTY OF Knox

GRANTOR

By: Jody Guerrieri

Name: Jody Guerrieri

Date: 5/20/2025



My Commission Expires 05/31/2026

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 20 day of May, 2025, by Jody Guerrieri (name of person acknowledging).

Personally known  OR Produced Identification  
Type of Identification Produced Drivers License

Matthew Adam Adkins  
Notary Public - State of Tennessee  
Matthew Adam Adkins

ATTEST:

**GRANTEE/ CITY OF DELRAY BEACH,  
FLORIDA**

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
City Mayor

Approved as to Form:

\_\_\_\_\_  
City Attorney

**[Remainder of Page Intentionally Left Blank]**

EXHIBIT "A"

**LEGAL DESCRIPTION:**

COMMENCE AT THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA; THENCE NORTH 00°29'41" WEST, ALONG THE EAST LINE OF THE SOUTHEAST ONE QUARTER OF SAID SECTION 8, A DISTANCE OF 566.69 FEET; THENCE SOUTH 89°08'48" WEST, A DISTANCE OF 30.00 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTH 89°08'48" WEST, A DISTANCE OF 3.00 FEET; THENCE NORTH 00°29'41" WEST, A DISTANCE OF 99.55 FEET; THENCE NORTH 89°08'48" EAST, A DISTANCE OF 3.00 FEET; THENCE SOUTH 00°29'41" EAST, A DISTANCE OF 99.54 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAIN 299 SQUARE FEET, MORE OR LESS.

**LEGEND:**

- FND = Found
- NO. = Number
- ORB = Official Record Book
- PBCR = Palm Beach County Records
- PB = Plat Book
- PCN = Parcel Control Number
- PG. = Page
- POB = Point of Beginning
- POC = Point of Commencement
- PUD = Planned Unit Development
- R/W = Right of Way

**SURVEYOR'S NOTES:**

1. DATA SHOWN HEREON WAS COMPILED FROM OTHER INSTRUMENTS AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
2. THE BEARINGS SHOWN HEREON ARE BASED ON GRID NORTH, AND ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT. THE BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 43 EAST, HAVING A BEARING OF N00°29'41"W.
3. DISTANCES SHOWN ARE US SURVEY FEET (GRID).
4. ONLY REAR CORNERS HAVE BEEN MONUMENTED IF NOT FOUND. SURVEY FIELD DATE OF 12/22/22.

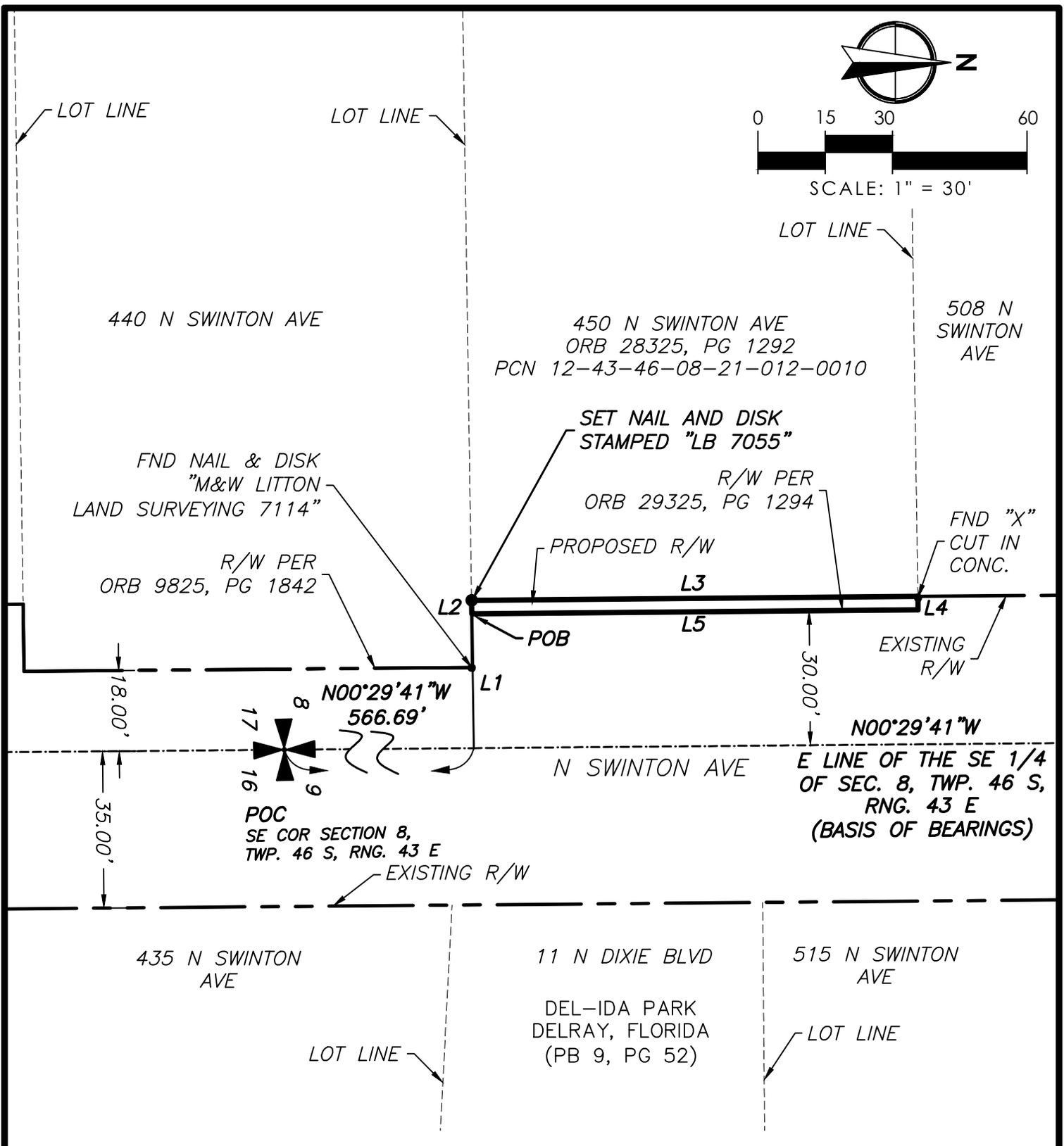
LINE TABLE		
LINE	BEARING	DIST
L1	S89°08'48"W	30.00'
L2	S89°08'48"W	3.00'
L3	N00°29'41"W	99.55'
L4	N89°08'48"E	3.00'
L5	S00°29'41"E	99.54'

For The Firm:  
**WGI, Inc. Jim Sullivan** Digitally signed by Jim Sullivan  
 Date: 2022.12.29 11:13:17 -05'00'  
 BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
 JIM SULLIVAN, PSM  
 Professional Surveyor and Mapper  
 State of Florida License No. 6889

<p>PROJECT:</p> <p style="text-align: center;"><b>SWINTON</b></p>	<p>TASK:</p> <p style="text-align: center;"><b>PROPOSED R/W</b></p>									
<p>PREPARED BY:</p> <div style="text-align: center;">  <p><b>WGI</b>™</p> <p>2035 Vista Parkway, West Palm Beach, FL 33411              Phone No. 866.909.2220 www.wginc.com              Cert No. 6091 - LB No. 7055</p> </div>	<p>CAD 5567.00 PROPOSED R/W_2.DWG</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">DRAWN/DESIGNED</td> <td>LMS</td> <td rowspan="4" style="text-align: center; vertical-align: middle;"><b>SHEET:</b>  <b>1 of 2</b></td> </tr> <tr> <td>CHECKED/QC</td> <td>JS</td> </tr> <tr> <td>JOB NO.</td> <td>5567.00</td> </tr> <tr> <td>DATE</td> <td>12/27/2022</td> </tr> </table>	DRAWN/DESIGNED	LMS	<b>SHEET:</b>  <b>1 of 2</b>	CHECKED/QC	JS	JOB NO.	5567.00	DATE	12/27/2022
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Laddie Smith P:\5500\5567.00 N. Swinton Avenue Roadway and Utility Imi\SURVEY\Drawings\SURVEY\Legals\5567.00 RW SKETCH\_2.dwg --- Plotted: 12/27/2022 10:51:30 AM Saved: 12/14/2022 9:57:44 AM

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