

Prepared by: RETURN:

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

RIGHT-OF-WAY DEED

THIS INDENTURE made this ____ day of _____, 2017, between **BROOKSTONE DELRAY ASSOCIATES, INC.**, a Florida corporation with a mailing address of 160 South Dixie Highway, Suite 107, Hollywood, Florida, 33021, as party of the first part and **CITY OF DELRAY BEACH, FLORIDA**, a Florida municipal corporation with a mailing address of 100 N.W. 1st Avenue, Delray Beach, Florida 33444, as party of the second part.

WITNESSETH:

That said party of the first part, 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 the party of the second part, its successors and assigns, all right, title, interest, claim and demand which the party of the first part 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 the party of the second part, 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 the party of the first part, its successors or assigns.

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

Party of the first part 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, except as otherwise provided herein. 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 party of the first part, in law or in equity to the only proper use, benefit, and behalf of the said party of the second part, its successors and assigns.

IN WITNESS WHEREOF, said party of the first part has hereunto set their hand and seal the date first above written.

Signed, sealed and delivered
in the presence of:

PARTY OF THE FIRST PART:

**BROOKSTONE DELRAY ASSOCIATES, LLC, a Florida
limited liability company**

By: [Signature]
Name: Jorge Lopez, as a tenant by the entirety
Title: Member

[Signature]
Witness Name: Sonia Rodriguez

[Signature]
Witness Name: Alonzo B. Hernandez

By: [Signature]
Name: Awilda Lopez, as a tenant by the entirety
Title: Member

[Signature]
Witness Name: Sonia Rodriguez

[Signature]
Witness Name: Alonzo B. Hernandez

By: [Signature]
Name: William Harvey Kassebaum
Title: Member

[Signature]
Witness Name: Sonia Rodriguez

[Signature]
Witness Name: Alonzo B. Hernandez

By: M3 Acquisitions, LLC, a Florida limited liability
company, as a Member

By: [Signature]
Name: Leon J. Wolfe
Title: Authorized Signatory

[Signature]
Witness Name: Sonia Rodriguez

[Signature]
Witness Name: Alonzo B. Hernandez

By: M.S. Mades Family Limited Partnership, a Florida limited partnership, as a Member

By: M.S. Mades Associates, L.L.C., a Florida limited liability company, its General Partner

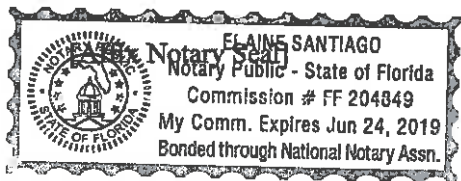
By: [Signature]
Name: Mara S. Mades
Title: Manager

[Signature]
Witness Name: Horacio B. Mendez

[Signature]
Witness Name: Josephine Martin

STATE OF FLORIDA)
COUNTY OF BROWARD)

THE FOREGOING INSTRUMENT was acknowledged before me this 18 day of January, 2017 by Jorge Lopez who () is personally known to me or who () has produced _____ as identification.



Elaine Santiago
Notary Public - State of Florida at Large

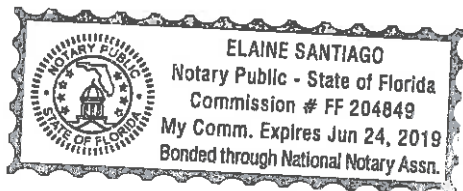
Elaine Santiago
[Print, Type or Stamp Commissioned Name of Notary]

6-24-2019
My Commission Expires:

STATE OF FLORIDA)
COUNTY OF BROWARD)

THE FOREGOING INSTRUMENT was acknowledged before me this 18 day of January, 2017 by Awilda Lopez who () is personally known to me or who () has produced _____ as identification.

[Affix Notary Seal]



Elaine Santiago
Notary Public - State of Florida at Large

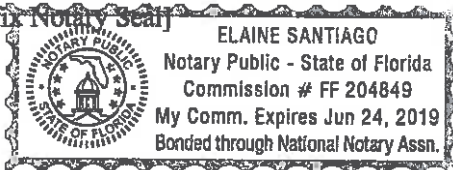
Elaine Santiago
[Print, Type or Stamp Commissioned Name of Notary]

6-24-2019
My Commission Expires:

STATE OF FLORIDA)
COUNTY OF BROWARD)

THE FOREGOING INSTRUMENT was acknowledged before me this 18 day of January, 2017 by William Harvey Kassebaum who () is personally known to me or who () has produced _____ as identification.

[Affix Notary Seal]



Elaine Santiago
Notary Public – State of Florida at Large

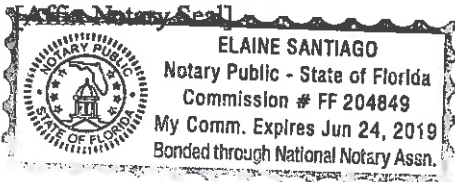
Elaine Santiago
[Print, Type or Stamp Commissioned Name of Notary]

6-24-2019
My Commission Expires:

STATE OF FLORIDA)
COUNTY OF BROWARD)

THE FOREGOING INSTRUMENT was acknowledged before me this 18 day of January, 2017 by Leon J. Wolfe, as Authorized Signatory of M3 Acquisitions, LLC, who () is personally known to me or who () has produced _____ as identification.

[Affix Notary Seal]



Elaine Santiago
Notary Public – State of Florida at Large

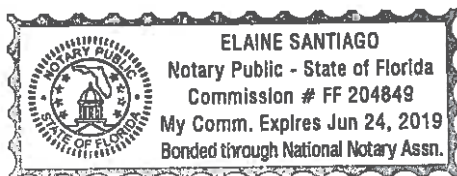
Elaine Santiago
[Print, Type or Stamp Commissioned Name of Notary]

6-24-2019
My Commission Expires:

STATE OF FLORIDA)
COUNTY OF BROWARD)

THE FOREGOING INSTRUMENT was acknowledged before me this 18 day of January, 2017 by Mara S. Mades, as Manager of M.S. Mades Associates, L.L.C., as General Partner of M.S. Mades Family Limited Partnership, who () is personally known to me or who () has produced _____ as identification.

[Affix Notary Seal]



Elaine Santiago
Notary Public – State of Florida at Large

Elaine Santiago
[Print, Type or Stamp Commissioned Name of Notary]

6-24-2019
My Commission Expires:

EXHIBIT "A"

SKETCH OF DESCRIPTION

(PAGE 1 OF 2)

LEGAL DESCRIPTION:

The West 25 feet of the following described parcel of land lying in Section 20, Township 46 South, Range 43 East, Palm Beach County, Florida:

The South 250 feet of the West 667.39 feet (LESS the South 150 feet of the West 290.40 feet) of Lot 15 of MODEL LAND COMPANY'S SUBDIVISION of Section 20, Township 46 South, Range 43 East, lying West of the Florida East Coast Railway right of way, according to the Plat thereof, on file in Plat Book 1, Page 4, Palm Beach County Public Records.

JOB #901668
CF# SOD-25FOOT_RW
DATE: 01-10-2017
SCALE: 1" = 100'
DRAWN BY: PJT

PREPARED FOR:
GIVNER LAW GROUP; CITY OF DELRAY
BEACH, FLORIDA

LEGEND

CL - CENTERLINE
CM - CONCRETE MONUMENT
CONC - CONCRETE
COVD - COVERED
CP - CONCRETE PAD
CW - CONCRETE WALKWAY
CA - CENTRAL ANGLE
D&M - DESCRIBED & MEASURED
DE - DRAINAGE EASEMENT
(D) - DESCRIPTION
DW - DRIVEWAY
E/P - EDGE OF PAVEMENT
ESMT - EASEMENT
FH - FIRE HYDRANT
FND - FOUND
IP - IRON PIPE
IR - IRON ROD
L - ARC LENGTH
(M) - MEASURED
MS - METAL SHED
N&D - NAIL & DISK
OW - OVERHEAD WIRE
ORB - OFFICIAL RECORDS BOOK
P&M - PLAT & MEASURED
PB - PLAT BOOK
PG - PAGE
POB - POINT OF BEGINNING
POC - POINT OF COMMENCEMENT
R - RADIUS
R/W - RIGHT OF WAY
TR - TELEPHONE RISER
TYP - TYPICAL
UE - UTILITY EASEMENT
UP - UTILITY POLE
- NUMBER

REVISIONS

GENERAL NOTES:

1. Bearing structure based on the South line of Lot 15: Being S89°28'43"W, assumed.
2. This surveyor has not made a search of the public records for any dedications, limitations, restrictions or easements other than shown hereon.
3. This Sketch of Description has been made for the exclusive use of the parties prepared for, hereon and does not extend to any unnamed parties.
4. This Sketch of Description is not a Survey.
5. This Survey is "Not Valid" without the signature and the original raised seal of this Florida licensed Surveyor and Mapper, unless provided with electronic signature with the ability to validate. (See: www.altamaxsurveying.com for instructions on signature validation). The seal appearing on this document was authorized by Robert C Johnson on the Date of the electronic signature.

Altamax Surveying

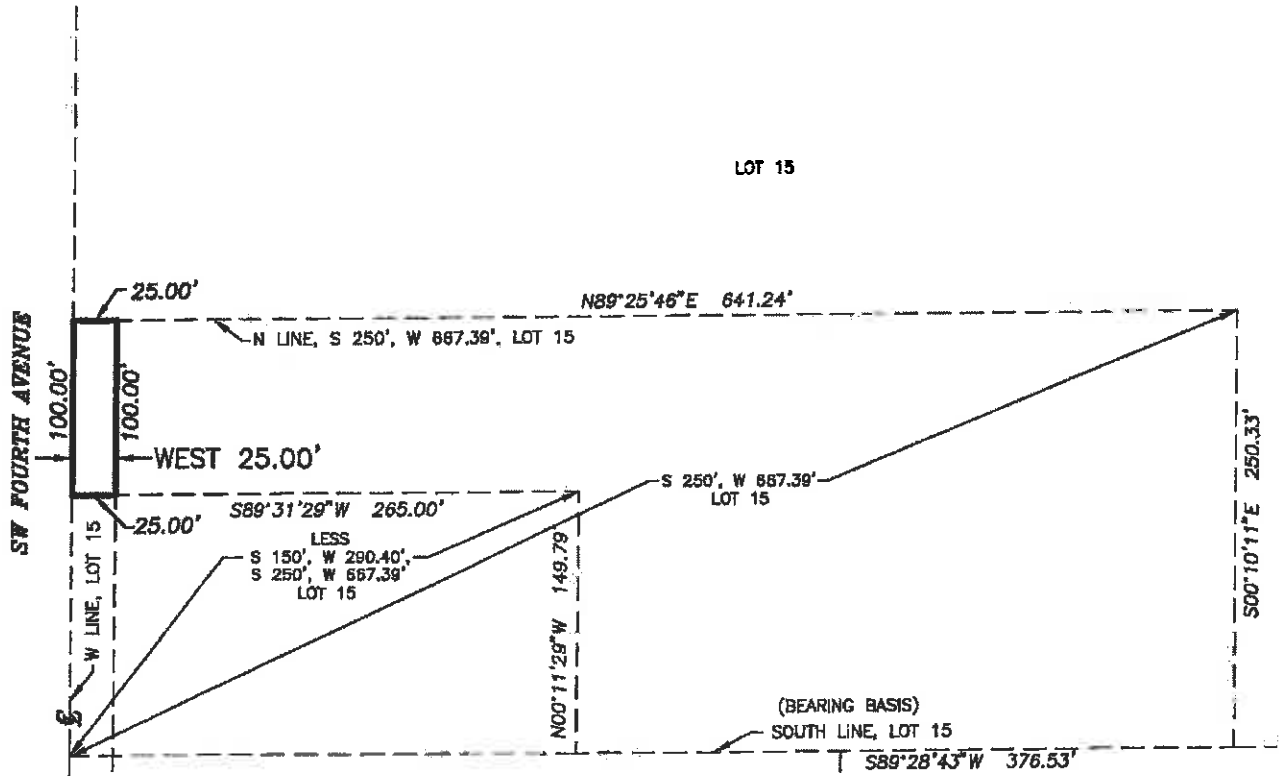
910 Belle Avenue, Suite 1140
Casselberry, FL 32708
Phone: 407-227-7677
Licensed Business No. 7833
www.altamaxsurveying.com

Digitally signed by
Robert C. Johnson
Date: 2017.01.12
09:11:38 -05'00'

Robert C. Johnson PSM 5551

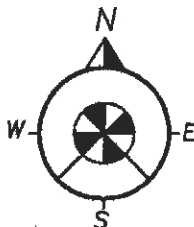
SKETCH OF DESCRIPTION

(PAGE 2 OF 2)



Altamax Surveying

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Casselberry, FL 32708
Phone: 407-677-0200
Licensed Business No. 7833
www.altamaxsurveying.com



GRAPHIC SCALE



1 INCH = 100 FT.