

RESOLUTION NO. 2019-06

A RESOLUTION BY THE BOARD OF COMMISSIONERS OF THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) APPROVING AND AUTHORIZING THE AUTHORIZED OFFICIALS TO EXECUTE THE AGREEMENT FOR PURCHASE AND SALE OF REAL PROPERTY BETWEEN THE CRA AND BH3 MANAGEMENT, LLC FOR THE REAL PROPERTY MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” ATTACHED HERETO; PROVIDING FOR THE AUTHORIZATION TO THE APPROPRIATE CRA OFFICIALS TO PROCEED TO TAKE ALL ACTION NECESSARY AND TO EXECUTE ALL REQUIRED DOCUMENTS TO CONSUMMATE THE CONTEMPLATED TRANSACTION; A COPY OF THE AGREEMENT IS ATTACHED HERETO AS EXHIBIT “B”; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the CRA Board deems it to be in the best interests of the Delray Beach CRA to approve the Agreement for Purchase and Sale of Real Property with BH3 Management, LLC; and

WHEREAS, Section 163.380(2), Florida Statutes (2018) provides that the CRA may sell real property at a value determined to be in the public interest for uses in accordance with the community redevelopment plan and in accordance with the CRA’s property conveyance procedures; and

WHEREAS, as provided in Section 163.380(2), Florida Statutes (2018), in disposing of real property, the CRA may consider the long term benefits to be achieved from the proposed development to both the CRA and the City of Delray Beach, including, but not limited to, increasing the tax base in the West Atlantic Avenue area, the creation of jobs and commercial businesses to be located in the development area; and

WHEREAS, the proposed development will prevent the recurrence of slum and blight in the Community Redevelopment Area by developing underutilized and vacant property as described in Exhibit “A” located within the West Atlantic Avenue Redevelopment Area; and

WHEREAS, the CRA finds that the proposed development will result in an increase to the City’s tax base, and address a community need and that these positive impacts from the proposed Development are consistent with specific goals and objectives as stated in the City’s Community Redevelopment Plan and the West Atlantic Avenue Redevelopment Plan; and

WHEREAS, through the adoption of this Resolution, the Board of Commissioners of the Delray Beach Community Redevelopment Agency finds that the proposed development contemplated in the Purchase and Sale Agreement as submitted by BH3 Management, LLC is consistent with the Community Redevelopment Plan, provides for significant long term benefits to the Community Redevelopment Area, and hereby finds that the conveyance of the real property to BH3 Management, LLC is for fair value, and authorizes and approves the sale and conveyance

of the property pursuant to the terms set forth in the Purchase and Sale Agreement previously identified as Exhibit B attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY AS FOLLOWS:

Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby incorporated herein.

Section 2. The Board of Commissioners of the Delray Beach Community Redevelopment Agency hereby approves and authorizes the authorized officials to execute the Agreement for Purchase and Sale of Real Property and any and all related documents to facilitate the transaction between the CRA and BH3 Management, LLC for the real property more particularly described in Exhibit "A" attached hereto. A copy of the Agreement is attached hereto as Exhibit "B".

Section 3. The CRA Board of Commissioners finds that the proposed development furthers the Project Objectives contained in Section A, 1.1, entitled "West Atlantic Redevelopment Plan," of the CRA's Community Redevelopment Plan, which includes the following specific objectives with respect to proposed development in the West Atlantic Redevelopment Area:

1. Eliminate blighted conditions along West Atlantic Avenue and adjacent side streets.
2. Encourage economic growth and redevelopment.
3. Increase job opportunities within the West Atlantic Redevelopment Area.
4. Promotion of businesses which serve the neighborhood residents.

Section 4. The CRA Board of Commissioners find that the proposed development will provide for significant long-term benefits to the Community Redevelopment Area, including increased revenues to the City, the creation of new employment opportunities, and that the development will address and eliminate the recurrence of slum and blight within the CRA's Community Redevelopment Area.

Section 5. The CRA Board of Commissioners, pursuant to the requirements of Section 163.380(2), Florida Statutes (2018), and based upon the above-referenced plans, reports, and supporting documentation referenced herein, finds that the Agreement for Purchase and Sale between the CRA and BH3 Management, LLC which is attached hereto as Exhibit "B", (the "Agreement"), and incorporated herein by reference, provides for the conveyance of the Property described in Exhibit "A", for fair value.

Section 6. The CRA Board of Commissioners hereby approves the Purchase and Sale Agreement and directs the Delray Beach Community Redevelopment Agency's Chair, Vice-Chair, Executive Director, and General Counsel to take all necessary action consistent with this Resolution, in order to convey the Property to BH3 Management, LLC including, but not limited to the execution of the Agreement, instruments of conveyance, and the closing statement.

Section 7. All resolutions inconsistent or in conflict herewith shall be and are hereby repealed insofar as there is conflict or inconsistency.

Section 8. If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction then said holding shall in no way affect the validity of the remaining portions of this Resolution.

Section 9. This resolution shall become effective upon its passage and adoption by the City of Delray Beach Community Redevelopment Agency Board of Commissioners.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY ON THE ____ DAY OF APRIL, 2019.

DELRAY BEACH COMMUNITY
REDEVELOPMENT AGENCY

BY: _____
SHELLY PETROLIA, CHAIR

ATTEST:

JEFFREY A. COSTELLO, EXECUTIVE DIRECTOR

Approved as to Form:

General Counsel
Delray Beach CRA

EXHIBIT A
LEGAL DESCRIPTION

(SUBJECT TO VERIFICATION BY SURVEY TO BE OBTAINED BY PURCHASER)

LOT A, BLOCK 2, BELAIR HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

WEST 80 FEET OF THE EAST 300 FEET OF THE SOUTH 130 FEET OF THE NORTH 145 FEET OF LOT 9, SUBDIVISION OF SECTION 17, TOWNSHIP 46 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 4, LESS AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF FLORIDA IN O.R. BOOK 1049, PAGE 533, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

COMMENCING 195 FEET SOUTH FROM THE NORTHEAST CORNER OF LOT 9; THENCE WEST, 147 FEET; THENCE SOUTH, 50 FEET; THENCE EAST, 147 FEET; THENCE NORTH, 50 FEET, BEING IN THE EAST HALF OF LOT 9, SECTION 17, TOWNSHIP 46 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 4, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

LOTS 4 AND 5, SUBDIVISION OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 46 SOUTH, RANGE 43 EAST, A/K/A MYRICK SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 79, LESS THE RIGHT-OF-WAY FOR STATE ROAD 806 AS RECORDED IN O.R. BOOK 1061, PAGE 338, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

ALL OF LOT 3, TOGETHER WITH THE WEST FIVE (5) FEET OF LOT 2, IN SUBDIVISION OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 46 SOUTH, RANGE 43 EAST, A/K/A MYRICK SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 79, LESS THE RIGHT-OF-WAY FOR STATE ROAD 806 AS RECORDED IN O.R. BOOK 1078, PAGE 309, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID TRACT BEING SUBJECT TO A RIGHT-OF-WAY TAKING FOR ATLANTIC AVENUE (STATE ROAD NO. S-806) BY STATE OF FLORIDA DEPARTMENT ACCORDING TO THE RIGHT-OF-WAY MAP APPROVED BY THE STATE HIGHWAY ENGINEER ON OCTOBER 22, 1962, SECTION 935 50-2601, SHEET 6 OF 8.

TOGETHER WITH:

EAST FORTY-FIVE (45) FEET OF LOT 2, IN SUBDIVISION OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 46 SOUTH,

RANGE 43 EAST, A/K/A MYRICK SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 79, LESS THE RIGHT-OF-WAY FOR STATE ROAD 806 AS RECORDED IN O.R. BOOK 107B, PAGE 309, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID TRACT BEING SUBJECT TO A RIGHT-OF-WAY TAKING FOR ATLANTIC AVENUE (STATE ROAD NO. S-806) BY STATE OF FLORIDA DEPARTMENT ACCORDING TO THE RIGHT-OF-WAY MAP APPROVED BY THE STATE HIGHWAY ENGINEER ON OCTOBER 22, 1962, SECTION 935 50-2601, SHEET 6 OF 8.

TOGETHER WITH:

LOT 1, IN SUBDIVISION OF THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 46 SOUTH, RANGE 43 EAST, A/K/A MYRICK SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, PAGE 79, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LESS THAT PORTION OF SAID LOT CONVEYED FOR ROAD RIGHTS-OF-WAY.

TOGETHER WITH:

SOUTH 50 FEET OF THE NORTH 195 FEET OF THE EAST 147 FEET OF THE EAST HALF OF LOT 9, SECTION 17, TOWNSHIP 46 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 4, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SUBJECT TO AN EASEMENT OVER THE NORTH 10 FEET OF TRACT AS RECORDED IN OFFICIAL RECORDS BOOK 1006, PAGE 262, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND RIGHT-OF-WAY FOR S.W 8TH AVENUE.

TOGETHER WITH:

LOTS 1, 2, 3 AND 4, BLOCK 2, BELAIR HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 20, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

LOT B, BLOCK 2, BELAIR HEIGHTS, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 20, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

LOTS 12 AND 13, SUBDIVISION OF BLOCK 5, DELRAY BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

LOT 15, SUBDIVISION OF BLOCK 5, DELRAY BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

LOT 21, SUBDIVISION OF BLOCK 5, DELRAY BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

LOT 22, SUBDIVISION OF BLOCK 5, DELRAY BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

LOT 23, SUBDIVISION OF BLOCK 5, DELRAY BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

LOT 24, SUBDIVISION OF BLOCK 5, DELRAY BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

SOUTH 100 FEET OF THE NORTH 120 FEET OF THE WEST 135 FEET OF BLOCK 13, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA (ALSO DESCRIBED AS LOT 1, IN BLOCK 13).

TOGETHER WITH:

SOUTH 65 FEET OF THE NORTH 185 FEET OF THE WEST 135 FEET OF BLOCK 13, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

COMMENCING 185 FEET SOUTH OF THE NORTHWEST CORNER OF BLOCK 13 FOR A POINT OF BEGINNING: THENCE EAST 135 FEET; THENCE SOUTH 50 FEET; THENCE WEST 135 FEET; THENCE NORTH 50 FEET TO THE POINT OF BEGINNING, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

SOUTH 50 FEET OF THE NORTH 285 FEET OF THE WEST 135 FEET OF BLOCK 13, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

SOUTH 50 FEET OF THE NORTH 335 FEET OF THE WEST 135 OF BLOCK 13, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

COMMENCING 335 FEET SOUTH FROM THE NORTHWEST CORNER OF BLOCK 13 FOR A POINT OF BEGINNING: THENCE EAST 135 FEET; THENCE SOUTH 50 FEET; THENCE WEST 135 FEET; THENCE NORTH 50 FEET TO THE POINT OF BEGINNING, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

SOUTH 50 FEET OF THE NORTH 435 FEET OF THE WEST 135 FEET OF BLOCK 13, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

THE SOUTH 50 FEET OF THE NORTH 150 FEET OF THE EAST 135 FEET OF BLOCK 13, AND THE SOUTH 80 FEET OF THE NORTH 100 FEET OF THE EAST 150 FEET OF BLOCK 13, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND COMMENCE 150 FEET SOUTH OF THE NORTHEAST CORNER OF BLOCK 13 FOR THE POINT OF BEGINNING; THENCE WEST 135 FEET; THENCE SOUTH 50 FEET; THENCE EAST 135 FEET; THENCE NORTH 50 FEET TO THE POINT OF BEGINNING, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, AND SOUTH 50 FEET OF NORTH 250 FEET OF THE EAST 135 FEET OF BLOCK 13, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, AND COMMENCING 250 FEET SOUTH FROM THE NORTHEAST CORNER OF BLOCK 13 FOR A POINT OF BEGINNING; THENCE WEST 135 FEET; THENCE SOUTH 50 FEET; THENCE EAST 135 FEET; THENCE NORTH 50 FEET TO THE POINT OF BEGINNING, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

COMMENCING TWO HUNDRED FIFTY (250) FEET NORTH FROM THE SOUTHEAST CORNER OF BLOCK THIRTEEN (13) FOR A POINT OF BEGINNING; THENCE WEST, ONE HUNDRED THIRTY-FIVE (135) FEET; THENCE NORTH, FIFTY (50) FEET; THENCE EAST, ONE HUNDRED THIRTY-FIVE (135) FEET; THENCE SOUTH, FIFTY (50) FEET TO THE POINT OF BEGINNING, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

NORTH 50 FEET OF THE SOUTH 250 FEET OF THE EAST 135 FEET OF BLOCK 13, MAP OF THE TOWN OF LINTON, FLORIDA, NOW CITY OF DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, AND 11, LESS THE NORTH TWENTY (20) FEET THEREOF, BLOCK 5, SUBDIVISION OF BLOCK 5, DELRAY BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

THE VACATED ALLEY NORTH OF AND ADJACENT TO LOT 1, BLOCK 2, BELAIR HEIGHTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.FLORIDA.

TOGETHER WITH:

THE WEST HALF OF THE VACATED 14 FOOT AND 16 FOOT ALLEYS EAST OF AND ADJACENT TO LOTS 1 THROUGH 4, BLOCK 2, BELAIR HEIGHTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

THE VACATED 14 FOOT ALLEY WEST OF AND ADJACENT TO THE SOUTH 50 FEET OF THE NORTH 195 FEET OF THE EAST 147 FEET OF THE EAST ONE-HALF OF LOT 9, BLOCK 2, SUBDIVISION OF SECTION 17, TOWNSHIP 46 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 4 OF THE

PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING NORTHERLY OF THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 1, BLOCK 2, BELAIR HEIGHTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 4, OF SAID PUBLIC RECORDS.

TOGETHER WITH:

THE EAST HALF OF THE VACATED 14 FOOT ALLEY WEST OF AND ADJACENT TO THE SOUTH 50 FEET OF THE NORTH 195 FEET OF THE EAST 147 FEET OF THE EAST ONE-HALF OF LOT 9, BLOCK 2, SUBDIVISION OF SECTION 17, TOWNSHIP 46 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 4 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING SOUTHERLY OF THE EASTERLY EXTENSION OF THE NORTH LINE OF LOT 1, BLOCK 2, BELAIR HEIGHTS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 4, OF SAID PUBLIC RECORDS.

TOGETHER WITH:

THE VACATED 16 FOOT EAST-WEST ALLEY OF BLOCK 5, SUBDIVISION OF BLOCK 5, DELRAY BEACH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 23, PAGE 72 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 15, BLOCK 5, SUBDIVISION OF BLOCK 5, DELRAY BEACH ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 23, PAGE 72 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N 01°26'33" W ALONG THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST 8th AVENUE, 50.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 15; THENCE N 89°19'27" E ALONG THE NORTH LINE OF SAID LOT, 138.40 FEET TO THE NORTHEAST CORNER OF SAID LOT; THENCE N 01°29'33" W, 50.00 FEET TO THE SOUTHEAST CORNER OF LOT 13, BLOCK 5 OF SAID SUBDIVISION OF BLOCK 5, DELRAY BEACH; THENCE S 89°19'27" W, ALONG THE SOUTH LINE OF SAID LOT 13, A DISTANCE OF 138.35 FEET TO THE SOUTHWEST CORNER OF SAID LOT, BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST 8th AVENUE; THENCE N 01°25'33" W ALONG SAID EAST RIGHT-OF-WAY LINE, 234.20 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF WEST ATLANTIC AVENUE (STATE ROAD 806) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 93030-2506, SHEET 4 OF 9, REVISED APRIL 27, 2011; THENCE N 89°19'27" E ALONG SAID RIGHT-OF-WAY LINE, 277.15 FEET TO THE WEST RIGHT-OF-WAY LINE OF SOUTHWEST 7th AVENUE; THENCE S 01°29'33" E ALONG SAID RIGHT-OF-WAY LINE, 334.20 FEET; THENCE S 89°19'27" W ALONG THE SOUTH LINE OF LOTS 15 AND 24, OF SAID BLOCK 5, A DISTANCE OF 277.44 FEET TO THE EAST RIGHT-OF-WAY LINE OF SOUTHWEST 8th AVENUE, BEING THE SOUTHWEST CORNER OF SAID LOT 15 AND THE POINT OF BEGINNING.

TOGETHER WITH:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF BLOCK 13 (BEING COINCIDENT WITH THE EAST LINE OF BLOCK 5) AND THE NORTH LINE OF THE SOUTH 170 FEET OF SAID BLOCK 13, MAP OF THE TOWN OF LINTON, FLORIDA ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N 01°29'33" W ALONG SAID WEST LINE OF BLOCK 13, A DISTANCE OF 415.04 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF WEST ATLANTIC AVENUE (STATE ROAD 806) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 93030-2506, SHEET 4 OF 9, REVISED APRIL 27, 2011; THENCE N 89°19'27" E ALONG SAID RIGHT-OF-WAY LINE, 302.35 FEET TO THE WEST RIGHT-OF-WAY LINE OF SOUTHWEST 6th AVENUE; THENCE S 01°32'15" E ALONG SAID RIGHT-OF-WAY LINE, BEING THE EAST LINE OF SAID BLOCK 13, A DISTANCE OF 384.45 FEET; THENCE S 89°19'50" W ALONG THE NORTH LINE OF THE SOUTH 200 FEET OF SAID BLOCK 13, A DISTANCE OF 151.30 FEET; THENCE S 01°31'00" E, 30.61 FEET TO THE NORTH LINE OF THE SOUTH 170 FEET OF SAID BLOCK 13; THENCE S 89°19'27" W ALONG SAID NORTH LINE, 15 1.36 FEET TO THE WEST LINE OF SAID BLOCK 13 AND THE POINT OF BEGINNING.

TOGETHER WITH:

COMMENCING FOUR HUNDRED THIRTY FIVE (435) FEET SOUTH FROM THE NORTHWEST CORNER OF BLOCK THIRTEEN (13) BEING IN DELRAY BEACH, FORMERLY LINTON, ACCORDING TO THE PLAT NOW ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN PLAT BOOK 1, PAGE 3 IN AND FOR PALM BEACH COUNTY, FLORIDA, FOR A POINT OF BEGINNING, THENCE EAST ONE HUNDRED THIRTY-FIVE (135) FEET, THENCE SOUTH FIFTY (50) FEET, THENCE WEST ONE HUNDRED THIRTY-FIVE (135) FEET, THENCE SOUTH FIFTY (50) FEET, THENCE WEST ONE HUNDRED THIRTY-FIVE (135) FEET, THENCE NORTH FIFTY (50) FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

A PARCEL OF LAND IN BLOCK 13, TOWN OF LINTON (NOW DELRAY), ACCORDING TO THE PLAT THEREOF ON FILE IN THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 1, PAGE 3, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING 150 NORTH FROM THE SOUTHEAST CORNER OF BLOCK 13 FOR A POINT OF BEGINNING; THENCE WEST 135 FEET, THENCE NORTH 50 FEET; THENCE EAST 135 FEET; THENCE SOUTH 50 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

THE NORTH 50 FEET OF THE SOUTH 100 FEET OF THE EAST 135 FEET OF BLOCK 13, TOWN OF LINTON (NOW KNOWN AS DELRAY BEACH), ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 3, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

THE SOUTH 50 FEET OF THE EAST 135 FEET OF BLOCK 13 OF TOWN OF DELRAY, AS RECORDED IN THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 3, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

ALL OF BLOCK 13, TOWN OF LINTON (NOW DELRAY BEACH), ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 3 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE NORTH 20.0 FEET THEREOF, LESS THE WEST 135.0 FEET THEREOF, LESS THE EAST 135.0 FEET THEREOF AND LESS THE EAST 150.0 FEET OF THE NORTH 100.0 FEET THEREOF.

TOGETHER WITH A HIATUS AREA DESCRIBED AS FOLLOWS:

THE EAST 135.0 FEET OF BLOCK 13, TOWN OF LINTON (NOW DELRAY BEACH), ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE NORTH 300.0 FEET AND LESS THE SOUTH 300.0 FEET THEREOF.

SAID LANDS LYING AND SITUATE IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA.