

Prepared by: RETURN:

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

PCN 12-43-46-16-01-001-0011  
Address 344 NW 7TH AVENUE

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

THIS INDENTURE made this \_\_\_ day of \_\_\_\_\_, 202\_, between PROGRESS 21 CENTURY, LLC, with a mailing address of 11396 Sea Grass Circle, Boca Raton, Florida 33498, GRANTOR, 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.)

### **WITNESSETH:**

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

Printed or Typed Name

Gabriel Didiago  
11396 sea grass CR  
Address Boca Raton FL 33448

WITNESS #2:

*[Signature]*  
Signature

Printed or Typed Name

11396 sea grass CR  
Boca Raton FL 33448  
Address

GRANTOR

By: Claudia Mendez

Name: Claudia Mendez

Title: AMBR  
for

Company: Progress 21 Century, LLC

Date: 19 May/25

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 19 day of May, 2025 by Claudia Mendez (name of person), as AMBR (type of authority) for Progress 21 Century, LLC (name of party on behalf of whom instrument was executed).

Personally known ☒ OR Produced Identification

Type of Identification Produced driver license



CLARA MARTINEZ  
Commission # HH 414882  
Expires October 24, 2027

*[Signature]*  
Notary Public – State of Florida

ATTEST:

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

By: \_\_\_\_\_  
City Clerk

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

Approved as to Form:

By: \_\_\_\_\_  
City Attorney

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

# EXHIBIT A

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17.050 THROUGH 5J-17.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.



9-22-2022

*David A. Bower*

DAVID A. BOWER  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA  
CERTIFICATE NO. LS 5888

## DESCRIPTION:

A 25.00 foot wide strip of land being a portion of those lands as described in that certain Warranty Deed, as described in Official Record Book 33317, Page 671, of the Public Records of Palm Beach County. Being more particularly described as follows.

Commencing two hundred (200) feet North from the Southeast corner of the North Half of Block 1, Delray Beach (formerly Linton), Florida, according to the Plat thereof recorded in Plat Book 1, page 3, of the Public Records of Palm Beach County, Florida, for a Point of Beginning; thence run West twenty-Five (25.00) feet; thence run North fifty (50.00) feet; thence run East twenty-Five (25.00) feet; thence run South fifty (50.00) feet to the Point of Beginning.

Said lands situate, lying and being in Section 17, Township 46 South, Range 43 East, City of Delray Beach, Palm Beach County, Florida.

Containing 1,250 Square feet more or less.

344 NW 7TH AVENUE

1	09/13/22	ADD EXHIBIT A TO SHEET 1	DB
NO.	DATE	REVISIONS	BY

**Dennis J. Leavy & Associates, Inc.**  
Land Surveyors \* Mappers

460 Business Park Way \* Suite B  
Royal Palm Beach, Florida 33411

Phone: (561) 753-0650 Email: [survey@djlasurvey.net](mailto:survey@djlasurvey.net)

**SKETCH & DESCRIPTION**  
**FOR: CITY OF DELRAY BEACH, FLORIDA**

<b>DRAWN:</b> MM	<b>SCALE:</b> N/A	<b>DATE:</b> 07/28/22
<b>CHK:</b> DAB	<b>JOB#</b> 21-058-001	<b>SHEET:</b> 1 OF 4

## SURVEYOR'S NOTES:

1. The undersigned makes no representations or guarantees as to the information reflected hereon pertaining to easements, rights of way, setback lines, agreements and other matters, and further, this instrument is not intended to reflect or set forth all such matters. Such information should be obtained and confirmed by others through appropriate title verification. Lands shown hereon were not abstracted for rights of way and/or easements of record.
2. The licensed business number for Dennis J. Leavy & Associates Inc. is LB #6599, the certifying surveyors (David A. Bower) license number is LS #5888.
3. This is NOT a survey.

## LEGEND:

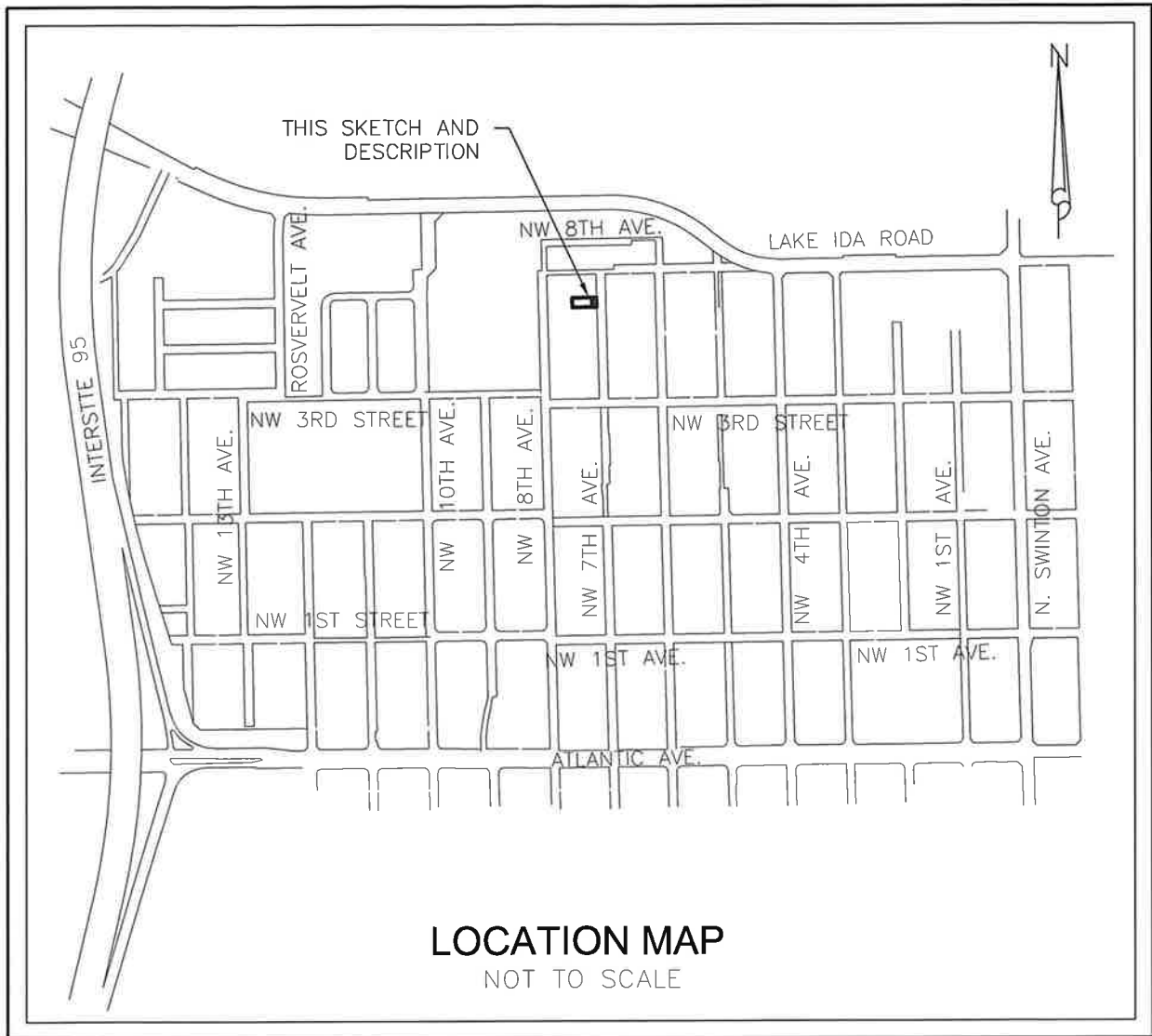
O.R.B. OFFICIAL RECORD BOOK  
(P1) MAP OF THE TOWN OF LINTON, FLORIDA  
(P.B. 1, PG. 3, P.B.C.R.)  
(P2) PLAT OF PARADISE HEIGHTS  
(P.B. 24, PG. 113 P.B.C.R.)  
P.B. PLAT BOOK  
P.B.C.R. PALM BEACH COUNTY RECORDS  
PCN PROPERTY CONTROL NUMBER  
PG. PAGE

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**Phone: (561) 753-0650 Email: survey@djlasurvey.net**

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<b>CHK:</b> DAB	<b>JOB#</b> 21-058-001	<b>SHEET:</b> 2 OF 4

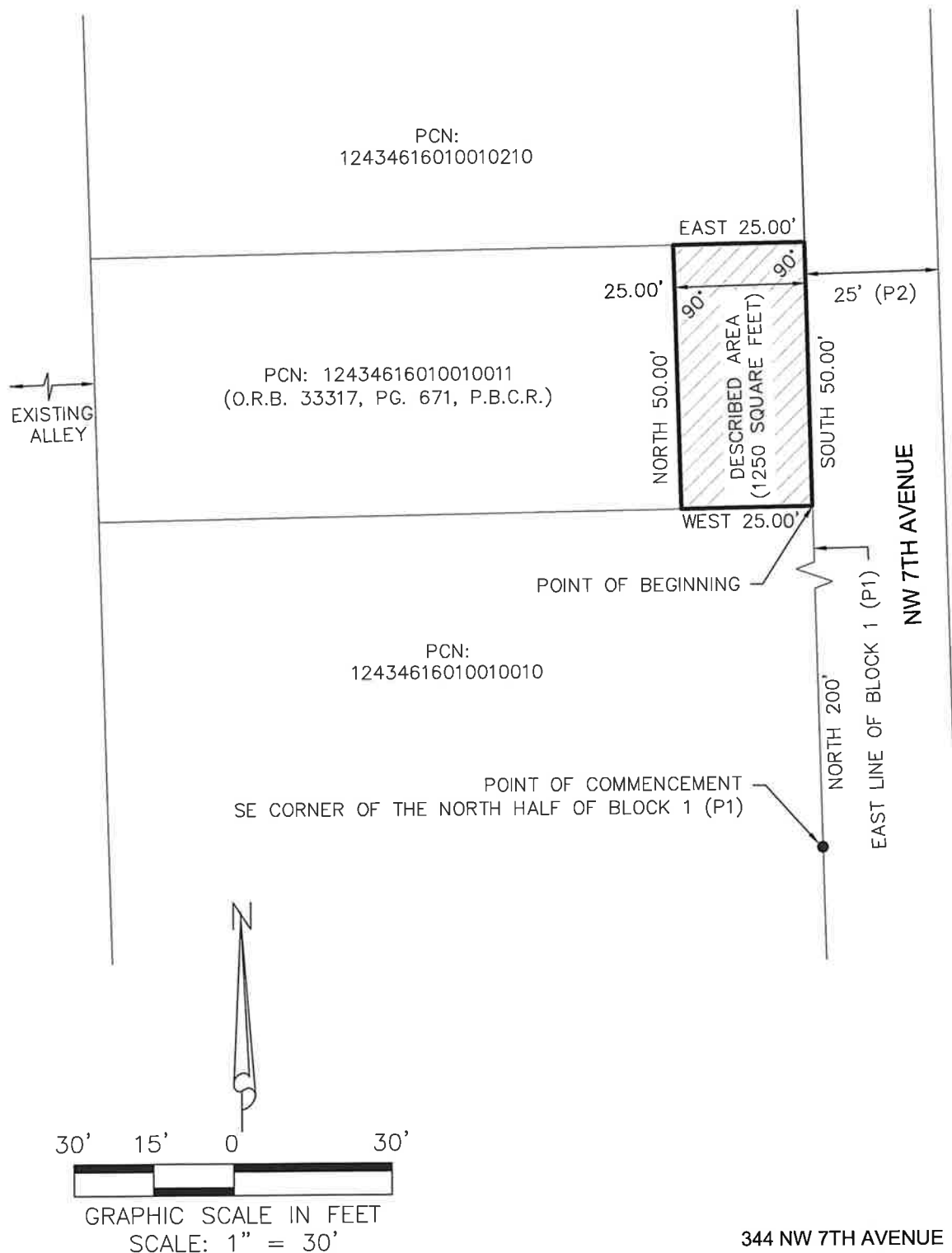


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**SKETCH & DESCRIPTION**  
**FOR: CITY OF DELRAY BEACH, FLORIDA**

<b>DRAWN:</b> MM	<b>SCALE:</b> 1" = 30'	<b>DATE:</b> 07/28/22
<b>CHK:</b> DAB	<b>JOB#</b> 21-058-001	<b>SHEET:</b> 4 OF 4