

AFFIDAVIT OF NO LIEN

STATE OF FLORIDA
COUNTY OF PALM BEACH

Before me, the undersigned authority, personally appeared, Thomas F. Carney, Jr., as Mayor of the City of Delray Beach, Florida, a Florida Municipal Corporation, being by me first duly sworn on oath, deposes and says to the best of his knowledge and belief:

1. That the City of Delray Beach, Florida, a Florida Municipal Corporation (“Affiant”) is the owner of the following described property, to wit:

See attached Exhibit “A” (“Property”).

2. That the Property is free and clear of all liens, and taxes, except for real estate and personal property taxes for the year 2024.

3. That within the past 90 days there have been no improvements, alterations, or repairs to the Property for which the costs thereof remain unpaid, and that within the past 90 days there have been no claims for labor or material furnished for repairing or improving the same, which remain unpaid, except the following: A new fire station is currently being constructed on the Property pursuant to a Design-Build Agreement between the City of Delray Beach and Gulf Building, LLC.

4. That there are no mechanic's, materialmen's, or laborer's liens against the Property.

5. That there are no matters pending against the Affiant that could give rise to a lien that would attach to the Property between the most recent effective date of the title commitment provided in connection herewith and the recording of the interest to be insured, and that the Affiant has not and will not execute any instrument that would adversely affect the title or interest to be insured.

6. That there are no unrecorded leases or agreements affecting the Property, and there is no one in possession of or that has access to the Property, other than: an unrecorded Design-Build Agreement between the City of Delray Beach and Gulf Building, LLC for the construction of a new fire station on the Property and the fact the Property is public land used for public purposes.

7. That this Affidavit is made for the purpose of inducing Palm Beach County, a political subdivision of the State of Florida (“Grantee”) to purchase the Property from the Affiant.

8. That this Affidavit is made for the purpose of inducing Kammerman Legal Services, P.A. and First American Title Insurance Company to issue title insurance upon the Property. That there are no matters pending against the Affiant that could give rise to a lien that would attach to the Property between the disbursing of the purchase price, if any, and the recording of

the Warranty Deed from the Affiant to the Grantee and the Affiant has not and will not execute any instrument that would adversely affect the title or interest to be insured. As a further inducement to issue title insurance, the Affiant herein covenants and agrees to be bound by the terms of this Affidavit.

9. Section 1445 of the Internal Revenue Code provides that a transferee (buyer) of a U.S. real property interest must withhold a tax if the transferor (seller) is a foreign person unless an exception applies. A foreign person is a nonresident alien individual, foreign corporation, foreign partnership, foreign trust or foreign estate. To inform the transferee (buyer) that withholding of tax is not required upon my disposition of a U.S. real property interest, I, Thomas F. Carney, Jr., Mayor of the City of Delray Beach, Florida, a Florida Municipal Corporation, hereby certify the following:

1. The City of Delray Beach is not a foreign person for purposes of U. S. income taxation.
2. The City of Delray Beach taxpayer identifying number is 59-6000-308.
3. The City of Delray Beach's address is:

100 N. W. First Avenue
Delray Beach, Florida.

ATTEST:

CITY OF DELRAY BEACH, FLORIDA
a Florida Municipal Corporation

Katerri Johnson, City Clerk

Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was sworn to before me by means of (choose one) physical presence or online notarization this ___ day of _____, 2024, by Thomas F. Carney, Jr., as Mayor of the City of Delray Beach, Florida, who

(please check one)

_____ is (are) personally known to me OR

_____ has (have) produced _____ as
identification and he/she/they

(please check one)

did take an oath

_____ did not take an oath.

My Commission Expires:

Notary Public

EXHIBIT A

PROPERTY

LAND DESCRIPTION:

A portion of Lot 8, SUBDIVISION OF SECTION 20, 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; being described as follows:

Commence at the Southeast corner of said Lot 8; thence S89°38'18"W, along the South line of said Lot 8, a distance of 827.68 feet to the East line of the East 150 feet of the West 499 feet of said Lot 8; thence N00°00'31"W, 53.00 feet to the **Point of Beginning**; thence continue N00°00'31"W, 7.00 feet (the previous two calls being along said East line); thence S89°38'18"W, 150.00 feet to the West line of the East 150 feet of the West 499 feet of said Lot 8; thence S00°00'31"E, along said West line, 7.00 feet to the North right-of-way line of Linton Boulevard; thence N89°38'18"E, along said right-of-way line, 150.00 feet to said East line, also being the **Point of Beginning**.

Said lands lying in the City of Delray Beach, Palm Beach County, Florida and containing 1,050 square feet (0.0241 acres), more or less.
