

Prepared by: RETURN:

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

PCN: 12-43-46-16-01-089-0030
Address: 319 NE 3rd Avenue, Delray Beach

RIGHT-OF-WAY DEED

THIS INDENTURE made this ___ day of _____, 202_, between **BIG B INVESTMENTS, LLC**, whose address is 9608 Lake Serena Drive, Boca Raton, FL 33496, 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.

WITNESSES:

[Signature]
Signature of Witness #1
IAN BENYES
Print Name of Witness #1

102 NE 2ND ST
BOCA RATON, FL 33432
Address of Witness #1

[Signature]
Signature of Witness #2
Thyllis K. Garcia
Print Name of Witness #2

102 NE 2ND ST
BOCA RATON, FL 33432
Address of Witness #2

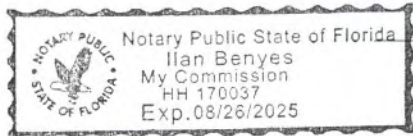
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 9 day of April, 2024 by Charles Monticello (name of person), as Manager (type of authority) for Big B Investments, LLC (name of party on behalf of whom instrument was executed).

Personally known ___ OR Produced Identification ___
Type of Identification Produced My DR Lic

~~GRANTOR~~

[Signature]
By: _____
Name: Charles Monticello
Its: Manager



[Signature]
Notary Public – State of Florida

ATTEST:

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

By: _____
City Clerk

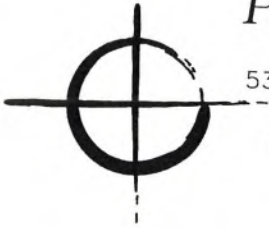
By: _____
Thomas F. Carney, Jr., Mayor

Approved as to Form:

By: _____
City Attorney

[Remainder of Page Intentionally Left Blank]

EXHIBIT "A"



PINNELL SURVEY, INC.

LICENSED BUSINESS #6857

5300 WEST HILLSBORO BOULEVARD, SUITE 215-A

COCONUT CREEK, FLORIDA 33073

PHONE (954)418-4940 FAX(954)418-4941

EXHIBIT "A"

SKETCH & DESCRIPTION

5.00' RIGHT-OF-WAY DEDICATION

LEGAL DESCRIPTION:

THE WEST 5.00 FEET OF LOT 3, RESUBDIVISION OF THE WEST PORTION OF BLOCK 89, DELRAY FLORIDA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, PAGE 49, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE, LYING AND BEING IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINS 210 SQUARE FEET MORE OR LESS.

LEGEND & ABBREVIATIONS:

- ☉ - CENTERLINE
R/W - RIGHT-OF-WAY
(C) - CALCULATED MEASUREMENT

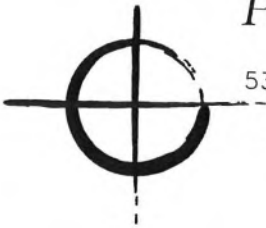
GENERAL NOTES:

1. THIS IS NOT A SURVEY.
2. THE PROPERTY SHOWN HEREON WAS NOT ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF RECORD BY PINNELL SURVEY, INC.
3. BEARINGS SHOWN HEREON ARE BASED ON AN ASSUMED BEARING OF NORTH $01^{\circ}30'53''$ WEST ALONG THE WEST LINE OF LOT 3, RESUBDIVISION OF THE WEST PORTION OF BLOCK 89, DELRAY FLORIDA, PLAT BOOK 13, PAGE 49, PALM BEACH COUNTY, FLORIDA.
4. SKETCH PREPARED 01/22/24


JASON H. PINNELL,

PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA - LICENSE NO. 5734

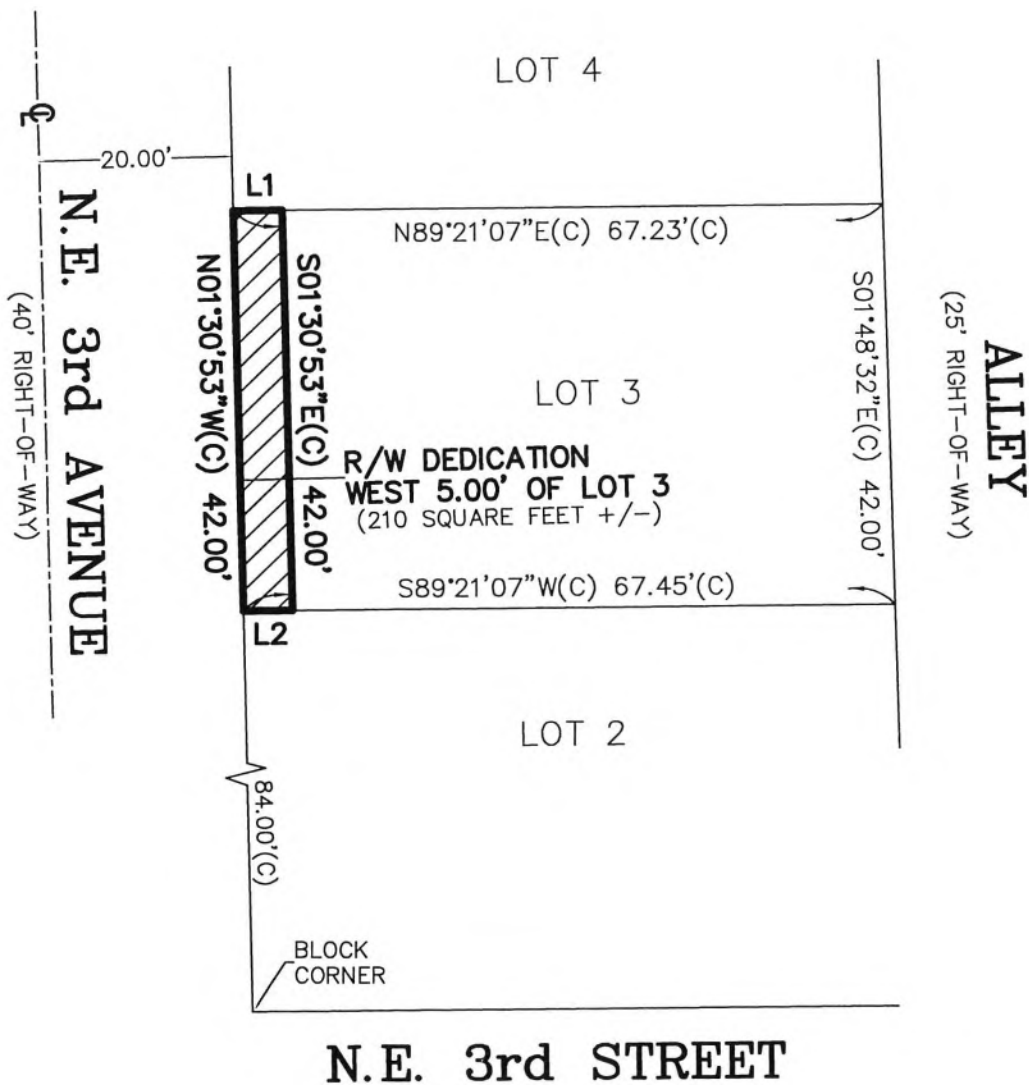
SKETCH NO.: 21-1530SD
SHEET 1 OF 2



PINNELL SURVEY, INC.

LICENSED BUSINESS #6857
 5300 WEST HILLSBORO BOULEVARD, SUITE 215-A
 COCONUT CREEK, FLORIDA 33073
 PHONE (954)418-4940 FAX(954)418-4941

EXHIBIT "A"



LINE DATA:

L1: N89°21'07"E(C) 5.00'
 L2: S89°21'07"W(C) 5.00'

SCALE: 1" = 20'	SKETCH NO.: 21-1530SD
DRAWN BY: J.P.	SHEET 2 OF 2