

Prepared by: RETURN:

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

PCN: 12-43-46-16-B4-070-0090

Property Address: 143 S. Swinton Avenue

RIGHT-OF-WAY DEED

THIS INDENTURE made this ___ day of _____, 202_, between Nigel Development, Inc., a Florida corporation, with a mailing address of 143 S. Swinton Avenue, Delray Beach, Florida 33444, 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

Colleen Van Driesen
Signature
COLLEEN VAN DRIESEN
Printed or Typed Name
3580 NE 16TH AVE
OAKLAND PARK, FL 33334
Address

GRANTOR/NIGEL DEVELOPMENT, INC.

By: [Signature]
Name: JAIME MAYO
Its: PRESIDENT
Date: 6/10/24

WITNESS #2:

[Signature]
Signature
RICARDO RODRIGUEZ
Printed or Typed Name
7892 TRAVELERS TREE DR
BOCA RATON, FL 33433
Address

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 10 day of June, 2024 by Jaime Mayo (name of person), as President (type of authority) for Nigel Development, Inc. (name of party on behalf of whom instrument was executed).

Personally known ☒ OR Produced Identification
Type of Identification Produced _____



Kristen Brown
Notary Public – State of Florida

ATTEST:

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

By: _____
Katerri Johnson, City Clerk

By: _____
Thomas F. Carney, Jr. Mayor

Approved as to Form:

By: _____
Lynn Gelin, City Attorney

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EXHIBIT “A”

SKETCH ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "A" (2.5' ALLEY DEDICATION)

EXHIBIT "A" / LEGAL DESCRIPTION:

Beginning at the Southeast corner of Lot 10, Block 70, "AMENDED PLAT OF SUNDY AND COMER'S", according to the Plat thereof, as recorded in Plat Book 6, Page 17 of the Public Records of Palm Beach County, Florida, Thence North 90°00'00" West on the South property line of Lot 10, a distance of 2.5 feet; Thence North 00°29'05" West, a distance of 100.00 feet; Thence North 90°00'00" East, a distance of 2.5 feet; Thence South 00°29'05" East on the West property line of said Lot 10, a distance of 100.00 feet of the Point of Beginning.

Said lands lying in the City of Delray Beach, Palm Beach County, Florida and containing 250 square feet, more or less.

SURVEYOR'S NOTES:

All distances as shown are based on the US Survey foot.

Subject lands is located within the City of Delray Beach, Florida and is located in the recorded Plat of "AMENDED PLAT OF SUNDY AND COMER'S", according to the Plat thereof as recorded in Plat Book 6 at Page 17 of the Public Records of Palm Beach County, Florida.

Bearings are based/referred to an assumed meridian where the centerline of SWINTON AVENUE bears N 00° 29' 05" W.

Subject lands lies within Section 16, Township 46 South, Range 43 East.

This is not a Boundary Survey, but only a graphic depiction of the description shown hereon.

This instrument was conducted for the purpose of a "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" only and is not intended to delineate the regulatory jurisdiction of any federal, state, regional or local agency, board, commission or other entity. This document does not reflect or determine ownership.

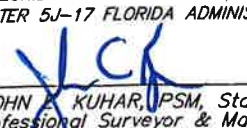
This survey is intended for the use of the parties to whom this survey is certified to and for. Any reproduction is not an original. This surveyor retains an original to verify these dated contents for validity. Not valid without the signature and raised seal of the Florida Surveyor and Mapper.

THIS IS NOT A BOUNDARY SURVEY

SHEET NO. 1 of 2

CERTIFICATION:

THIS SKETCH MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE.


JOHN A. KUCHAR, PSM, State of Florida
Professional Surveyor & Mapper NO. 6711
NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Date: 6/5/2024

SCALE: AS SHOWN

CHECKED BY: JEK

DRAWN BY: ELF



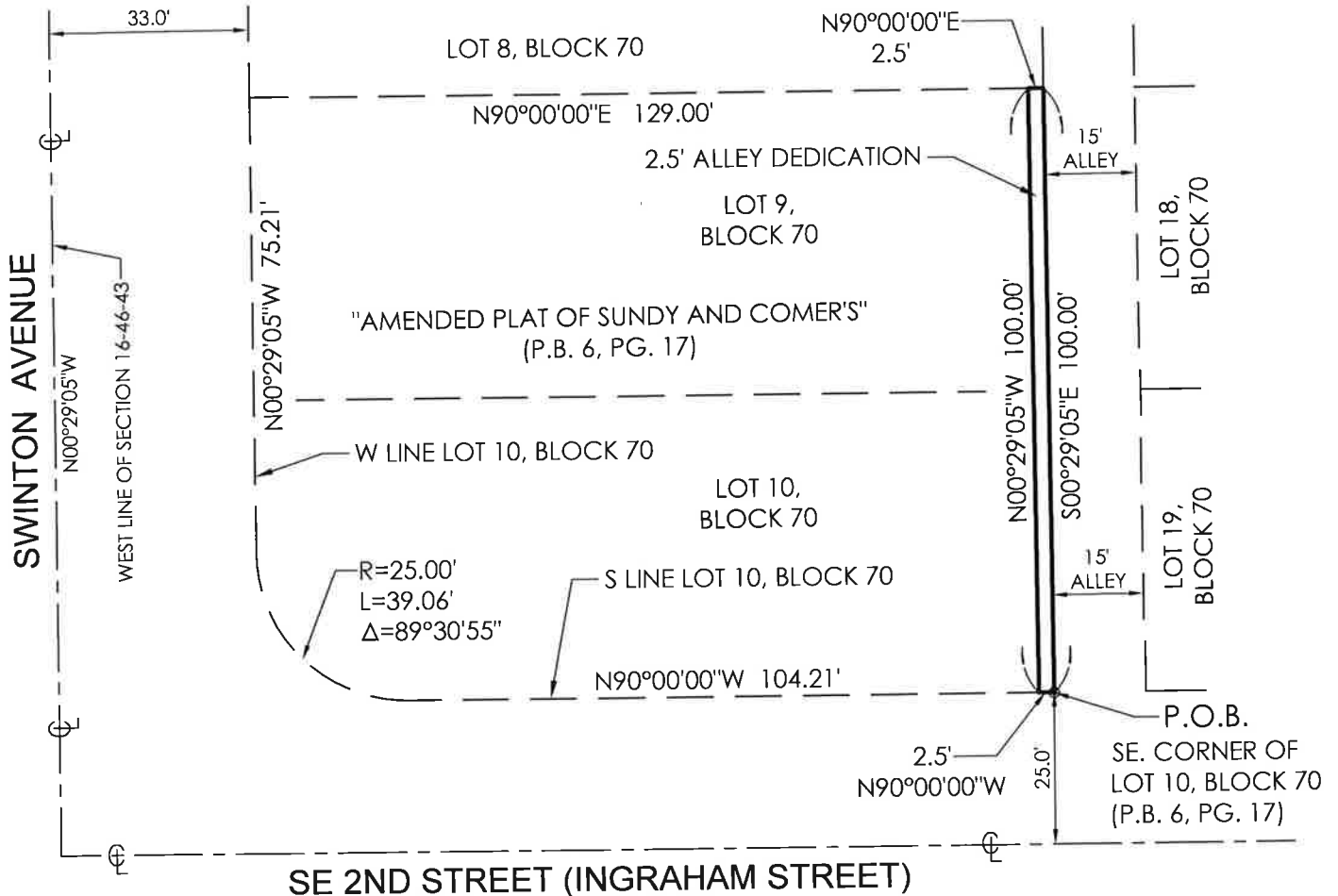
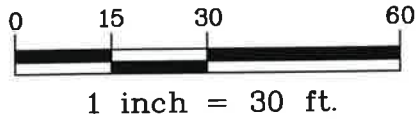
BASELINE LAND SURVEY LLC
1400 N.W. 1st COURT
BOCA RATON, FLORIDA 33432
(561) 417-0700

LB 8229

JOB: 17-08-028 (SK.LG.D.)

SKETCH ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "A" (2.5' ALLEY DEDICATION)



P.B. = PLAT BOOK
PG. = PAGE
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCING

THIS IS NOT A BOUNDARY SURVEY

SHEET NO. 2 of 2

CERTIFICATION:

THIS SKETCH MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE.


JOHN E. KUHAR, PSM, State of Florida
Professional Surveyor & Mapper NO. 6711
Date: 6/5/2024
NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

SCALE: 1" = 30'

CHECKED BY: JEK

DRAWN BY: ELF



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