

Prepared by: RETURN:

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

PCN 12-43-46-09-07-000-0090
Address: 6 Eastview Ave, Delray Beach, FL 33483

RIGHT-OF-WAY DEED

THIS INDENTURE made this ___ day of _____, 202_, between **Testarel LLC**, a Delaware limited liability company with a mailing address of 310 Adler Rd, Dover, DE 19904 4820, 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
Santiago Jaramillo
Print Name


Signature
Theodore Lewis
Print Name

GRANTOR

By: 
Name: Gabriel Bousbib
Its: Authorized Signatory
Date: February 3, 2023

STATE OF NEW YORK _____

COUNTY OF NEW YORK _____

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 3rd day of February, 2023, by Gabriel Bousbib (name of person), as Authorized Signatory (type of authority) for Testarel LLC (name of party on behalf of whom instrument was executed).

Personally known ___ OR Produced Identification X
Type of Identification Produced: Driver's License


Notary Public – State of New York

[Remainder of Page Intentionally Left Blank]

Sarah A. Tecla
Notary Public, State of New York
Reg. No. 01TE6444790
Qualified in New York County
Commission Expires December 5, 2026

ATTEST:

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

By: _____
City Clerk

By: _____
Shelly Petrolia, Mayor

Approved as to Form:

By: _____
City Attorney

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EXHIBIT "A"

LEGEND:

- CL - CENTERLINE
- D.B. - DEED BOOK
- L.W.D.D. - LAKE WORTH DRAINAGE DISTRICT
- O.R.B. - OFFICIAL RECORDS BOOK
- PG. - PAGE
- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- P.B.C.R. - PALM BEACH COUNTY PUBLIC RECORDS
- L.B. - LICENSED BUSINESS

EXHIBIT "A"

- R/W - RIGHT-OF-WAY
- LAE - LIMITED ACCESS EASEMENT
- UE - UTILITY EASEMENT
- Δ - DELTA (CENTRAL ANGLE)
- L - LENGTH
- R - RADIUS
- RB - RADIAL BEARING
- [] - RIGHT-OF-WAY DEDICATION

NOTES

1. SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
2. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON ARE RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) AS DETERMINED BY RTK MEASUREMENTS.
4. THE "DESCRIPTION" SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
5. UNDERGROUND FOUNDATIONS WERE NOT LOCATED.
6. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
7. ADDRESS: 6 EASTVIEW AVENUE, DELRAY BEACH, FLORIDA 33483.
8. INSTRUMENTS OF RECORD SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, UNLESS OTHERWISE SHOWN.

DESCRIPTION

THE NORTH 0.56 FEET OF LOT 9 AND NORTH 0.56' OF THE EAST 10 FEET OF LOT 10, EASTVIEW, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 23, PAGE 44.

SAID LANDS SITUATE IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 47.67 SQ. FT. / 0.001 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION ON DECEMBER 9, 2022. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES 472.027.

THIS IS NOT A SURVEY

SHEET 1 OF 2



CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452

Jeffrey R. Wagner
 JEFFREY R. WAGNER
 REGISTERED LAND
 SURVEYOR NO. 5302
 STATE OF FLORIDA
 L.B. 3591

DATE	12/9/2022
DRAWN BY	RFJ
F.B./ PG.	ELEC.
SCALE	N/A
JOB NO.	10101

**EASTVIEW
RIGHT-OF-WAY DEDICATION
SKETCH OF DESCRIPTION**

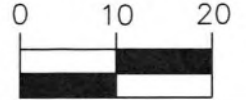
EXHIBIT "A"

LEGEND:

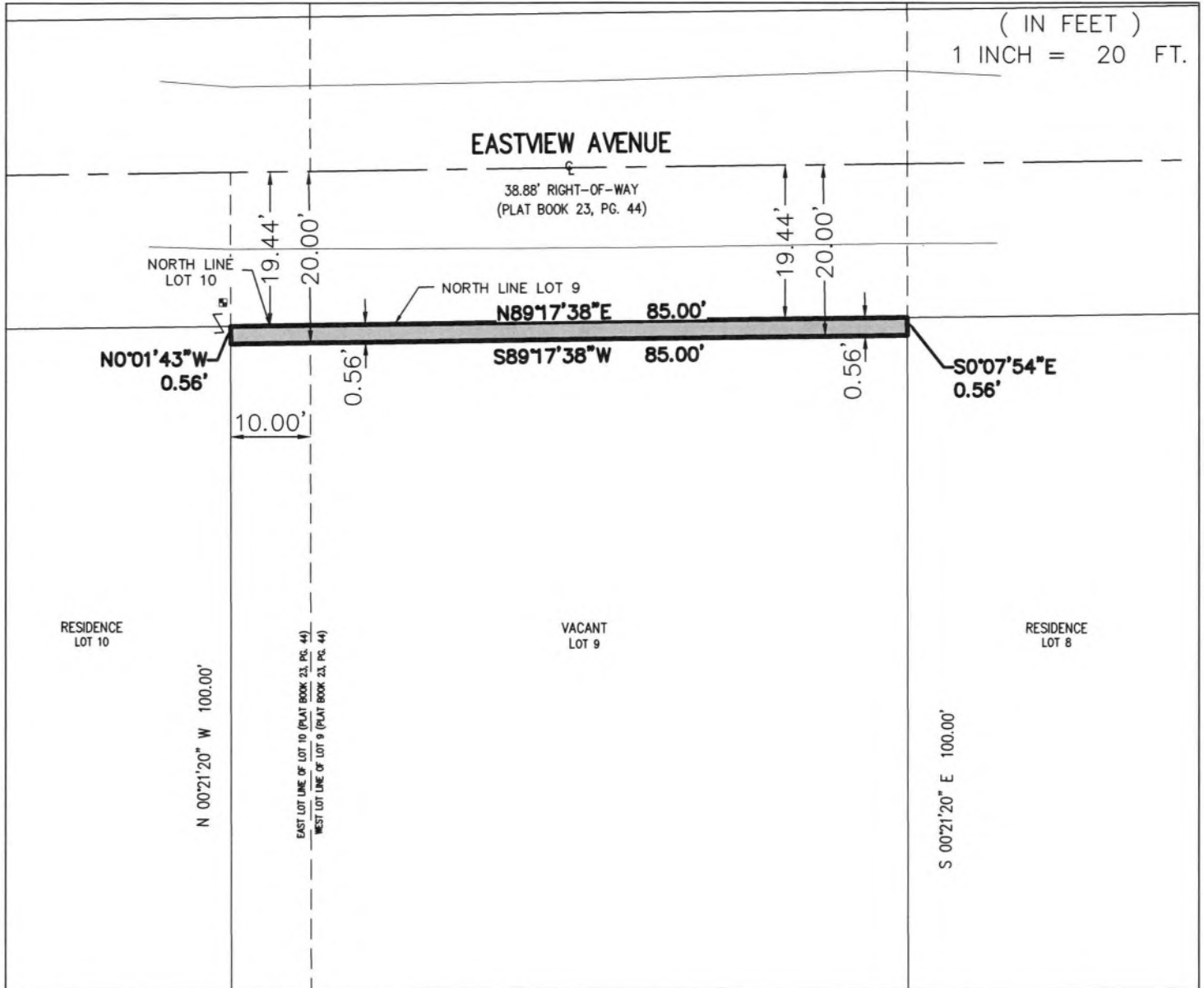
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GRAPHIC SCALE



(IN FEET)
1 INCH = 20 FT.



THIS IS NOT A SURVEY

SHEET 2 OF 2

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EASTVIEW
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 SKETCH OF DESCRIPTION