

Prepared by: RETURN:

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

PCN 12-43-46-16-01-041-0090
Address: 322 NW 2nd Ave

RIGHT-OF-WAY DEED

THIS INDENTURE made this __ day of _____, 202_, between **Michael Wohlert** with a mailing address of 305 NE 2nd Ave, Delray Beach, FL 33444-9993. **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:

Dean Foxanello
Signature
DIANE R. MANE/LO
Print Name

Ladie Fernandez
Signature
LADIE FERNANDEZ
Print Name

GRANTOR

By: *M Wohlert*
Name: Michael Wohlert
Its: owner
Date: 10/21/22

STATE OF FLORIDA _____
COUNTY OF PALM BEACH _____

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 21 day of Oct, 2022, by Michael Wohlert (name of person acknowledging).

Personally known ☐ OR Produced Identification ☒
Type of Identification Produced FDL



Evelyn Renta
Notary Public – State of Florida

[Remainder of Page Intentionally Left Blank]

ATTEST:

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

By: _____
City Clerk

By: _____
Shelly Petrolia, Mayor

Approved as to Form:

By: _____
City Attorney

SKETCH ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "A" (SKETCH OF LEGAL DESCRIPTION)

LEGAL DESCRIPTION:

The West 2.00 feet of Lot 9, in Block 41 of "SUBDIVISION OF BLOCK 41 OF THE MAP OF THE TOWN OF LINTON (NOW DELRAY) FLORIDA", according to the plat thereof, as recorded in Plat Book 5, Page 65 of the Public Records of Palm Beach County, Florida.

SURVEYOR'S NOTES:

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

Subject lands is located within the Palm Beach County, Florida and is located in the recorded Plat of "SUBDIVISION OF BLOCK 41 OF THE MAP OF THE TOWN OF LINTON (NOW DELRAY) FLORIDA", according to the Plat thereof as recorded in Plat Book 5 at Page 65 of the Public Records of Palm Beach County, Florida.

Bearings are based/referred to an assumed meridian where the centerline of NW. 2nd AVENUE bears S 00° 54' 24" E.

Subject lands lies within Section 17, 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.


Date: 10/03/2022
JOHN E. KUHAR, 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.

SCALE: AS SHOWN

CHECKED BY: JEK

DRAWN BY: ELF



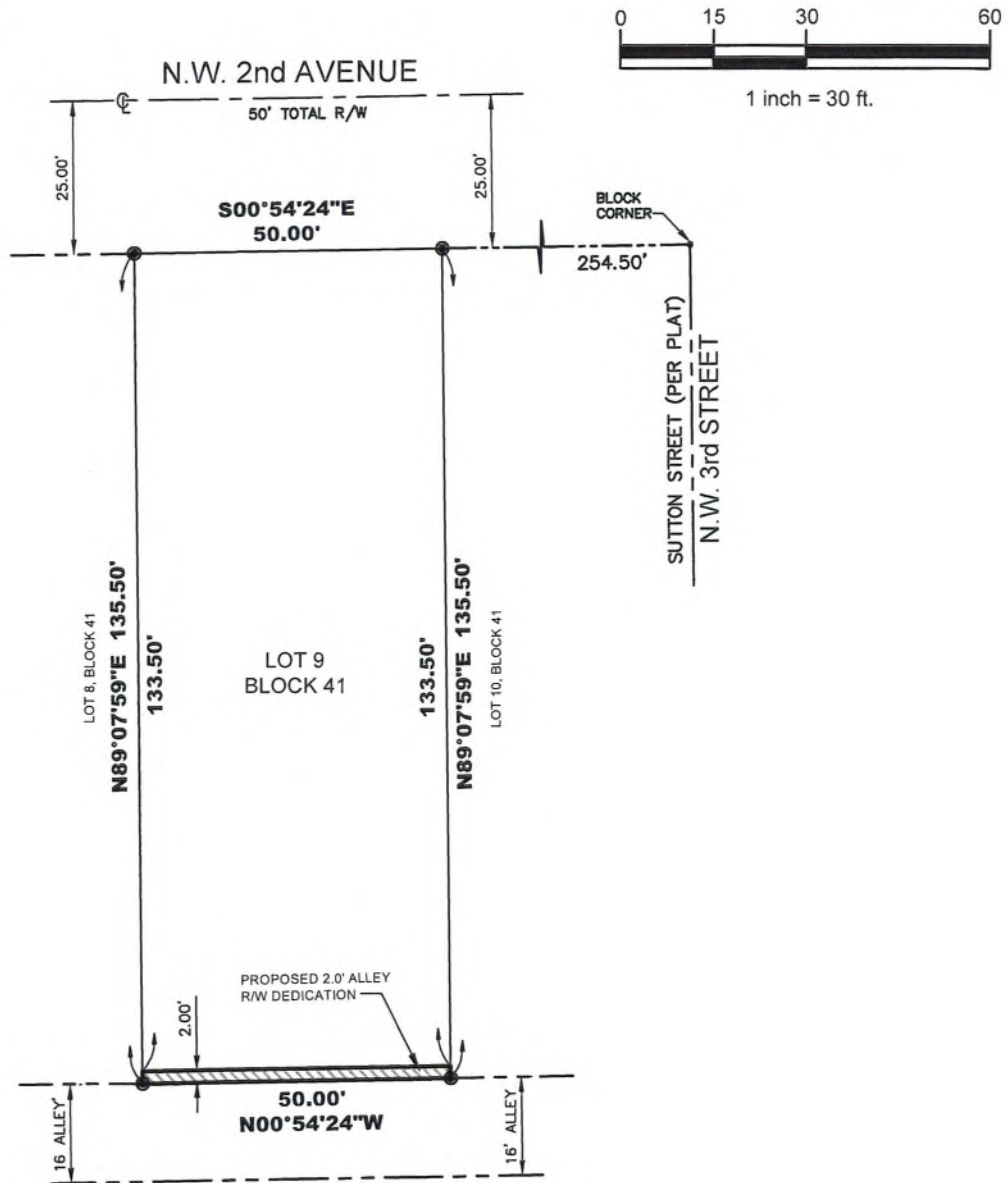
BASELINE LAND SURVEY LLC
1400 N.W. 1st COURT
BOCA RATON, FLORIDA 33432
(561) 417-0700

LB 8229

JOB: 20-08-017-SK.LG.D

SKETCH ACCOMPANY LEGAL DESCRIPTION

EXHIBIT "A" (SKETCH OF LEGAL DESCRIPTION)



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.

[Signature]

Date: 10/03/2022

JOHN E. KUJAR, 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.

SCALE: 1" = 30'

CHECKED BY: JEK

DRAWN BY: ELF



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