

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 2<sup>nd</sup> Ave

## **RIGHT-OF-WAY DEED**

THIS INDENTURE made this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_\_, between **Michael Wohlert** with a mailing address of 305 NE 2<sup>nd</sup> 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.

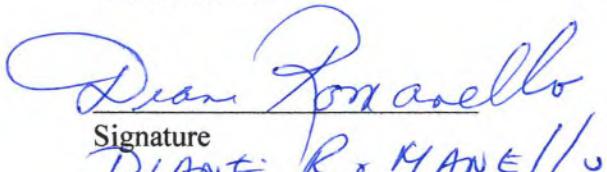
That this right-of-way shall be subject only to those easements, restrictions, and reservation of record. GRANTOR agrees to provide for the release of any and all mortgages or liens encumbering this right-of-way. GRANTOR also agrees to erect no building or effect any other kind of construction or improvements 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:

  
Signature  
Diane Roxasello

Print Name

  
Signature  
Leslie Fernandez

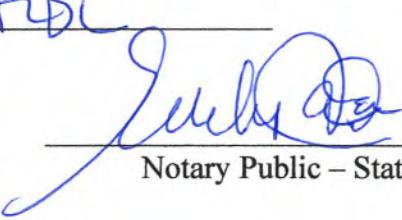
Print Name

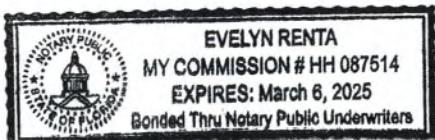
STATE OF FLORIDA \_\_\_\_\_

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

  
Notary Public – State of Florida



[Remainder of Page Intentionally Left Blank]

ATTEST:

By: \_\_\_\_\_  
City Clerk

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

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.

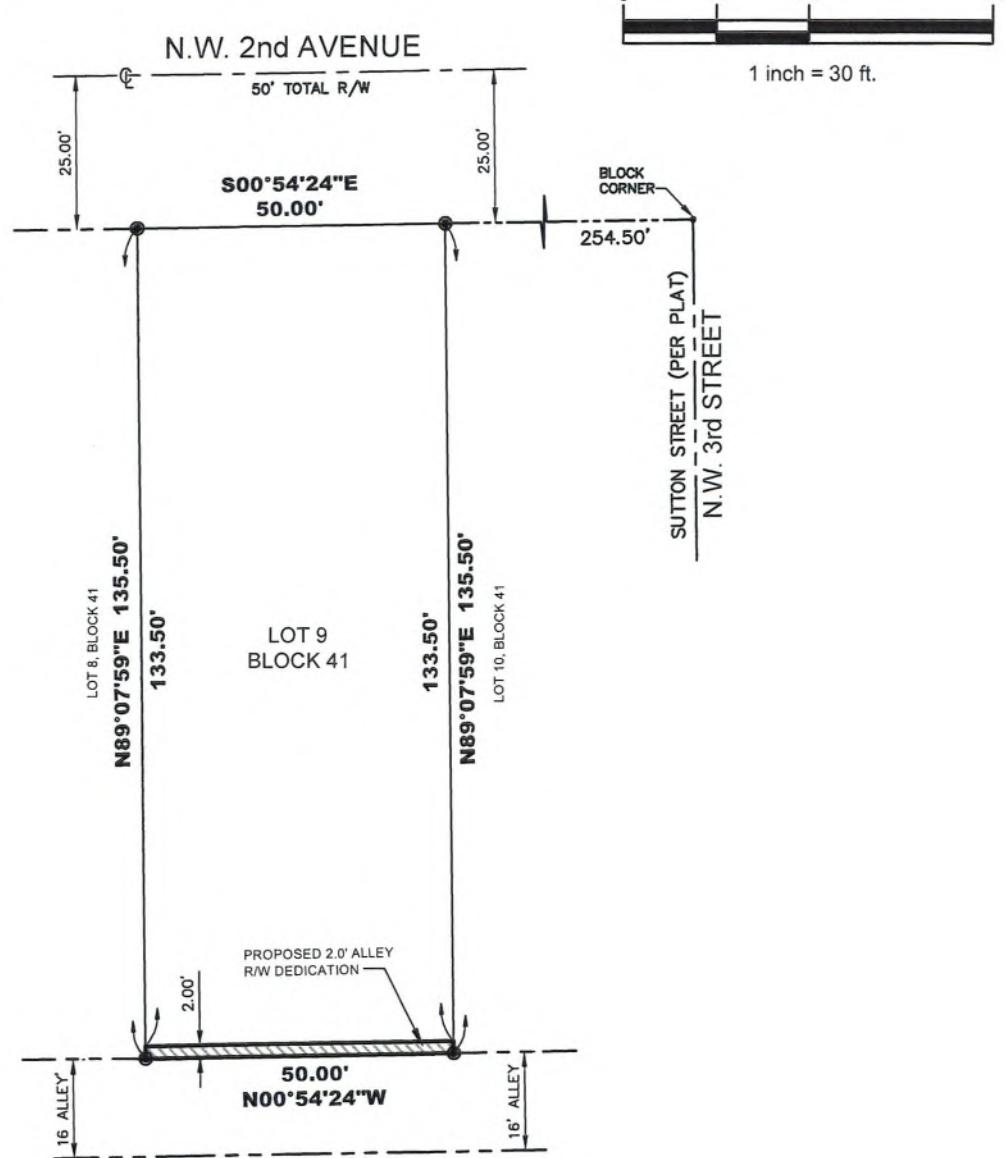
## **THIS IS NOT A BOUNDARY SURVEY**

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.	SCALE: AS SHOWN	 BASELINE LAND SURVEY LLC 1400 N.W. 1st COURT BOCA RATON, FLORIDA 33432 (561) 417-0700 LB 8229
	CHECKED BY: JEK DRAWN BY: ELF	
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.	Date: 10/03/2022	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.

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: 1" = 30'

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