

Prepared by: RETURN:

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

PCN 12-43-46-16-01-047-0100
Address 238 SW 2nd Ave

RIGHT-OF-WAY DEED

THIS INDENTURE made this ___ day of ___, 202_, between Ian Higgins
with a mailing address of 238 SW 2nd Ave Delray Beach, FL 33444, and
Dana Higgins with a mailing
address of 238 SW 2nd Ave Delray Beach, FL 33444, collectively
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.

WITNESS #1

Signature

Luis Buendia

Printed or Typed Name

639 NW 38th Terr

Deerfield Beach, FL 33442

Address

GRANTOR

By:

Name:

Ion Higgins

Date:

4/29/25

WITNESS #2

Signature

Shirley Buendia

Printed or Typed Name

639 NW 38th Terr

Deerfield Beach, FL 33442

Address

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization, this 29 day of April, 2025, by Ion Higgins
(name of person acknowledging).

Personally known ☒ OR Produced Identification

Type of Identification Produced

Notary Public – State of Florida



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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

Signature

Luis Buendia

Printed or Typed Name

639 NW 38th Terrace
Deerfield Beach, FL 33442

Address

GRANTOR

By:

Dana Higgins

Name:

Date: 4/29/25

Date:

WITNESS #2:

Signature

Shirley Buendia

Printed or Typed Name

639 NW 38th Ter
Deerfield Beach FL 33442

Address

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or
☐ online notarization, this 29 day of April, 2025, by Dana Higgins
(name of person acknowledging).

Personally known ☒ OR Produced Identification
Type of Identification Produced _____

Adriana Carmel
Notary Public – State of Florida



ATTEST:

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

By: _____
City Clerk

By: _____
City Mayor

Approved as to Form:

By: _____
City Attorney

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EXHIBIT “A”

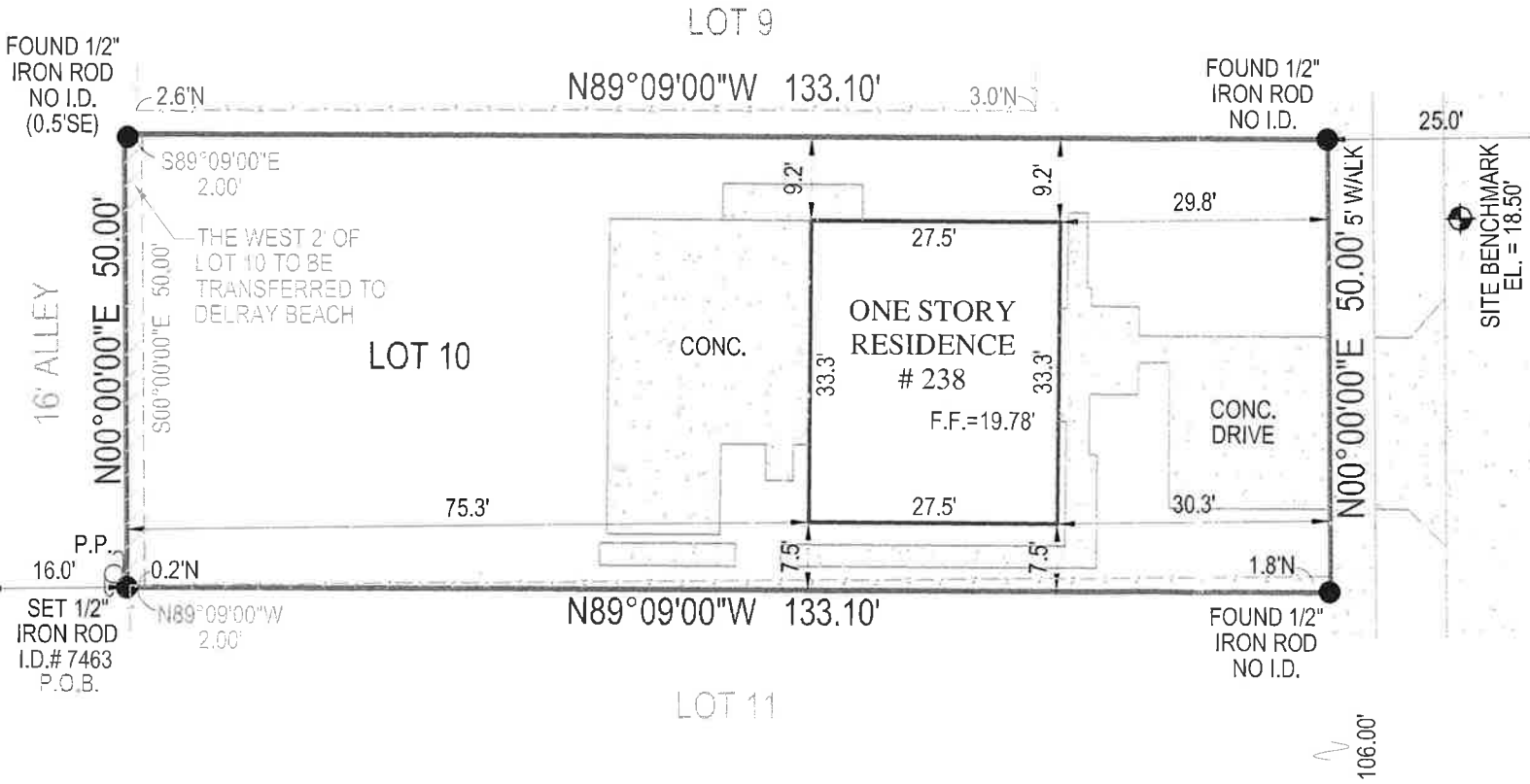
LEGAL DESCRIPTION FOR PROPERTY TO BE TAKEN BY DELRAY BEACH
THE WEST 2 FEET OF LOT 10, A SUBDIVISION OF BLOCK 47 DELRAY PALM BEACH COUNTY,
ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 12, PAGE(S) 81,
OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 10; THENCE RUN N00°00'00"E, FOR 50
FEET; THENCE S89°09'00"E, FOR 2.00 FEET; THENCE S00°00'00"E, FOR 50.00 FEET; THENCE
N89°09'00"W, FOR 2.00 FEET TO THE POINT OF BEGINNING.

FLOOD ZONE: X
COMMUNITY NUMBER: 125102
PANEL: 12099C0979
SUFFIX: F
FIRM DATE: 10/05/2017



LEGEND	
A/C	AIR CONDITIONER
B.F.P.	BACKFLOW PREVENTER
C.B.S.	CONCRETE BLOCK STRUCTURE
EL.	ELEVATION
F.F.	FINISHED FLOOR
I.D.	IDENTIFICATION
L	LENGTH
L.B.	LICENSED BUSINESS
M	MEASURED
N.A.V.D.	NORTH AMERICAN VERTICAL DATUM
N.G.V.D.	NATIONAL GEODETIC VERTICAL DATUM
O.R.B.	OFFICIAL RECORDS BOOK
P	PLAT
PSM	PROFESSIONAL SURVEYOR AND MAPPER
P.R.M.	PERMANENT REFERENCE MONUMENT
PG.	PAGE
P.B.	PLAT BOOK
PK	PARKER KYLON NAIL
R	RADIUS
R/W	RIGHT OF WAY
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
Δ	CENTERLINE
Δ	AND
Δ	NUMBER
Δ	DELTA OR CENTRAL ANGLE
Δ	CONCRETE
Δ	CHAIN LINK FENCE
Δ	WOOD FENCE
Δ	MISCELLANEOUS FENCE



SOUTHWEST 2ND AVENUE

50' RW (IMPROVED)

FOUND 1/2" IRON ROD NO I.D. BLOCK CORNER

- NOTES:
- LEGAL DESCRIPTION CREATED BY COMPASS SURVEYING
 - NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
 - NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
 - ALL ANGLES OR BEARINGS AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED
 - SOME FEATURES MAY NOT BE AT SCALE IN ORDER TO SHOW DETAIL.
 - THE BEARINGS SHOWN HEREON ARE BASED UPON THE EASTERLY PROPERTY LINE, HAVING A BEARING OF N00°00'00"E.

DATE OF FIELD WORK: 11/25/2024
DATE OF MAP: 12/05/2024

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY
IS A TRUE AND CORRECT REPRESENTATION OF A
SURVEY PREPARED UNDER MY DIRECTION.
NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC
SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL,
OR A RAISED EMBOSSED SEAL AND SIGNATURE.

(SIGNED)

DAVID G CUTLER
PROFESSIONAL SURVEYOR AND MAPPER #5593

SKETCH AND DESCRIPTION OF
238 SOUTHWEST 2ND AVENUE
DELRAY BEACH, FL 33444
PREPARED FOR
IAN AND DANA HIGGINS

6250 N. MILITARY TRAIL
SUITE 102
WEST PALM BEACH, FL 33407
www.compassurveying.net



LB. 7463 PHONE: 561.640.4800 FAX: 561.640.0576

Project	C-663188	Sheet	1 OF 1
Date	11/25/2024		
Scale	1"=20'		