

Prepared by: RETURN:

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

PCN 12-43-46-21-01-006-0110  
Address 222 SE 5th St. Delray Beach

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

THIS INDENTURE made this \_\_\_ day of \_\_\_, 202\_, between BM One LLC

with a mailing address of 105 NE 1st St. Delray, FL 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

Jody Ann Francis  
Signature  
Jody-Ann Francis  
Printed or Typed Name

755 NW 17th Ave Ste 107  
Delray Beach, FL 33445  
Address

GRANTOR

By: Robert Julien

Name: Robert Julien

Title: Manager  
for

Company: KM ONE LLC

Date: 4-25-20

WITNESS #2:

Diana Angel  
Signature  
Diana Angel  
Printed or Typed Name

755 NW 17th Ave Ste 107  
Delray Beach, FL 33445  
Address

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 25 day of April, 2020, by Robert Julien (name of person), as Manager (type of authority) for KM ONE LLC (name of party on behalf of whom instrument was executed).

Personally known ☒ OR Produced Identification  
Type of Identification Produced \_\_\_\_\_

Christina M. Santos  
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”



# DESCRIPTION OF 2' RIGHT-OF-WAY DEDICATION FOR ALLEY LOT 11, BLOCK 6 OSCEOLA PARK

## LEGAL DESCRIPTION:

THE SOUTH 2.0 FEET OF LOT 11, BLOCK 6, THEREOF, OSCEOLA PARK, ACCORDING TO THE PLAT THEREOF; AS RECORDED IN PLAT BOOK 3, PAGE 2 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 100.00 SQ. FT. MORE OR LESS

## CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION.

04/24/2025

## SURVEYOR'S NOTES:

1. ALL BEARINGS OR ANGLES SHOWN HEREON ARE BASED ON THE RECORD PLAT UNLESS OTHERWISE NOTED.
2. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND EMBOSSED SEAL.

*Paul A. Davis*  
PAUL A. DAVIS  
P.L.S. #4531  
STATE OF FLORIDA.



# PAUL A. DAVIS, INC.

LB #0007219

Land Surveyors • Land Development • Consultants • Planners

4710 N .E. 17TH AVE. POMPANO BEACH, FLA. 33064-5837  
(954) 263-3102 CELL (954) 698-9101

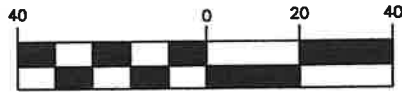
Subdivisions & Condominiums Land & Site Planning  
Lot Surveys • Mortgage Surveys • Acreage Surveys • Topographic Surveys • Record Plats • Condominium Plats • Construction Layout

DATE	REVISIONS
SCALE:	1" = 40'
DRAWN BY:	A.M.D.
DATE:	04/24/2025
JOB NO:	12324
F.B./PG.	N/A
FILE	
SHEET NO.	1 OF 2



# SKETCH OF DESCRIPTION

GRAPHIC SCALE

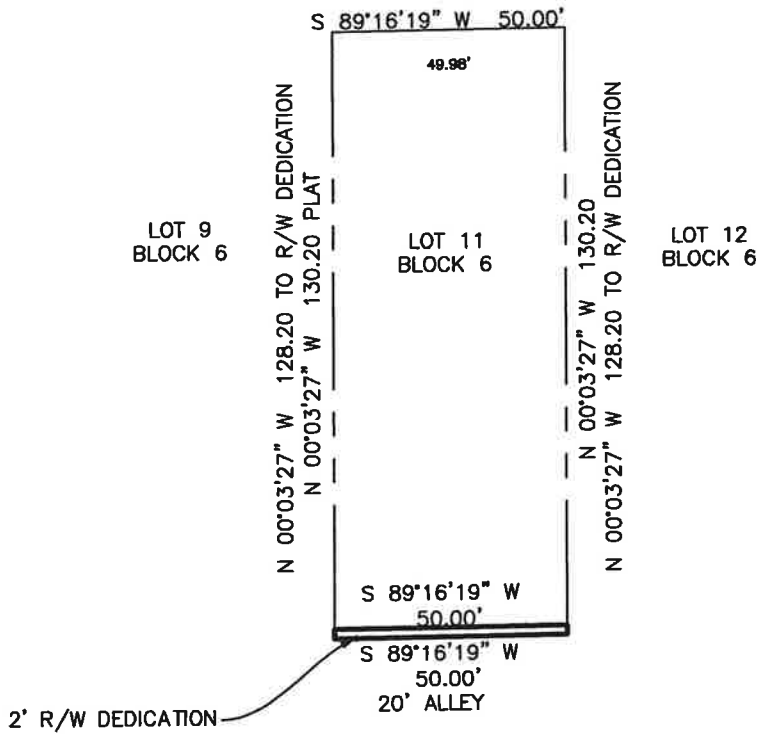


( IN FEET )

1 inch = 40 ft.



S.E. 5TH STREET  
(60' TOTAL RIGHT-OF-WAY)



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DATE	REVISIONS
	SCALE: 1" = 40'
	DRAWN BY: A.M.D.
	DATE: 04/12/2025
	JOB NO: 12324
	F.B./PG. N/A
	FILE
	SHEET NO. 2 OF 2