

Prepared by: RETURN:

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

PCN 12-43-46-16-01-100-0070
Address 12 NE 5th Avenue, Delray Beach, FL 33483

RIGHT-OF-WAY DEED

THIS INDENTURE made this ___ day of _____, 202_, between **12 NE 5TH, LLC**, a Florida limited liability company, with a mailing address of 1124 Luke Lane, Delray Beach, Florida 33483, 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

Sadiyah Ali
Signature

SADIAH ALI
Printed or Typed Name

4103 ARTESA DRIVE
BOYNTON BEACH FL 33436
Address

GRANTOR

By: Pascal Liguori

Name: Pascal Liguori

Title: Manager

for
Company: 12 NE 5TH, LLC

Date: 11/4/24

WITNESS #2:

Bryce Hill
Signature

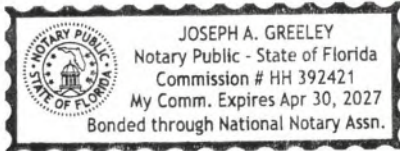
Bryce Hill
Printed or Typed Name

50 NE Fifth Ave
Delray Beach, FL 33483
Address

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 4th day of November, 2024 by Pascal Liguori (name of person), as Manager (type of authority) for 12 NE 5TH, LLC (name of party on behalf of whom instrument was executed).

Personally known OR Produced Identification
Type of Identification Produced FL DL



Joseph A. Greeley
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"

SKETCH OF DESCRIPTION

EXHIBIT "A"
SHEET 1 OF 2

DESCRIPTION:

THAT PORTION OF LOTS 7 AND 8, LESS THE EAST 10.0 FEET THEREOF, BLOCK 100, MAP OF THE SUBDIVISION OF BLOCK 100, TOWN OF DELRAY, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 65, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH WEST CORNER OF SAID LOT 8; THENCE N.89°18'22"E., ALONG THE NORTH LINE OF SAID LOT 8, A DISTANCE OF 2.00 FEET TO A POINT ON A LINE 2.0 FEET EAST OF AND PARALLEL TO THE WEST LINE OF SAID LOTS 7 AND 8; THENCE S.1°32'38"E., ALONG SAID PARALLEL LINE, A DISTANCE OF 116.13 FEET; THENCE S.46°07'08"E., A DISTANCE OF 14.25 FEET TO A POINT ON A LINE 2.0 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF SAID LOT 7; THENCE N.89°18'22"E., ALONG SAID PARALLEL LINE, A DISTANCE OF 103.00 FEET; THENCE N.43°52'52"E., A DISTANCE OF 14.04 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF N.E. 5TH AVENUE (U.S. HIGHWAY NO. 1); THENCE S.1°32'28"E., ALONG SAID WEST RIGHT OF WAY LINE, A DISTANCE OF 12.00 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 7, SAID POINT BEING 10.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 7; THENCE S.89°18'22"W., ALONG THE SOUTH LINE OF SAID LOT 7, A DISTANCE OF 125.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 7; THENCE N.1°32'38"W., ALONG THE WEST LINE OF SAID LOTS 7 AND 8, A DISTANCE OF 128.00 FEET TO THE POINT OF BEGINNING.



PAUL D. ENGLE
SURVEYOR & MAPPER #5708

DATE: SEPTEMBER 14, 2023

O'BRIEN, SUITER & O'BRIEN, INC.
CERTIFICATE OF AUTHORIZATION #LB353
SURVEYOR AND MAPPER IN RESPONSIBLE
CHARGE: PAUL D. ENGLE
955 N.W. 17TH AVENUE, SUITE K-1
DELRAY BEACH FLORIDA 33445
(561) 276-4501 (561) 732-3279

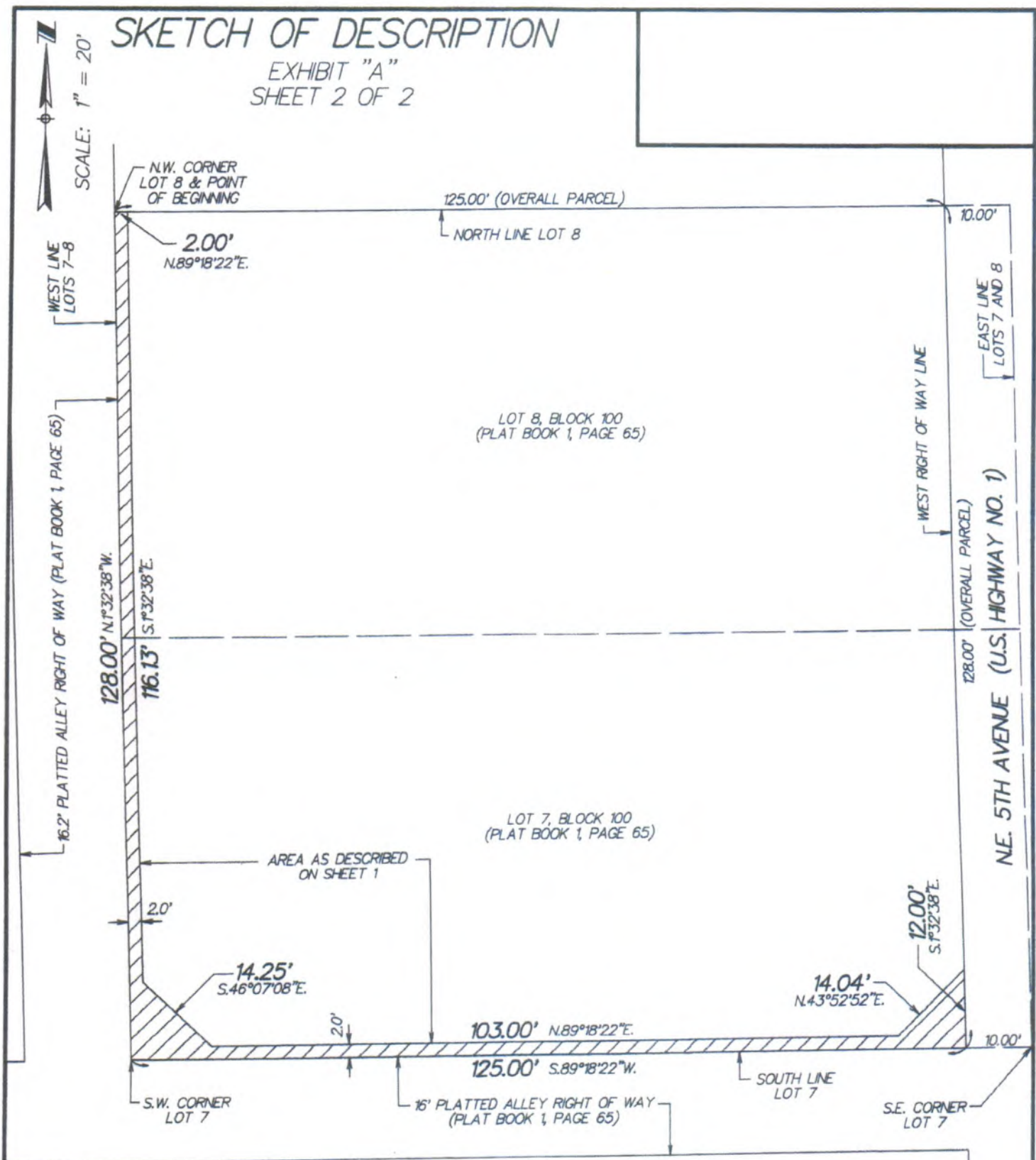
ORDER NO. 21-02"RIGHT OF WAY"

SKETCH OF DESCRIPTION

EXHIBIT "A"
SHEET 2 OF 2



SCALE: 1" = 20'



NOTES:

THIS IS NOT A SURVEY
THE SOUTH LINE OF LOT 7 IS ASSUMED TO BEAR S.89°18'22"W.

ORDER NO. 21-02"RIGHT OF WAY"

DATE: SEPTEMBER 14, 2023

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