

Prepared by: RETURN:

Lynn Gelin, Esq.
City Attorney's Office
200 N.W. 1st Avenue
Delray Beach, FL 33444

PCN: 12-43-46-16-01-102-0110

Property Address: 102 SE 5th Avenue

EASEMENT AGREEMENT FOR PEDESTRIAN CLEAR ZONE

THIS INDENTURE, made this ____ day of _____, 20__, by and between 4TRO PROPCO, LLC, with a mailing address of 2125 Biscayne Boulevard Suite 261, Miami, Florida 33137 (“Grantor”), and the **CITY OF DELRAY BEACH**, a municipal entity, with a mailing address of 100 N.W. 1st Avenue, Delray Beach, Florida 33444, a municipal corporation in Palm Beach County, State of Florida (“Grantee”):

WITNESSETH: That the Grantor, for and in consideration of the mutual promises herein contained and other good and valuable considerations, does hereby grant, bargain, sell and release unto the Grantee, its successors and assigns, a perpetual easement (“Pedestrian Clear Zone”) to be used for a pedestrian clear zone for the purpose of public pedestrian access with full and free right, liberty, and authority to enter upon and to maintain such pedestrian sidewalk clear zone across, through, and upon or within the Pedestrian Clear Zone as specifically identified on Exhibit “A” attached hereto.

DESCRIPTION

See Exhibit “A”

Concomitant and coextensive with this right is the further right in the Grantee, its successors and assigns, of ingress and egress over and on that portion of land described above, to effectuate the purposes of the easement, as expressed hereinafter.

That this easement shall be subject only to those easements, restrictions, conditions and reservations of record. That the Grantor agrees to provide for the release or subordination of any and all mortgages which are superior to this easement. The Grantor also agrees to erect no building or affect any other kind of construction or improvements upon the above-described property, other than the hereinafter described sidewalk.

It is understood that the Grantor shall improve the Pedestrian Clear Zone so as to be an extension of the adjacent public sidewalk and shall match the adjacent public sidewalk in design and material. Upon completion of construction of the sidewalk by the Grantor to the required standards, the Grantor shall maintain the sidewalk in conformance with the City’s practices of maintaining public sidewalks throughout the City.

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 easement and that the same is unencumbered except as provided above. Where the context of this Easement Agreement allows or permits, the same shall include the successors or assigns of the parties.

IN WITNESS WHEREOF, said Grantor has signed and sealed these presents the day and year first above written.

WITNESSES:

Eli Hall
Signature

Elijah Hall
Name

10810 S Federal Hwy delray beach
Address FL, 33483

[Signature]
Signature

JAKOB VERLIN
Name

10810 S Federal Hwy delray beach
Address FL, 33483

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 22ND day of MAY, 2020 by Jerad Graham (name of person), as Manager (type of authority) for 4TRO PROPCO, LLC (name of party on behalf of whom instrument was executed).

Personally known OR Produced Identification X
Type of Identification Produced FL DRIVERS LICENSE

GRANTOR

4TRO PROPCO LLC, A FLORIDA LIMITED LIABILITY COMPANY

By: 4TRO Delray LLC, a Florida limited liability company, Manager

By: Mugdock Development LLC, a Florida limited liability company, Manager

By: [Signature]
Name: Jerad Graham

Title: Manager

Date: 05/22/20

[Signature]
Notary Public – State of FLORIDA



NAUDIA BORREGO
Commission # HH 612952
Expires November 17, 2028

ATTEST:

CITY OF DELRAY BEACH, FLORIDA

Alexis Givings, City Clerk

By: _____
Thomas F. Carney, Jr., Mayor

Approved as to Form:

Lynn Gelin, Esq., City Attorney

EXHIBIT A

SKETCH AND LEGAL DESCRIPTION FOR PEDESTRIAN CLEAR ZONE

**SKETCH AND LEGAL DESCRIPTION OF A PORTION OF LOTS 11 AND 12, BLOCK 102,
TOWN OF LINTON (NOW KNOWN AS DELRAY BEACH), PLAT BOOK 1, PAGE 3,
CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA**

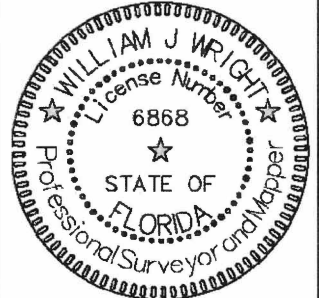
SURVEYOR'S NOTES:

1. BEARINGS SHOWN ARE REFERENCED TO THE CENTERLINE OF S.E. 5TH AVENUE, HAVING AN ASSUMED BEARING OF N01°08'35"W, AS PER ROAD MAP BOOK 2, PAGE 210. ALL OTHER BEARINGS ARE RELATIVE THEREUNTO.
2. THIS IS NOT A SURVEY: NO FIELDWORK WAS PERFORMED IN THE PREPARATION OF THIS EXHIBIT.
3. ALL COORDINATES AND DIMENSIONS ARE U.S. SURVEY FEET (12 METERS = 39.37 FEET)
4. THIS EXHIBIT CONSISTS OF 3 PAGES, AND IS NOT VALID WITHOUT ALL PAGES.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED EXHIBIT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472, FLORIDA STATUTES.

WILLIAM J WRIGHT, PhD, P.S.M.
LICENSE NO. 6868, STATE OF FLORIDA
WRIGHTPSM LLC LB8186



WrightPSM, LLC

PROFESSIONAL SURVEYING AND MAPPING
OFFICE: 2225 53RD AVE VERO BEACH, FL 32966
(772) 538-1858 www.wrightpsm.com
CERTIFICATE OF AUTHORIZATION NO. L.B.8186

SCALE: 1"=30'

DATE: 05/21/2026

JOB NO. 25-0316

PAGE 1 OF 3

**SKETCH AND LEGAL DESCRIPTION OF A PORTION OF LOTS 11 AND 12, BLOCK 102,
TOWN OF LINTON (NOW KNOWN AS DELRAY BEACH), PLAT BOOK 1, PAGE 3,
CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA**

LEGAL DESCRIPTION:

A PORTION OF LOT 11, BLOCK 102, TOWN OF LINTON (NOW KNOWN AS DELRAY BEACH), ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 12, BLOCK 102, RUN N89°42'25"E ALONG THE SOUTH LINE OF LOT 12 FOR A DISTANCE OF 2.00 FEET; THENCE RUN ALONG THE ADDITIONAL RIGHT OF WAY LINES AS RECORDED IN OFFICIAL RECORDS BOOK 36510, PAGE 1950 FOR THE FOLLOWING TWO COURSES: (1) RUN N01°08'35"W A DISTANCE OF 109.90 FEET TO A POINT; (2) THENCE RUN N44°16'55"E FOR A DISTANCE OF 8.38 FEET TO THE **POINT OF BEGINNING "A"**; THENCE CONTINUING ALONG SAID ADDITIONAL RIGHT OF WAY LINES FOR THE FOLLOWING THREE COURSES: (1) RUN N44°16'55"E FOR A DISTANCE OF 5.66 FEET; (2) THENCE RUN N89°42'25"E FOR A DISTANCE OF 93.00 FEET; (3) THENCE RUN S45°43'05"E FOR A DISTANCE OF 7.26 FEET; THENCE LEAVING SAID ADDITIONAL RIGHT OF WAY LINE, RUN S89°44'37"W FOR A DISTANCE OF 28.65 FEET; THENCE RUN S89°49'34"W FOR A DISTANCE OF 1.14 FEET; THENCE RUN S89°44'32"W FOR A DISTANCE OF 64.11 FEET; THENCE RUN S89°44'37"W FOR A DISTANCE OF 6.63 FEET; THENCE RUN N58°32'29"W FOR A DISTANCE OF 1.90 FEET TO THE **POINT OF BEGINNING "A"**.

SAID LANDS CONTAINING AN AREA OF 495 SQUARE FEET (0.011 ACRES), MORE OR LESS.

TOGETHER WITH

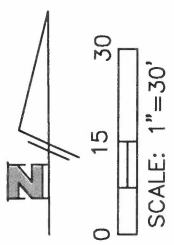
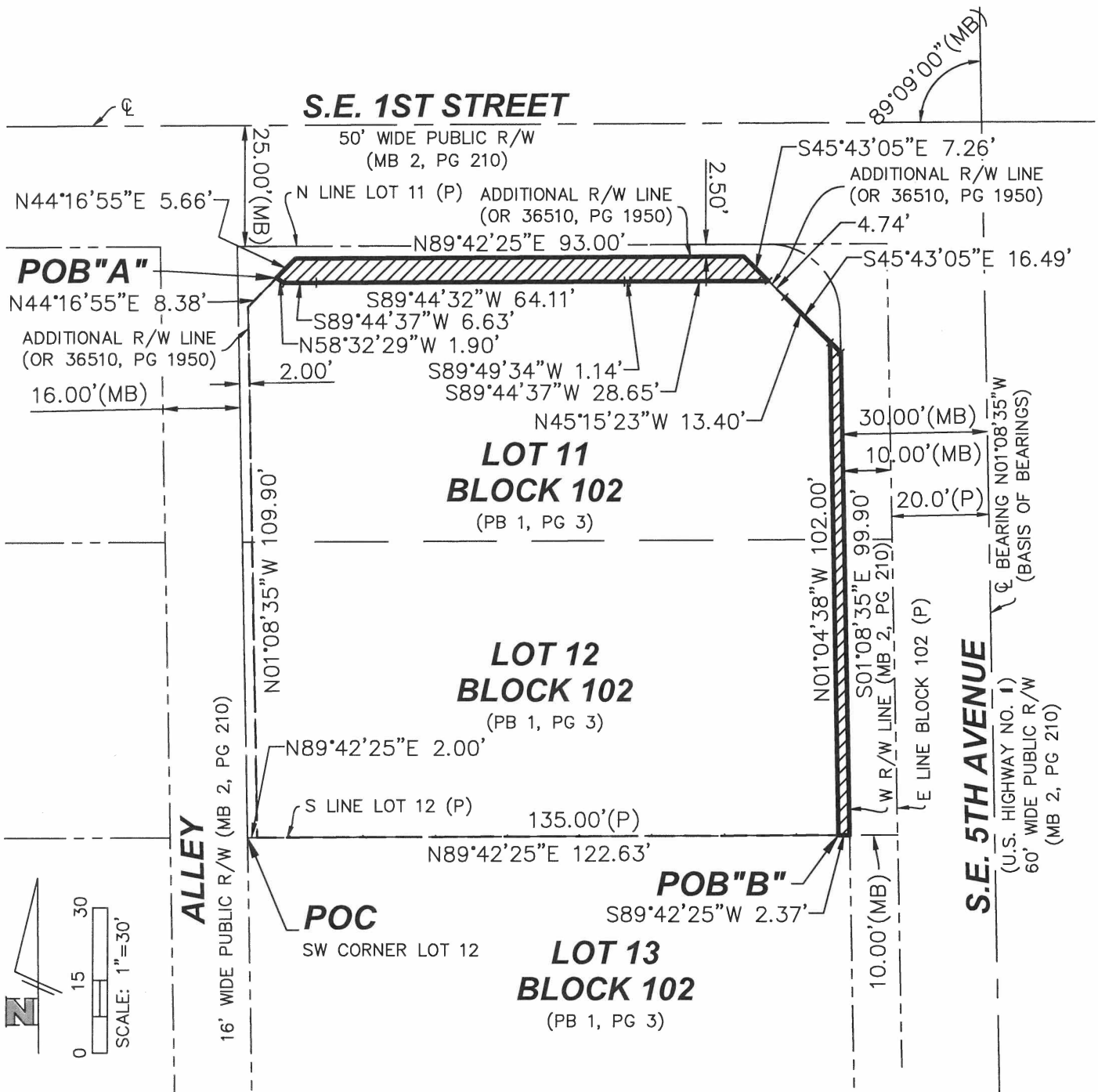
A PORTION OF LOTS 11 AND 12, BLOCK 102, TOWN OF LINTON (NOW KNOWN AS DELRAY BEACH), ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 12, BLOCK 102, RUN N89°42'25"E ALONG THE SOUTH LINE OF LOT 12 FOR A DISTANCE OF 122.63 FEET TO THE **POINT OF BEGINNING "B"**; THENCE RUN N01°04'38"W FOR A DISTANCE OF 102.00 FEET; THENCE RUN N45°15'23"W FOR A DISTANCE OF 13.40 FEET TO A POINT ON THE ADDITIONAL RIGHT OF WAY LINE AS RECORDED IN OFFICIAL RECORDS BOOK 36510, PAGE 1950, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN S45°43'05"E ALONG SAID ADDITIONAL RIGHT OF WAY LINE FOR A DISTANCE OF 16.49 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF SOUTHEAST 5TH AVENUE (U.S. HIGHWAY ONE) AS RECORDED IN MAP BOOK 2, PAGE 210, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE RUN S01°08'35"E ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 99.90 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 12; THENCE RUN S89°42'25"W ALONG SAID SOUTH LINE OF LOT 12 A DISTANCE OF 2.37 FEET TO **POINT OF BEGINNING "B"**.

SAID LANDS CONTAINING AN AREA OF 234 SQUARE FEET (0.005 ACRES), MORE OR LESS.

<p align="center"><i>WrightPSM, LLC</i> PROFESSIONAL SURVEYING AND MAPPING OFFICE: 2225 53RD AVE VERO BEACH, FL 32966 (772) 538-1858 www.wrightpsm.com CERTIFICATE OF AUTHORIZATION NO. L.B.8186</p>	SCALE:	1"=30'	DATE:	05/21/2026
	JOB NO.	25-0316	PAGE	2 OF 3

**SKETCH AND LEGAL DESCRIPTION OF A PORTION OF LOTS 11 AND 12, BLOCK 102,
TOWN OF LINTON (NOW KNOWN AS DELRAY BEACH), PLAT BOOK 1, PAGE 3,
CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA**



ABBREVIATIONS LEGEND	
POC=POINT OF COMMENCEMENT	PB = PLAT BOOK
POB=POINT OF BEGINNING	MB = ROAD MAP BOOK
(P) =PLAT DATA	OR = OFFICIAL RECORDS BOOK
(PB 1, PG3)	PG = PAGE
(MB)=MAP BOOK DATA	LB =LICENSED PROFESSIONAL
(MB 2, PG 210)	SURVEYING & MAPPING
R/W =RIGHT OF WAY	BUSINESS
☉=CENTERLINE	PSM =PROFESSIONAL SURVEYOR &
	MAPPER

<p align="center">WrightPSM, LLC PROFESSIONAL SURVEYING AND MAPPING OFFICE: 2225 53RD AVE VERO BEACH, FL 32966 (772) 538-1858 www.wrightpsm.com CERTIFICATE OF AUTHORIZATION NO. L.B.8186</p>	SCALE: 1"=30'	DATE: 05/21/2026
	JOB NO. 25-0316	PAGE 3 OF 3