

Prepared by: RETURN:

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

PCN: 12-43-46-08-15-004-0220
Address: 321 NW 7TH St.
Delray Beach, FL 33444

RIGHT-OF-WAY DEED

THIS INDENTURE made this ___ day of _____, 202_, between **321 NW 7TH LLC**, with a mailing address of, 185 NE 4th Ave, Suite 104, Delray Beach, FL 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.

WITNESSES:

Laura Majercik
Signature
Laura Majercik
Print Name

[Signature]
Signature
Frederick Noonan
Print Name

GRANTOR

By: [Signature]
Name: Tom Laudani
Its: Manager
Date: August 25, 2023

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 25th day of August, 2023, by Thomas Laudani (name of person), as manager (type of authority) for 321 NW 7TH LLC (name of party on behalf of whom instrument was executed).

Personally known OR Produced Identification _____
Type of Identification Produced _____



[Signature]
Notary Public – State of Florida

[Remainder of Page Intentionally Left Blank]

ATTEST:

GRANTEE/ CITY OF DELRAY BEACH,
FLORIDA

By: _____
City Clerk

By: _____
Shelly Petrolia, Mayor

Approved as to Form:

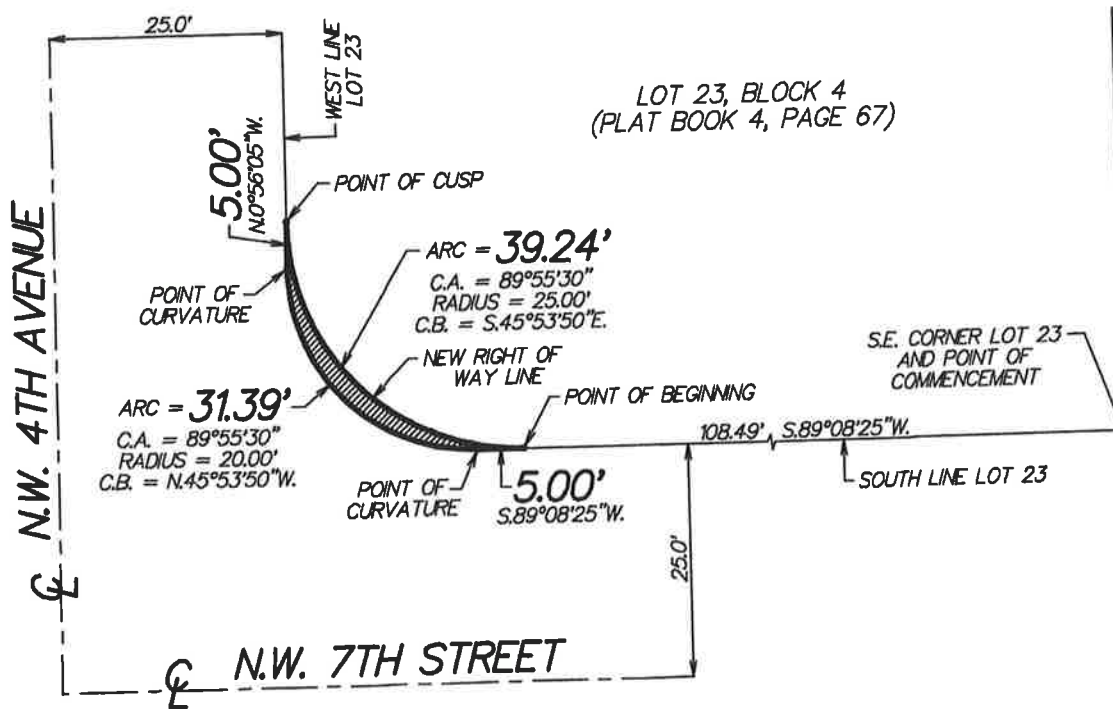
By: _____
City Attorney

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EXHIBIT "A"

SKETCH OF DESCRIPTION

EXHIBIT "A"
SHEET 1 OF 1



DESCRIPTION:

THAT PORTION OF LOT 23, BLOCK 4, LAKE VIEW HEIGHTS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 67, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 23; THENCE S.89°08'25"W., ALONG THE SOUTH LINE OF SAID LOT 23, A DISTANCE OF 108.49 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.89°08'25"W., ALONG SAID SOUTH LINE, A DISTANCE OF 5.00 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST HAVING A CENTRAL ANGLE OF 89°55'30" AND A RADIUS OF 20.00 FEET; THENCE NORTHWEST, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 31.39 FEET TO A POINT OF TANGENCY AND A POINT ON THE WEST LINE OF SAID LOT 23; THENCE N.0°56'05"W. ALONG THE WEST LINE OF SAID LOT 23, A DISTANCE OF 5.00 FEET TO A POINT OF CUSP OF A CURVE CONCAVE TO THE NORTHEAST HAVING A CENTRAL ANGLE OF 89°55'30" AND A RADIUS OF 25.00 FEET; THENCE SOUTHEAST, ALONG THE ARC OF SAID CURVE, A DISTANCE OF 39.24 FEET TO THE POINT OF BEGINNING.

CONTAINING 48 SQUARE FEET MORE OR LESS.

ORDER NO. 22-46"RIGHT OF WAY"

NOTES:

THIS IS NOT A SURVEY

C.A. = CENTRAL ANGLE

C.B. = CHORD BEARING

THE SOUTH LINE OF LOT 23 IS ASSUMED TO BEAR S.89°08'25"W.

C = CENTERLINE

Paul D. Engle
PAUL D. ENGLE

SURVEYOR & MAPPER NO. 5708

DATE: AUGUST 24, 2023

ENGLE LAND SURVEYING LLC
CERTIFICATE OF AUTHORIZATION #LB8447
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