

Prepared by: RETURN:

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

PCN 12-43-46-17-26-002-0190

Address: 130 NW 8TH AVE, DELRAY BEACH, FL 33444

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

THIS INDENTURE made this \_\_ day of \_\_\_\_\_, 202\_\_, between ELIANA MIRANDA  
and ANTONIO C. FOGACA, with a mailing address of 130 NW 8TH AVE, DELRAY BEACH, 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.

WITNESSES:

GRANTOR

[Signature]  
Signature  
Alberto Rodriguez  
Print Name 551 SE 8th St  
Delray Beach FL 33483

By: [Signature]  
Name: ANTONIO CARLOS FOGACA  
Date: 3/30/2024

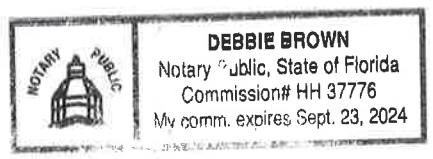
[Signature]  
Signature  
Jennifer Ferguson  
Print Name 551 SE 8th St  
Delray beach, FL 33483

STATE OF Florida  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 30th day of March, 2024 by Antonio Carlos Fogaca (name of person acknowledging).

Personally known \_\_\_ OR Produced Identification   
Type of Identification Produced FL DL

[Signature]  
Notary Public – State of Florida



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WITNESSES:

[Signature]

Signature Alberto Rodriguez

Print Name 551 SE 8th St  
Delray Beach FL 33483

[Signature]

Signature Jennifer Ferguson

Print Name 551 SE 8th St  
Delray beach, FL 33483

GRANTOR

By: [Signature]

Name: ELIANA MIRANDA

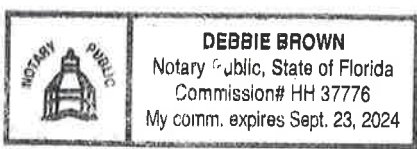
Date: 3/30/2024

STATE OF Florida  
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 30th day of March, 2024 by ELIANA MIRANDA (name of person acknowledging).

Personally known \_\_\_ OR Produced Identification   
Type of Identification Produced FL D/L

[Signature]  
Notary Public – State of Florida



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ATTEST:

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

By: \_\_\_\_\_  
City Clerk

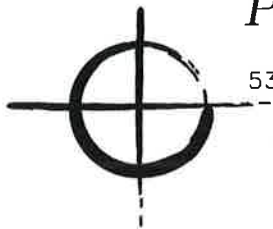
By: \_\_\_\_\_  
City Mayor

Approved as to Form:

By: \_\_\_\_\_  
City Attorney

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EXHIBIT "A"



# PINNELL SURVEY, INC.

LICENSED BUSINESS #6857  
5300 WEST HILLSBORO BOULEVARD, SUITE 215-A  
COCONUT CREEK, FLORIDA 33073  
PHONE (954)418-4940 FAX(954)418-4941

**EXHIBIT "A"**

## SKETCH & DESCRIPTION

### 2.00' ALLEY RIGHT-OF-WAY DEDICATION

#### LEGAL DESCRIPTION:

THE WEST 2.00 FEET OF LOTS 19 AND 20, BLOCK B, OF "WEST SIDE HEIGHTS",  
ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 13, AT PAGE 61, OF  
THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

#### LEGEND & ABBREVIATIONS:

- ☉ - CENTERLINE  
C - CALCULATED  
P - PLAT CALL

#### GENERAL NOTES:

1. THIS IS NOT A SURVEY.
2. THE PROPERTY SHOWN HEREON WAS NOT  
ABSTRACTED FOR OWNERSHIP, RIGHTS-OF-WAY,  
EASEMENTS OR OTHER MATTERS OF RECORD BY  
PINNELL SURVEY, INC.
3. SKETCH PREPARED 03/29/24

JASON H. PINNELL  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA - LICENSE NO. 5734

SKETCH NO.: 23-1862SD  
SHEET 1 OF 2

# PINNELL SURVEY, INC.

LICENSED BUSINESS #6857

5300 WEST HILLSBORO BOULEVARD, SUITE 215-A

COCONUT CREEK, FLORIDA 33073

PHONE (954)418-4940 FAX(954)418-4941

## N.W. 2nd STREET

BLOCK CORNER

LOT 21  
BLOCK B

EXISTING 16' ALLEY  
RIGHT OF WAY

2.00'

136.28'(C)

215.05'(C)

25.00'

89°11'43"(C)

90°50'42"(C)

2.00' ALLEY RIGHT  
OF WAY DEDICATION  
(WEST 2.00' OF LOTS  
19 AND 20, BLOCK B)

LOT 20  
BLOCK B

50.00'(P)

WEST LINE  
OF LOT 20,  
BLOCK B

100.00'(C)

100.00'(C)

100.00'(C)

N.W. 8th AVENUE

(50' RIGHT-OF-WAY)

LOT 19  
BLOCK B

50.00'(P)

WEST LINE  
OF LOT 19,  
BLOCK B

90°48'17"(C)

89°09'18"(C)

136.36'(C)

25.00'

2.00'

LOT 18  
BLOCK B

SCALE: 1" = 20'

SKETCH NO.: 23-1862SD

DRAWN BY: J.P.

SHEET 2 OF 2