

Prepared by: RETURN:

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

PCN_12-43-46-16-22-026-0020 _____
Address: 1122 Ocean Terrace _____

RIGHT-OF-WAY DEED

THIS INDENTURE made this __ day of _____, 202_, between __ Sea to Seaside Development LLC _____

with a mailing address of 565 E Hillsboro Blvd Deerfield Beach, FL 33441
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:

Jenipher Cabot
Signature
Jenipher Cabot
Print Name

Jess Miles Goodall
Signature
Jess Miles Goodall
Print Name

GRANTOR
SEA TO SEASIDE DEVELOPMENT LLC

By: Bryan Hawks
Name: Bryan Hawks
Its: Authorized Signatory
Date: September 14, 2023

STATE OF FLORIDA
COUNTY OF MONROE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 14th day of September, 2023, by Bryan Hawks (name of person), as Authorized Signatory (type of authority) for Sea to Seaside Development LLC (name of party on behalf of whom instrument was executed).

Personally known OR Produced Identification _____
Type of Identification Produced _____ N/A



Brandi Green
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"

LEGEND

- R/W - RIGHT-OF-WAY
- Δ - DELTA (CENTRAL ANGLE)
- SQ. FT. - SQUARE FEET
- - SET 5/8" IR/CAP LB 3591
- ⊙ - WOOD POWER POLE (UNLESS NOTED)
- ⊕ - CENTER LINE
- ⊖ - ANCHOR
- OHW — - ELECTRICAL WIRES OVERHEAD
- P.O.C. - POINT OF COMMENCEMENT
- P.O.B. - POINT OF BEGINNING
- L - ARC LENGTH
- CONC. - CONCRETE
- I.R./CAP - IRON ROD & CAP
- NO I.D. - NO IDENTIFICATION
- O.R.B. - OFFICIAL RECORD BOOK
- PLS - PROFESSIONAL LAND SURVEYOR
- P.B. - PLAT BOOK
- PGS - PAGE(S)
- PROP. - PROPOSED

NOTES

1. SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR.
2. LANDS SHOWN HEREON ARE NOT ABSTRACTED FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
3. BEARINGS SHOWN HEREON REFERENCED TO AN ASSUMED BEARING OF NORTH 89°52'28" EAST ALONG THE SOUTH RIGHT OF WAY LINE OF SE OCEAN TERRACE.
4. THE "DESCRIPTION" SHOWN HEREON IS WRITTEN BY THE SURVEYOR.
5. UNDERGROUND FOUNDATIONS WERE NOT LOCATED.
6. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.

DESCRIPTION

THE NORTH 5.00 FEET OF THE FOLLOWING DESCRIPTION:

A PART OF OCEAN LOT 26, LINTON (NOW DELRAY BEACH), FLORIDA, LYING AND BEING IN SECTION 16, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 1, NASSAU PARK, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 16, PAGE 67, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WESTERLY ALONG THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 1, A DISTANCE OF 12.96 FEET TO A POINT; THENCE NORTHERLY ALONG A LINE PARALLEL TO A LINE, ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL OF DELRAY BEACH, FLORIDA, AS A LINE TO SERVE IN THE PLACE OF THE WEST BOUNDARY LINE OF THE OCEAN BOULEVARD", A DISTANCE OF 49.33 FEET TO A POINT IN A LINE PARALLEL TO AND 30 FEET SOUTHERLY FROM, MEASURED AT RIGHT ANGLES TO, THE NORTH LINE OF SAID OCEAN LOT 26; THENCE WESTERLY ALONG SAID PARALLEL LINE A DISTANCE OF 75 FEET; THENCE SOUTHERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 128.95 FEET, MORE OR LESS, TO A POINT IN THE SOUTH LINE OF SAID OCEAN LOT 26; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID OCEAN LOT 26, A DISTANCE OF 83.2 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID LOT 1, NASSAU PARK; THENCE NORTHERLY ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 79.6 FEET TO THE POINT OF BEGINNING; SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.


LESS THAT PART OF BEACH LOT 26, IN THE CITY OF DELRAY BEACH (FORMERLY LINTON), FLORIDA, ACCORDING TO THE PLAT OF THE SUBDIVISION OF E 1/2 OF FRACTIONAL SECTION 16, TOWNSHIP 46 SOUTH, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 1, PAGE 25, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS;

BEGIN AT THE NORTHWEST CORNER OF LOT 1, NASSAU PARK, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 16, PAGE 67, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S00° 11' 33"E, ALONG THE WEST LINE OF SAID LOT 1, 57.75 FEET; THENCE N90° 00' 00"W, ALONG A LINE 57.75 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID LOT 1, 6.60 FEET; THENCE N00° 11' 33"W, AND PARALLEL WITH THE SAID WEST LINE OF LOT 1, 57.75 FEET TO THE INTERSECTION WITH THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 1; THENCE N90° 00' 00"E, ALONG SAID EXTENSION, 6.60 FEET TO THE SAID POINT OF BEGINNING.

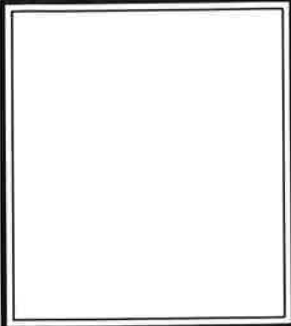
SAID LANDS SITUATE IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA. CONTAINING 347.82 SQ. FT. / 0.0080 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

SHEET 1 OF 2

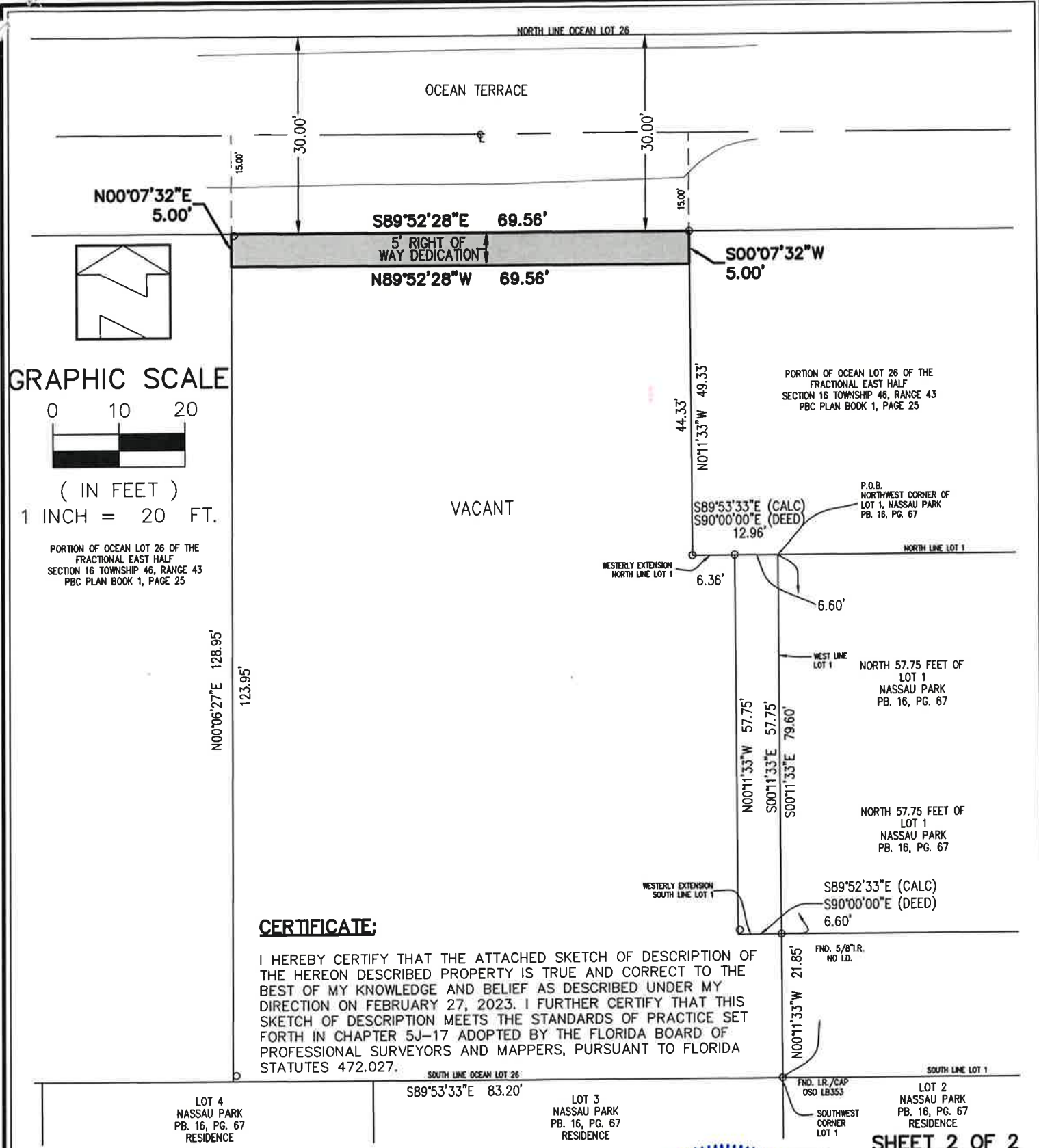


CAULFIELD & WHEELER, INC.
 CIVIL ENGINEERING
 LANDSCAPE ARCHITECTURE - SURVEYING
 7900 GLADES ROAD - SUITE 100
 BOCA RATON, FLORIDA 33434
 PHONE (561)-392-1991 / FAX (561)-750-1452



DATE	2/27/2023
DRAWN BY	RFJ
F.B./ PG.	ELEC.
SCALE	1"=20'
JOB NO.	9665

**PART OF OCEAN LOT 26
RIGHT OF WAY DEDICATION
SKETCH OF DESCRIPTION**



CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS DESCRIBED UNDER MY DIRECTION ON FEBRUARY 27, 2023. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER 5J-17 ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO FLORIDA STATUTES 472.027.

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JEFFREY R. WAGNER
 CERTIFICATE
 No 5302
 PROFESSIONAL SURVEYOR
 STATE OF FLORIDA

DATE	2/27/2023
DRAWN BY	RFJ
E.B. / PG.	ELEC.
SCALE	1"=20'
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