

Prepared by: RETURN:

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

PCN:12-43-46-16-01-106-0160
Address: 246 NE 6th Avenue,
Delray Beach, FL 33483

RIGHT-OF-WAY DEED

THIS INDENTURE made this __ day of _____, 2025, between 246 DELRAY MANAGEMENT LLC, a Florida limited liability company

with a mailing address of 125 Pembroke Drive, Palm Beach Gardens, Florida 33418, 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

Aya Benarie
Signature

Aya Benarie

Printed or Typed Name

6111 Broken Sound Parkway NW, Suite 200
Boca Raton, Florida 33487
Address

WITNESS #2:

Dawn Marie Andrie
Signature

Dawn Marie Andrie

Printed or Typed Name

6111 Broken Sound Parkway NW, Suite 200
Boca Raton, Florida 33487
Address

GRANTOR

By: *Ronen O. Gershon*

Name: Ronen O. Gershon

Title: Manager

for
Company: 246 DELRAY MANAGEMENT LLC
a Florida limited liability company

Date: 1/31/25

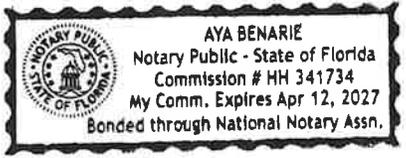
STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 31st day of January, 2025 by RONEN O. GERSHON (name of person), as Manager (type of authority) for 246 DELRAY MANAGEMENT LLC (name of party on behalf of whom instrument was executed).

Personally known OR Produced Identification
Type of Identification Produced _____

Aya Benarie

Notary Public – State of Florida
Aya Benarie



ATTEST:

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

By: _____
City Clerk

By: _____
City Mayor

Approved as to Form:

By: _____
City Attorney

[Remainder of Page Intentionally Left Blank]

CONSENT TO FILING OF ORIGINAL RIGHT-OF-WAY DEED

ATHENE ANNUITY AND LIFE COMPANY, an Iowa Corporation ("Athene"), the current Owner and Holder of a Mortgage described below, consents and agrees to the original filing and recording of the Right-of-Way Deed in the Public Records of Palm Beach County, (to which this is attached).

Mortgage Assignment of Rents, Security Agreement and Fixture Filing to Sound Equity Income Debt Fund, LLC (a Delaware Limited liability company), (Mortgage), recorded in O.R. Book 34599, Page 1903, of the Public Records of Palm Beach County, Florida, as assigned by Sound Capital Loans, LLC, a Delaware limited liability company by Assignment of Mortgage dated June 3, 2024, recorded in Official Records Book 35093, Page 1071, of the Public Records of Palm Beach County, Florida and then subsequently assigned to Athene Annuity and Life Company, an Iowa Corporation by assignment recorded in Official Records Book 35093, Page 1074, of the Public Records of Palm Beach County, Florida.

IN WITNESS WHEREOF, Athene has executed under seal this Consent to Filing of Original Right-of-Way Deed on this 6th of February, 2025.

**SOUND CAPITAL, LLC, as Servicing Agent for
ATHENE ANNUITY AND LIFE COMPANY,
an Iowa Corporation**

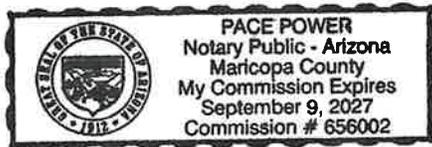

By: Robert W. Kenyon, Authorized signer

COUNTY OF Maricopa
STATE OF Arizona

THE FOREGOING INSTRUMENT was, executed, acknowledged, and delivered before me by means of physical presence or online notarization, this 6 day of February, 2025, by Robert W. Kenyon, as President of SOUND CAPITAL, LLC as Servicing Agent of ATHENE ANNUITY AND LIFE COMPANY, an Iowa Corporation. He/She:

- is personally known to me OR
- produced a Washington State driver's license as identification OR
- produced _____ as identification.

Seal




Notary Public
Print Name: Page Power
My commission expires: 09-09-27

2 FT WIDE DEDICATION STRIP
 WEST SIDE LOT 16, BLOCK 106
 "TOWN OF LINTON-NEW KNOWN AS DELRAY BEACH"
 PLAT BOOK 1, PAGE 3

EXHIBIT "A"

DEDICATION STRIP LOCATION SKETCH



The survey map and notes and/or report or the copies thereof are not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper. Any additions or deletions to the survey map and notes and/or report by other than the signing party or parties is prohibited without written consent of the signing party or parties.

- NOTES:
 1- THIS IS NOT A BOUNDARY, BUT ONLY A GRAPHIC DEPICTION OF THE DESCRIPTION SHOWN HEREON
 2- ALL DISTANCES AS SHOWN ARE BASED ON THE US SURVEY FOOT.
 3- RIGHT OF WAY AS SHOWN IS BASED ON THE RECORDED PALM BEACH CPUNTY RECORDS.

BY: FELIPE NAZARIO ORTIZ

[Handwritten Signature]
 01/28/2025

LICENSE SURVEYOR #6815 (STATE OF FLORIDA)

2 FT WIDE DEDICATION STRIP
 WEST SIDE LOT 16, BLOCK 106
 "TOWN OF LINTON-NEW KNOWN AS DELRAY BEACH"
 246 NE 6th AVENUE, DELRAY BECH, FLORIDA (33483)

NO.	DATE	DESCRIPTION	REV.	BY

REVISIONS

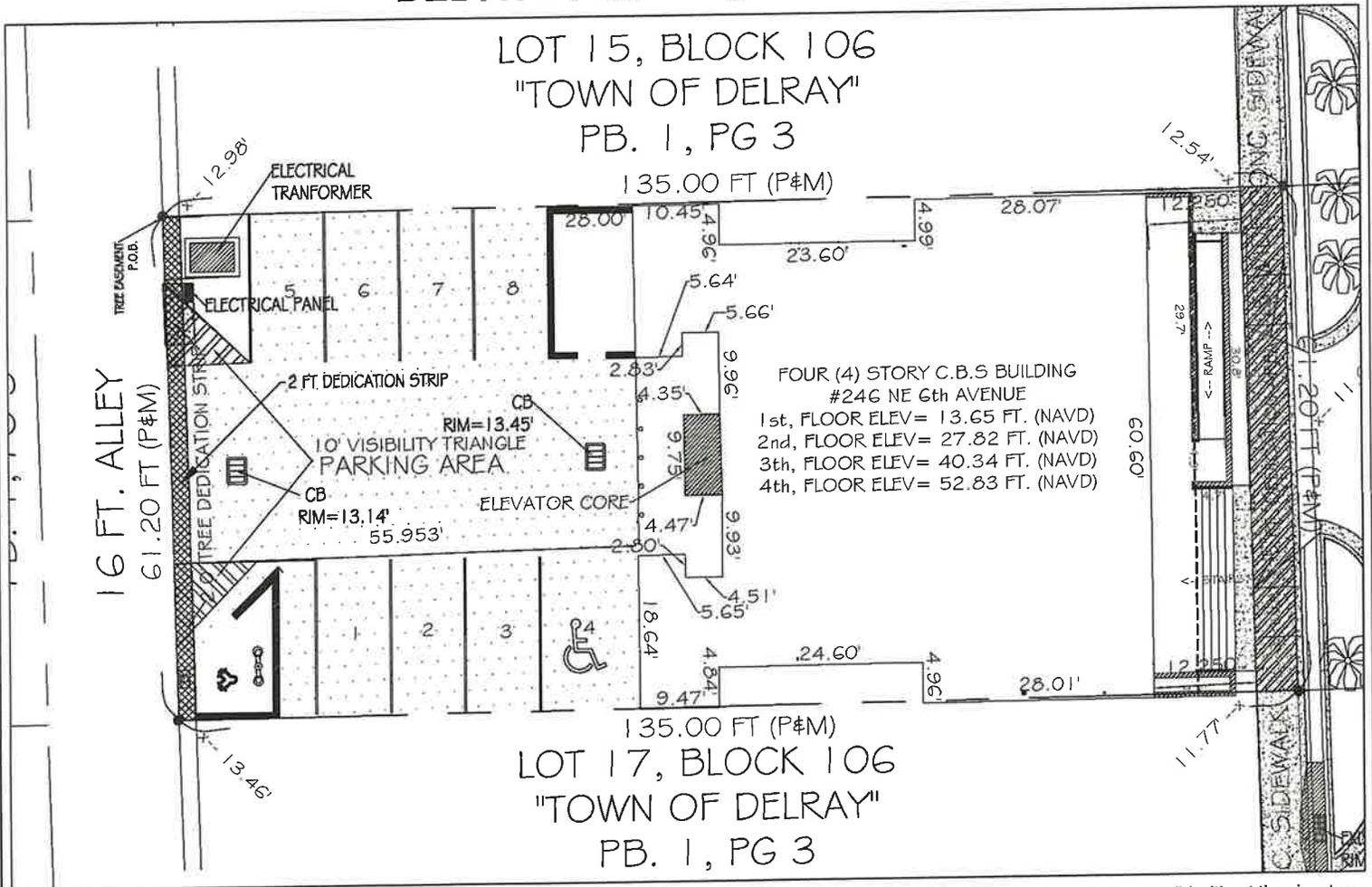
FELIPE NAZARIO ORTIZ
 PROFESSIONAL SURVEYOR AND MAPPER
 13000 SW 14th STREET APT. 301-C, PEMBROKE PINES, FLORIDA (33027)
 PHONE: (954)404-0141 email: (felipeortiz@central.com)

SHEET 1 OF 3
 DATE: 01/28/2025
 COUNTY: CA DESIGN: SIMJA
 REGION: FH CHECKED: FH
 SCALE: 1"=20'
 FILE NO: 2024-050

**2 FT WIDE DEDICATION STRIP
WEST SIDE LOT 16, BLOCK 106
"TOWN OF LINTON-NEW KNOWN AS DELRAY BEACH"
PLAT BOOK 1, PAGE 3**

EXHIBIT "A"

DEDICATION STRIP SKETCH



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FELIPE NAZARIO ORTIZ

BY:

[Signature]
 01/28/2025

LICENSE SURVEYOR 46815 (STATE OF FLORIDA)

SHEET 2 OF 3

2 FT WIDE DEDICATION STRIP
 WEST SIDE LOT 16, BLOCK 106
 "TOWN OF LINTON-NEW KNOWN AS DELRAY BEACH"
 246 NE 6th AVENUE, DELRAY BECH, FLORIDA (33483)

NO.	DATE	DESCRIPTION	APP.	CHK.

FELIPE NAZARIO ORTIZ
 PROFESSIONAL SURVEYOR AND MAPPER
 13800 SW 14th STREET, APT. 301-C, PEMBROKE PINES, FLORIDA (33027)
 PHONE: (954)44-0141 email: (fnezario25@hotmail.com)

DATE: 01/28/2025
 COUNTY: DELRAY
 STATE: FLORIDA
 SCALE: 1"=20'
 FILE NO: 2024-050

REVISIONS

2 FT WIDE DEDICATION STRIP
 WEST SIDE LOT 16, BLOCK 106
 "TOWN OF LINTON-NEW KNOWN AS DELRAY BEACH"
 PLAT BOOK 1, PAGE 3

EXHIBIT "A"

LEGAL DESCRIPTION

LEGAL DESCRIPTION:

A Portion of Lot 16, Block 106, Town of Linton, now known as the City of Delray Beach, Florida, according to the Plat thereof as recorded in Plat Book 1, pages(s) 3, of the Public Records of Palm Beach County, Florida. Parcel Identification Number: 12-43-46-16-01-106-0161, composed of a 2.00 ft. wide strip of land located at the West side of block106 described as follows;

Commence at the Northwest corner of Lot 16, Block 106, Town of Linton, now known as the City of Delray Beach, Florida, according to the Plat thereof as recorded in Plat Book 1, pages(s) 3, of the Public Records of Palm Beach County, Florida to the , Point of Beginning; thence run East 2.00 feet along the North limit of said Lot 16, Block 106, to a point; thence run South along a line 2.00 feet off and parallel to the West limit of Lot 16, Block 106, Town of Linton, now known as the City of Delray Beach, Florida, according to the Plat thereof as recorded in Plat Book 1, pages(s) 3, of the Public Records of Palm Beach County, Florida, a distance of 61.20 feet to a point located at the South limit of Lot 16, Block 106; thence run West along the South limit of said Lot 16, Block 106, 2.00 feet to a point, that is the Southwest corner of said Lot 16, Block 106; thence runs North along the West limit of along the West limit of said Lot 16, Block 106, Town of Linton, now known as the City of Delray Beach, Florida, according to the Plat thereof as recorded in Plat Book 1, pages(s) 3, of the Public Records of Palm Beach County, Florida. a distance of 61.20 feet to the Point of Beginning.

This strip of land contains 122.40 square feet, same as 0.0028 Acres by calculation

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BY: FELIPE NAZARIO ORTIZ

LICENSE SURVEYOR #6815 (STATE OF FLORIDA)

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 WEST SIDE LOT 16, BLOCK 106
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 246 NE 6th AVENUE, DELRAY BECH, FLORIDA (33483)

NO.	DATE	DESCRIPTION	REV.	CHK.

R E V I S I O N S

FELIPE NAZARIO ORTIZ
 PROFESSIONAL SURVEYOR AND MAPPER
13800 SW 14th STREET APT. 301-C, PEMBROKE PINES, FLORIDA (33027)
 PHONE: (954)44-0141 email: (felipe25@hotmail.com)

SHEET 3 OF 3

DATE	01/28/2025
STATE	FL
COUNTY	CA
CITY	SINAJA
SCALE	N.T.S.
FILE NO.	2024-050