Prepared by: RETURN:

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

Address: 202 NE 5th Terrace, Delray Beach, FL 33444

PCN: 12-43-46-09-29-009-0012

LIMITED ACCESS EASEMENT AGREEMENT

This Limited Access Easement Agreement, made this ____ day of _____, 20__, by and between Marc A. Schliesman and Amy L. Davidson, with a mailing address of 202 NE 5th Terrace, Delray Beach, Florida ("Property Owners") and the **CITY OF DELRAY BEACH** ("City") with a mailing address of 100 N.W. 1st Avenue, Delray Beach, Florida 33444, a municipal corporation in Palm Beach County, State of Florida:

WHEREAS, Section 6.1.2(B)(7) of the Land Development Regulations of the Code of Ordinances of the City of Delray Beach provides that reserve strips controlling access to streets shall be prohibited except where their control is agreed to by the City under approved conditions. Such reserve strips, when agreed to by City, shall be required, as limited access easements, along all arterial and collector streets except for approved points of ingress and egress; and

WHEREAS, vehicular access onto NE 2nd Avenue from the property located at 202 NE 5th Terrace, further described in Exhibit "A" is impracticable in this case due to it being a thoroughfare and being the side lot; and

WHEREAS, the property owners wish to have a limited access easement agreement over the historic front of the lot at 202 NE 5th Terrace pursuant to Section 6.1.(B)(7) above; and

NOW THEREFORE, in consideration of the mutual promises and covenants set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby covenant and agree as follows:

- 1. That the recitals heretofore set forth are true and accurate and incorporated herein by reference.
- 2. That the Limited Access Easement is needed so that vehicle access to the property described in Exhibit "A" shall be denied and prohibited as to NE 2nd Avenue.
- 3. The Limited Access Easement covers the area described in Exhibit "B". Property Owners hereby grant and impose over its property a Limited Access Easement for ingress and egress over the area described on Exhibit "B" for vehicular access and travel.
- 4. Property Owners and City agree that this Limited Access Easement Agreement shall be recorded in the Public Records of Palm Beach County, Florida and shall run with the land.

The Limited Access Easement granted herein shall not be transferred, assigned, sold or otherwise conveyed except in conjunction with the transfer or sale of the subject property.

5. This agreement may not be changed, altered or modified except in writing signed by both parties. This agreement shall be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the parties to this Limited Access Easement Deed set their hands and seals the day and year first above written.

1	WITNESSES: Signature	PROPERTY OWNERS Signature					
-	Print Name Signature	Marc A. Schliernau Print Name Signature					
	Print Name	Any L. Davidson Print Name					
	STATE OF FL COUNTY OF PACM BEACH The foregoing instrument was acknown	wledged before me by means of physical					
MAR	presence or online notarization, this so day of April, 2023 by a schlies Max (name of person acknowledging).						
	Personally known VOR Produced Identification Produced WIRSTEN RUTHERFORD	Vana					
	(SEAL) MY COMMISSION # HH 501149 EXPIRES: March 7, 2028	Notary Public State of					

[Remainder of Page Intentionally Blank, City Signature Page Below]

ATTEST:	CITY OF DELRAY BEACH, FLORIDA
By:Alexis Givings, City Clerk	By: Thomas F. Carney, Jr., Mayor
Approved as to Form and Legal Sufficiency:	
By: Lynn Gelin, City Attorney	

Exhibit A

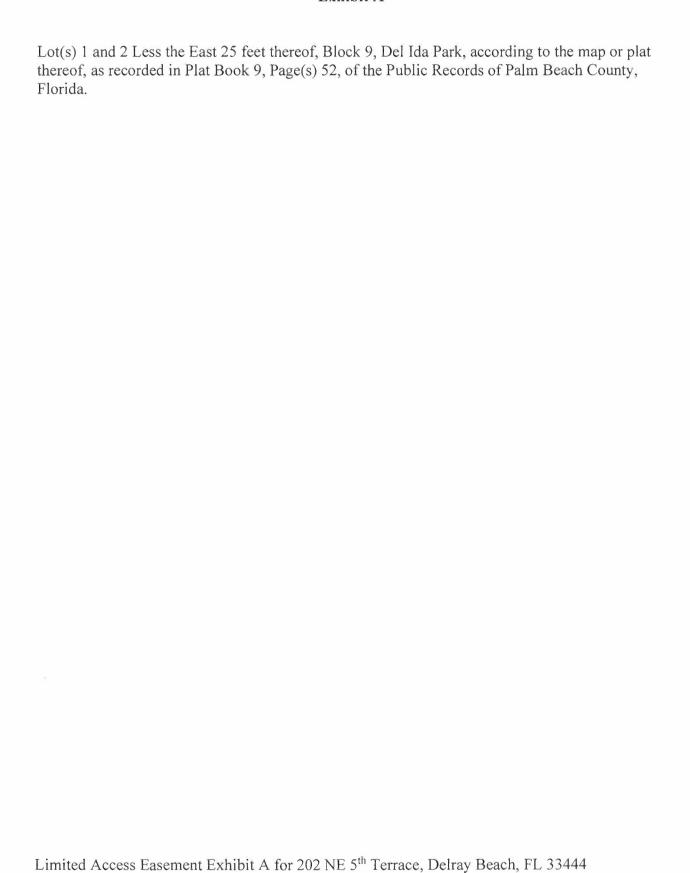


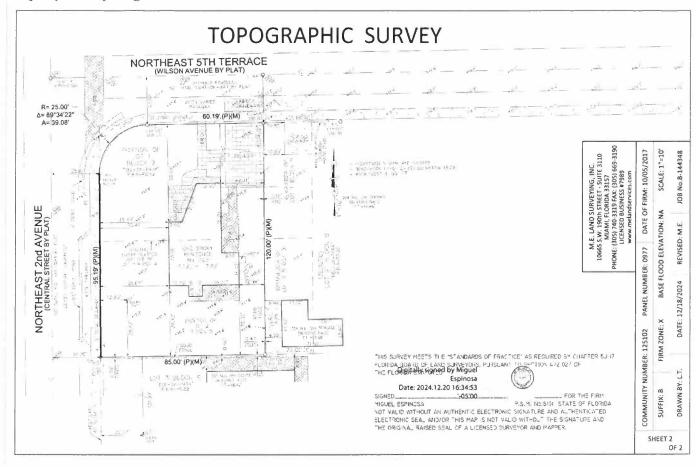
Exhibit B

Property Survey Page 1:

	TOTOGRAFILE SORVET						NG, IN	EYING, INC. 24 33157 24 33157 25 305) 669-3190 25 47989	
PROPERTY ADDRESS: 202 N.E. 5 TERRACE DELPAY BEACH, FLORIDA 33444 LEGAL DESCRIPTION: LOT I AND 2, LESS THE EAST 25 FEBT THEREOF, OF SLOCK 9, OF DEL-IDA PARK, ACCOPPINIS TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, FASE 52, OF THE						GENERAL NOTES: -LEGAL DESCRIPTION, USED TO PERFORM THIS SURVEY WAS SUPPLIED BY OTHERS. THIS SURVEY DOES NOT DETERMINE ON IS NOT TO IMPLY DISVEILS BP. -THIS SURVEY ONLY SHOWS ABOVE GROUND IMPROVEMENTS. UNDERGROUND UT LITTICS, FOOT VSS, OR ENCROACHMENTS ARE NOT LOCATED ON THIS SURVEY MAY. -IF THERE IS A SEPTIO TANAL, WELL OR DRAIN FILED ON THIS SURVEY, THE LOCATION OF SUCH TEMS WAS SHOWN IT US BY OTHERS AND THE INCOMING AND TEXT BOT VERT BD. -EXAMINATION OF THE ASSTRACT OF TITE WILL HAVE TO BE MADE TO PITTEMINE RECORDED.		M.E. LAND SURVEYI 1066S S.W. 190th STREET MIAMI, FLORIDA 3. PHONE: (305) 740-3319 FAX: UCRSED BUSINESS WWW. INGBRIGSENINESS	
PUBLIC RECORDS OF PALM BEACH COUNTY, PLORIDA CERTIFIED TO: MARC SCILLESMAN 115 SUCCESSORS AND/OR ASSIGNS AS THEIR INTEREST MAY AIMEAN.			INSTRUMENTS, IN ANY, SHEED, THIS PROPREY Y. -THE LANDS SHOWN HEREN WERE NOT ARSTRACTED FOR PASEMENT OR OTHER RECORDED ENCLUMENACES NOT SHOWN ON THE LET. A. -WALL TES ART TO THE PACE OF THE WALL -FENCE OWNERSHED TO THE TEST NEC. -GRAININGS REFERENCED TO LIME ADDRESS AS S. -DIMENS ON SIGNON ARE PLATTED AND HEADURED UNLESS OTHERWISE SHOWL	FIRM: 10/05/2017	SCALE: 1"=10"	JOB No.8-144348			
F A/C EM ECB ST CAT/ CME ICI CBS DI CME ICI CME ICI CBS DI CME ICI CME	REVIATIONS AND L SEC UND TUNE BE COND TUNE	6.44 C. CA1. CA1. CA1. MAI. MAI. M.S.V.O. M.S.D. D.S. D.A. S.	TSHOTS BOD TOPES TAXAMET THE RES CERTS TAXAMET RESSAULTED RESSAULT		THE TOTAL THE TO	AND DENTIFICATION FOUND ON PROFERTY CORNERS JULIES NOTICE. AND VALID JULIESS SELLED WITH THE SIGN NO SURVEYOR'S EMBOSSED SEAL. BECKNOCKY SURVEY MEANS A DRAWNIG AND/OR GRAPHIC REPRESENTATION OF THE SURVEY WORK. PERFORMED IN THE FIFTH, COLLED BE DRAWN AT A SHOWN SCALE MODICE NOT TO SEALE. ELEMATIONS IS SHOWN ARE BASED UPON JULIESS SURVESS OF THEM SE NOTED. THIS IS ABOUNDAY SURVEY INFIESS OTHERWISE NOTED. THIS SCHOOLARY SURVEY IS EXCLUSIVE FOR THE USE FARTES TO WHOM IT IS CERTIFIED. THE CERT TICATIONS ON INSTITUTION TO ANY LUMBHIED PARTIES. HIS SURVEY SHALL NOT BE USED FOR CONSTRUCTION MENTION FURFUSES WITHOUT WARTEN CONSENT FROM THE LAND SLRYPYOR WHO HAS SIGNED AND SEAL THIS SURVEY.	PANEL NUMBER: 0977 DATE OF F	BASE FLOOD ELEVATION: NA	12/18/2024 REVISED: M.E.
DE DML DML DML ENGL ENGL ENGL ENGL ENGL ENGL ENGL ENG	CHARGE IN MARK THE MA	ONE (P) P P P P P P P P P P P P P P P P P P P	ONTER AD UTBLITT CHEST PAUL POOL (QUEMBLES) PO	74. •. J 20.	MATERIAL SECTIONS OF CONTRACT	THIS SURVEY MEETS THE "STANDARDS OF FRACTICE AS REQUIRED BY CHAPTER CC-17 FLORIDA ROJARO OF LAND SURVEYORS, PLESIANT TO SETTION 722.027 OF THE FLORIDATION OF LAND SURVEYORS PLESIANT TO SETTION 722.027 OF ESPINOSA Date: 2024.12.20 16.34:18	NUMBER: 125102 PAI	FIRM ZONE: X	DATE: 12/
SE MIC SA. TUP FOR TO TO TE C	ENTERO FLOCK ELF-KITON KURKO SHIL KURKO SHIL KURKO HIT K	E E E E E E E E E E E E E E E E E E E	AND THE SECOND S	erse G	FOR ATTOCKET DEGREE SHOULTS OR FEET MICHAE M	SIGNED. FOR THE FIRM MIGUEL ESPINOSA P.S.M. NOLSHOL STATE OF FLORIDA NOT VALID WITHOUT AN AUTHENTIC SLECTRONIC SIGNATURE AND AUTHENT CATED ELECTRONIC SEAL AND/OR THIS NIAF IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER.	COMMUNITY NUN	SUFFIX: B	DRAWN BY: L.T.
							SH	IEET :	1 OF 2

Exhibit B (Continued)

Property Survey Page 2:



There shall be no ingress and egress on NE 2^{nd} Avenue to the subject property.

Limited Access Easement Exhibit B for 202 NE 5th Terrace, Delray Beach, FL 33444