

PREPARED BY:

LOUIS J. CARBONE, ESQ.
Law Offices of Louis J. Carbone, P.A.
90 SE 4th Avenue Suite 1
Delray Beach, Florida 33483

RETURN TO:

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

PCN #12-43-46-16-01-099-0180

RIGHT-OF-WAY DEED

THIS INDENTURE made this 10th day of June, 2016, between **FLOSSY B. BUILDING LLC**, a Florida limited liability company, with a mailing address at 1002 S. Ocean Blvd Delray Beach Florida 33483-6530, as party of the first part and **CITY OF DELRAY BEACH, FLORIDA**, a Florida municipal corporation with a mailing address of 100 N.W. 1st Avenue, Delray Beach, Florida 33444, as party of the second part.

WITNESSETH:

That said party of the first part, 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 the party of the second part, its successors and assigns, all right, title, interest, claim and demand which the party of the first part 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 the party of the second part, its successors and assigns, a right-of-way and easement in and to said lands for public highway, street, and public utility purposes and the maintenance thereof; 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 the party of the first part or assigns, except that the easement for public utility purposes shall remain until released.

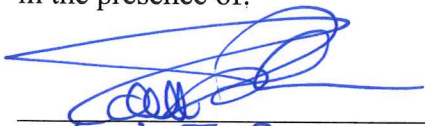
That this right-of-way shall be subject only to those easements, restrictions, and reservation of record. The party of the first part agrees to provide for the release of any and all mortgages or liens encumbering this right-of-way. The party of the first part also agrees to erect no building or effect any other kind of construction or improvements upon the above-described property.

Party of the first part 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.

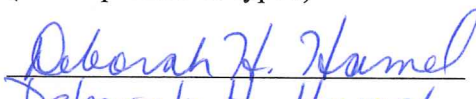
TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereto belonging or in anywise incident or appertaining, and all the estate, right, title, interest, and claim whatsoever of the said party of the first part, in law or in equity to the only proper use, benefit, and behalf of the said party of the second part, its successors and assigns.

IN WITNESS WHEREOF, said party of the first part has hereunto set their hand and seal the date first above written.

Signed, sealed and delivered
in the presence of:



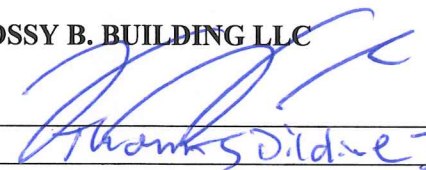
Louis S. Carbone
(Name printed or typed)



Deborah H. Hamel
(Name printed or typed)

PARTY OF THE FIRST PART

FLOSSY B. BUILDING LLC

By: 

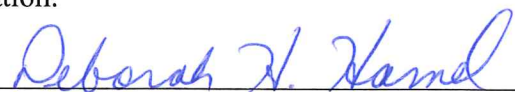
(Name printed or typed)

1002 S Ocean Blvd
Delray Beach, FL 33483
(Address)

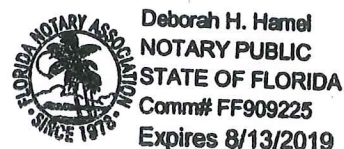
STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 10th day of June, 2016, by THOMAS L, DILDINE, JR., as Manager of FLOSSY B. BUILDING LLC, a Florida limited liability company, on behalf of the company, who is personally known to me or has produced _____ as identification.



Signature of Notary Public -
State of Florida



SKETCH OF DESCRIPTION

EXHIBIT "A"
SHEET 1 OF 1



RESUBDIVISION OF BLOCKS 91, 92 AND WEST HALF
OF BLOCK 99 (PLAT BOOK 2, PAGE 21)

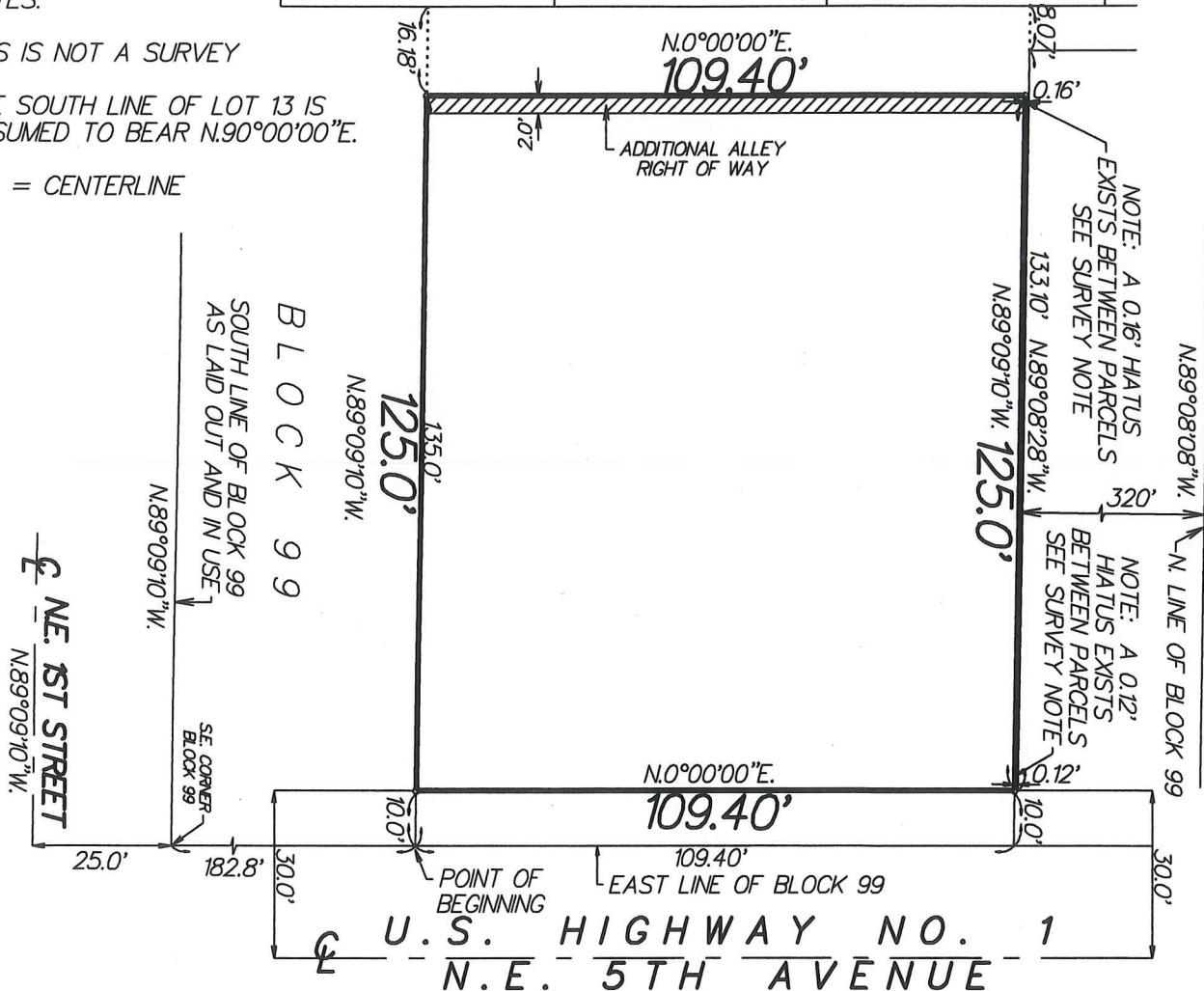
LOT 9, BLOCK 99	LOT 8, BLOCK 99	LOT 7, BLOCK 99
WEST LINE OF EAST HALF OF BLOCK 99 PER PLAT BOOK 1, PAGE 3		

NOTES:

THIS IS NOT A SURVEY

THE SOUTH LINE OF LOT 13 IS
ASSUMED TO BEAR N.90°00'00"E.

CL = CENTERLINE



DESCRIPTION:

THE WEST 2.0 FEET OF THE FOLLOWING DESCRIBE PARCEL:

THAT PORTION OF THE EAST HALF OF BLOCK 99 OF THE TOWN OF
DELRAY, FORMERLY TOWN OF LINTON, RECORDED IN PLAT BOOK 1,
PAGE 3, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 182.8 FEET NORTH OF THE SOUTHEAST
CORNER OF SAID BLOCK; THENCE NORTH ALONG THE EAST LINE OF
SAID BLOCK 109.4 FEET; THENCE WEST ON A LINE PARALLEL WITH
N.E. FIRST STREET (FORMERLY LOWRY STREET) 135 FEET TO AN
ALLEY; THENCE SOUTH ALONG SAID ALLEY 109.4 FEET; THENCE EAST
135 FEET, TO THE POINT OF BEGINNING; LESS AND EXCEPT THE
EAST 10 FEET THEREOF FOR ROAD RIGHT OF WAY OF UNITED STATES
HIGHWAY NUMBER 1.

ORDER NO. 05-195"ALLEY RIGHT OF WAY"

PAUL D. ENGLE
SURVEYOR & MAPPER NO. 5708

DATE: JUNE 8, 2016

O'BRIEN, SUITER & O'BRIEN, INC.
CERTIFICATE OF AUTHORIZATION #LB353
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