

**DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY**  
**MEMORANDUM NO. 2022-01**

TO: Shirley E. Johnson, Chair  
Members of the CRA Board

CC: Renee A. Jadusingh, Esq., Executive Director  
Kim N. Phan, Esq., CRA Legal Advisor  
Christine Tibbs, Assistant Director

FROM: Donald J. Doody, *DJD*

DATE: January 18, 2022

RE: Delray Beach Community Redevelopment Agency ("DBCRA") / sale to Delray Beach Community Land Trust, Inc. ("DBCLT") of Corey Isle lots

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Counsel for the Delray Beach Community Land Trust (DBCLT) has recently requested that the DBCRA provide two (2) corrective deeds relative to the eight (8) lots previously conveyed to it. The corrective deeds are intended to address a minor revision to the legal description to each of the eight (8) lots.

The closing of the Corey Isle transaction involved the conveyance of ten (10) lots to the DBCLT. Eight (8) of those lots were previously affected by the reduction of the western two (2) feet of each lot due to certain Right-of-Way Deeds prepared by the City Attorney's Office where the DBCRA conveyed two (2) feet of each lot to the City of Delray for alley Right-of-Way purposes. At the time of the Corey Isle transaction, the title commitment issued by the title company upon did not reflect the reductions of the western two (2) feet in the legal description of the eight (8) lots but only showed the Right-of-Way Deeds as title exceptions.

In order to more accurately reflect the legal description of the eight (8) lots, taking into account the two (2) feet of alley Right-of-Way conveyed to the City, the attached corrective Special Warranty Deeds have been prepared with revised legal descriptions for the purposes of more accurately identifying the legal descriptions to reflect the reduction of the western two (2) feet of alley right-of-way. Attached for your added information is a copy of one of the eight (8) right-of-way deeds from the DBCRA to the City of Delray Beach.

The title examiner who prepared the title commitment our office relied upon, did not take into account the reduction of the western two (2) feet of eight (8) of the properties for alley right-of-way purposes, the corrective deeds have been prepared to make a minor revision to each legal

description. It is a minor technical issue. The DBCLT presently has title to each of the lots. The corrective deeds simply reduce the lots by the two (2) foot Right-of-Way for alley purposes.

Prepared by: RETURN:

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

PCN 12-43-46-16-01-008-0370

Address: 312 SW 7th Avenue (Lot 37)

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

THIS INSTRUMENT made this 7<sup>th</sup> day of July, 2020, between Delray Beach Community Redevelopment Agency,

with a mailing address of 20 North Swinton Avenue, 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

Signature

Print Name

Signature

Print Name

GRANTOR

By:

Name:

Its:

Date:

STATE OF

COUNTY OF

The foregoing instrument was acknowledged before me by means of ☒ physical  
presence or ☐ online notarization, this 11 day of JUNE, 2020, by

SHELLY PETROLIA (name of person), as BOARD CHAIR (type of  
authority) for CRA (name of party on behalf of whom instrument was  
executed).

Personally known ☒ OR Produced Identification ☐  
Type of Identification Produced \_\_\_\_\_

Notary Public – State of Florida



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[Remainder of Page Intentionally Left Blank]

ATTEST:

GRANTEE/ CITY OF DELRAY BEACH,  
FLORIDA

By: Deputy City Clerk

By: Shelly Petrolia, Mayor

Approved as to form:

By: City Attorney

certified copy

[Remainder of Page Intentionally Left Blank]

EXHIBIT "A"

This is not a certified copy



947 Clint Moore Road  
Boca Raton, Florida 33487

SURVEYING & MAPPING  
Certificate of Authorization No. LB7264

Tel: (561) 241-9988  
Fax: (561) 241-5182

## SKETCH AND LEGAL DESCRIPTION - NOT A SURVEY

### 2' ALLEY RIGHT OF WAY - BLOCK 8

#### LEGAL DESCRIPTION

THE WEST 2.00 FEET OF LOT 37, "SUBDIVISION OF BLOCK 8 TOWN OF DELRAY (FORMERLY LINTON)", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 58, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

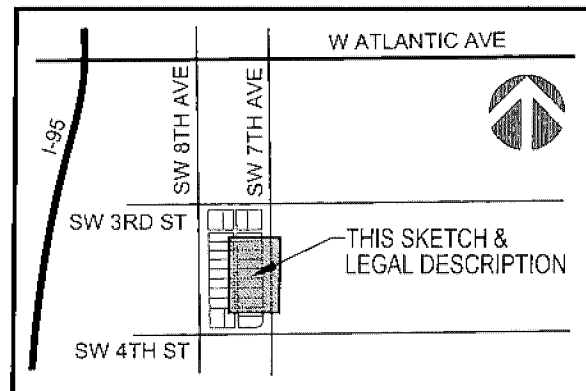
SAID LANDS SITUATE IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAIN 90 SQUARE FEET, MORE OR LESS.

#### NOTES

1. THIS DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED OR REFERENCED IN THE PREPARATION OF THIS SKETCH AND LEGAL DESCRIPTION.
3. BEARINGS SHOWN HEREON ARE BASED ON THE RECORD PLAT OF COREY ISLE (P.B. 129, PGS. 142-143, P.B.C.R.)

#### ABBREVIATIONS

Δ	=	DELTA (CENTRAL ANGLE)
D.E.	=	DRAINAGE EASEMENT
G.U.E.	=	GENERAL UTILITY EASEMENT
L	=	ARC LENGTH
L.M.E.	=	LAKE MAINTENANCE EASEMENT
P.B.	=	PLAT BOOK
P.B.C.R.	=	PALM BEACH COUNTY RECORDS
PG.	=	PAGE
PROP.	=	PROPOSED
R	=	RADIUS
R/W	=	RIGHT-OF-WAY
U.E.	=	UTILITY EASEMENT



LOCATION MAP  
NOT TO SCALE

#### SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON COMPLIES WITH STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION.

JEFF S. HOBAPP  
SURVEYOR AND MAPPER  
FLORIDA LICENSE NO. LS5111

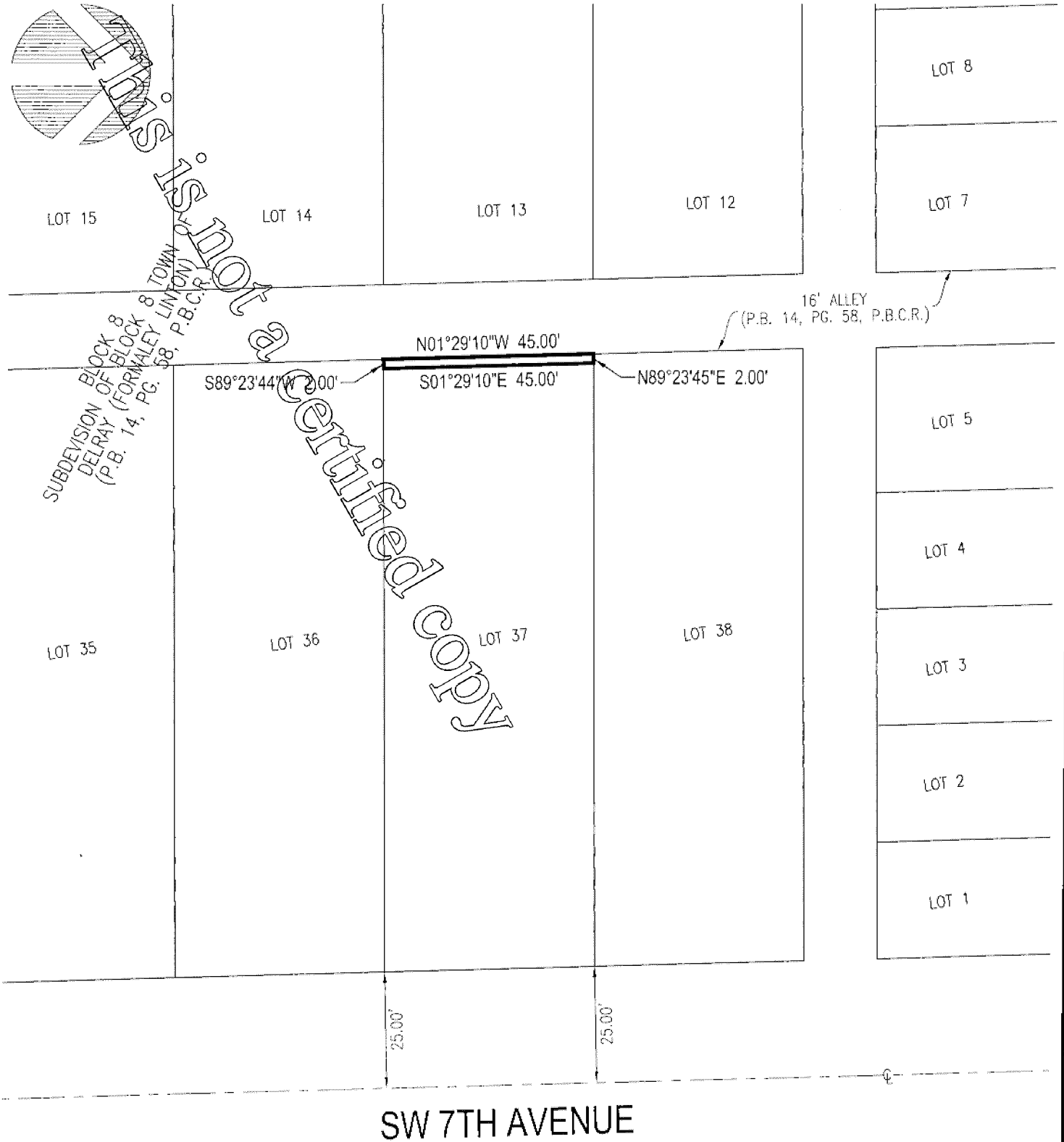
PROJECT NAME: COREY ISLE	DATE: P.P. 05/04/2020
JOB NO. 20117	DWG BY: AJR
CK'D BY: JSH	SHEET 1 OF 2

# PERIMETER

947 Clint Moore Road  
 Boca Raton, Florida 33487

SURVEYING & MAPPING  
 Certificate of Authorization No. LB7264

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 Fax: (561) 241-5182



JOB NO. 20117	PROJECT NAME: COREY ISLE	DWG BY: AJR	SCALE: 1" = 30'	
		CK'D BY: JSH	DATE: 05/04/2020	SHEET 2 OF 2