

Prepared by: RETURN:

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

PCN 12-43-46-19-10-009-0010

Address: \_\_\_\_\_

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

THIS INDENTURE made this \_\_\_ day of \_\_\_\_\_, 202\_, between \_\_\_\_\_  
Lucaya Delray Inc.,

with a mailing address of 1541 Catherine Drive#1 Delray Beach, FL 33445,

**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]  
Signature  
Teresa Francis  
Print Name

[Signature]  
Signature  
Michael Supera  
Print Name

GRANTOR

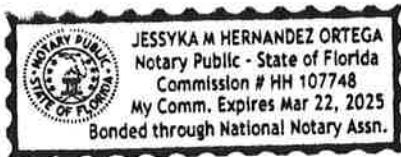
By: [Signature]  
Name: Adi Karadi  
Its: Board President For Lucaya Delray Inc.  
Date: 03/18/22

STATE OF FLORIDA \_\_\_\_\_

COUNTY OF PALM BEACH \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18<sup>th</sup> day of March, 2022 by Adi Karadi (name of person), as President (type of authority) for Lucaya Delray (name of party on behalf of whom instrument was executed).

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



[Signature]  
Notary Public – State of Florida

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ATTEST:

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

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Shelly Petrolia, Mayor

Approved as to Form:

By: \_\_\_\_\_  
City Attorney

**[Remainder of Page Intentionally Left Blank]**

## EXHIBIT “A”

**EXHIBIT A**  
**SKETCH OF DESCRIPTION**  
**THIS IS NOT A SURVEY**  
**NOT VALID WITHOUT ACCOMPANYING SHEETS 2-3**

**LEGAL DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF TRACT 1 AS SHOWN ON THE PLAT OF DELRAY ESTATES, AS RECORDED IN PLAT BOOK 29, PAGE 163 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LANDS LYING IN SECTION 19, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT 1; THENCE ALONG THE SOUTHERLY LINE OF SAID TRACT 1 AND NORTHERLY RIGHT-OF-WAY LINE OF WEST LINTON BOULEVARD, N89°20'00"E, A DISTANCE OF 136.80 FEET TO THE **POINT OF BEGINNING**.

THENCE CONTINUE ALONG SAID LINE, N89°20'00"E, A DISTANCE OF 25.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF CATHERINE DRIVE AS SHOWN ON SAID PLAT OF DELRAY ESTATES; THENCE LEAVING SAID LINE AND ALONG SAID RIGHT-OF-WAY LINE, N00°04'00"W, A DISTANCE OF 15.54 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 1133.88 FEET AND A CENTRAL ANGLE OF 00°28'41"; THENCE CONTINUE NORTHERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 9.46 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE, S44°22'43"W, A DISTANCE OF 35.38 FEET TO THE **POINT OF BEGINNING**.


CONTAINING 312.13 SQUARE FEET (0.007 ACRES) MORE OR LESS.

2			
1			
NO.	REVISION	BY	DATE

SKETCH & DESCRIPTION REVISIONS

**SURVEYOR'S CERTIFICATION**

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 PREPARED UNDER MY DIRECTION ON FEBRUARY 9, 2022. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

  
C. ANDRE RAYMAN, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA LICENSE NO. 4938  
STATE OF FLORIDA LB#6603

FOR: CATHERINE DR & LINTON BOULEVARD  
ADDITIONAL RIGHT-OF-WAY - CORNER CLIP

SCALE:	N/A
DRAWN BY:	RJB
CHECKED BY:	JCM
DATE:	02-09-2022



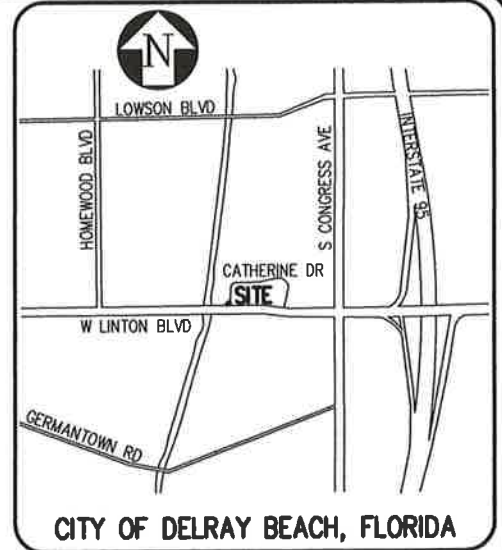
FIELD BOOK #	SHEET: 1 / 3
FLORIDA R.L.S. #	JOB # 17136.05.08

# EXHIBIT A SKETCH OF DESCRIPTION THIS IS NOT A SURVEY

NOT VALID WITHOUT ACCOMPANYING SHEETS 1 & 3

## LEGEND

PCN	PARCEL CONTROL NUMBER
PB	PLAT BOOK
PG	PAGE
ORB	OFFICIAL RECORDS BOOK
CL	CENTERLINE
PBC	PALM BEACH COUNTY
POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
SQ.FT.	SQUARE FEET
Δ	DELTA
R	RADIUS
L	LENGTH



LOCATION MAP  
N.T.S.

## NOTES:

1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY ENGENUITY GROUP, INC.
  2. THIS SKETCH IS BASED ON INFORMATION FURNISHED BY CLIENT OR CLIENT'S REPRESENTATIVE.
  3. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OR ELECTRONIC SIGNATURE OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
  4. BEARINGS SHOWN HEREON ARE BASED ON A GRID BEARING OF N88°58'00"E ALONG A LINE BETWEEN PALM BEACH COUNTY CONTROL MONUMENT "POTTER" AND PALM BEACH COUNTY CONTROL MONUMENT "LINTON E-4", AND ALL OTHER BEARINGS ARE RELATIVE THERETO.
  5. DISTANCES SHOWN HEREON ARE GROUND DISTANCES EXPRESSED IN U.S. FEET AND DECIMAL PARTS THEREOF, UNLESS OTHERWISE NOTED.
  6. THIS SKETCH IS BASED ON A TOPOGRAPHIC SURVEY PREPARED BY ENGENUITY GROUP, INC UNDER JOB NUMBER 17136.05, LAST UPDATED JANUARY 17, 2020.
  7. THIS SKETCH MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN RULE 5J17-050-.052, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.
  8. COORDINATES SHOWN HEREON ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, TRANSVERSE MERCATOR, FLORIDA EAST ZONE 901, USING THE NORTH AMERICAN DATUM OF 1983 WITH THE 1990 ADJUSTMENT (NAD 83-90).
- SCALE FACTOR: 1.0000407  
GROUND DISTANCE X SCALE FACTOR=GRID DISTANCE

2			
1			
NO.	REVISION	BY	DATE

SKETCH & DESCRIPTION REVISIONS

FOR:

CATHERINE DR & LINTON BOULEVARD  
ADDITIONAL RIGHT-OF-WAY - CORNER CLIP

SCALE: N/A  
DRAWN BY: RJB  
CHECKED BY: JCM  
DATE: 02-09-2022



FIELD BOOK # SHEET: 2 / 3  
JOB # 17136.05.08  
FLORIDA R.L.S. #



**EXHIBIT A**  
**SKETCH OF DESCRIPTION**  
**THIS IS NOT A SURVEY**  
 NOT VALID WITHOUT ACCOMPANYING SHEETS 1-2



SCALE 1"=20'

LAKE WORTH DRAINAGE DISTRICT  
 E-4 CANAL  
 PCN: 12-43-46-19-00-000-1170  
 WESTERLY LINE OF TRACT 1  
 PLAT OF DELRAY ESTATES

**DELRAY ESTATES**

**TRACT 1**

(PB 29, PG 163)

DELRAY ESTATES CONDOMINIUM PHASE II

MULTIPLE PCN'S  
 ORB 2253, PG 515

AREA=312.13 SQ.FT.

SOUTHERLY LINE OF TRACT 1 N89°59'04"E (PLAT)  
 PLAT OF DELRAY ESTATES N89°20'00"E 136.80'

NORTHERLY RIGHT-OF-WAY  
 LINE OF WEST LINTON BLVD

POC

SW CORNER OF TRACT 1  
 PLAT OF DELRAY ESTATES  
 PB 29, PG 163  
 N: 766551.03  
 E: 951586.90

POB

N: 766552.62  
 E: 951723.69

**WEST LINTON BOULEVARD**

(PLATTED SW 12TH STREET)  
 106' WIDE RIGHT-OF-WAY  
 PB 29, PG 164

WESTERLY RIGHT-OF-WAY LINE  
 OF CATHERINE DRIVE

25.00'

$\Delta=00^{\circ}28'41''$   
 $R=1133.88'$   
 $L=9.46'$

N00°40'00"W  
 15.54'

N00°00'56"W (PLAT)

53.00'

CATHERINE DRIVE

(PLATTED CATHERINE DRIVE)  
 50' WIDE RIGHT-OF-WAY  
 PB 29, PG 164

N88°58'00"E (GRID)  
 5526.83'  
 (BASIS OF BEARING)

N88°22'29"E 5691.75' (GRID)

N69°18'20"E 174.81' (GRID)

S44°22'43"W  
 35.38'

N89°20'00"E  
 25.00'  
 N89°59'04"E (PLAT)

PBC CONTROL  
 MONUMENT "POTTER"  
 N: 766391.18  
 E: 94634.23  
 NOT FOUND

PBC CONTROL  
 MONUMENT "LINTON E-4"  
 N: 766490.85  
 E: 951560.16  
 NOT FOUND

2			
1			
NO.	REVISION	BY	DATE

SKETCH & DESCRIPTION REVISIONS

FOR:

CATHERINE DR & LINTON BOULEVARD  
 ADDITIONAL RIGHT-OF-WAY - CORNER CLIP

SCALE: 1"=20'

DRAWN BY: RJB

CHECKED BY: JCM

DATE: 02-09-2022



A Higher Standard of Excellence  
**engenuity**  
 group inc.  
 ENGINEERS • SURVEYORS • GIS MAPPERS

1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409  
 PH (561) 655-1151 • FAX (561) 832-9390 • WWW.ENGENUITYGROUP.COM

FIELD BOOK #

SHEET:

3 / 3

JOB #

FLORIDA R.L.S.  
 #

17136.05.08

Prepared by: RETURN:

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

PCN 12-43-46-19-10-009-0010

Address: \_\_\_\_\_

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with a mailing address of 1541 Catherine Drive#1 Delray Beach, FL 33445,

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:**

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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]  
Signature  
Krista Francis  
Print Name

[Signature]  
Signature  
MICHAEL M. HERNANDEZ  
Print Name

GRANTOR

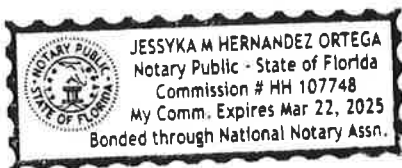
By: [Signature]  
Name: Adi Karadi  
Its: Board President For Lucaya Delray Inc.  
Date: 03/18/22

STATE OF FLORIDA \_\_\_\_\_

COUNTY OF PALM BEACH \_\_\_\_\_

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18th day of March, 2022, by Adi Karadi (name of person), as President (type of authority) for Lucaya Delray (name of party on behalf of whom instrument was executed).

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



[Signature]  
Notary Public – State of Florida

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ATTEST:

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

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Shelly Petrolia, Mayor

Approved as to Form:

By: \_\_\_\_\_  
City Attorney

**[Remainder of Page Intentionally Left Blank]**

## EXHIBIT “A”

**EXHIBIT A**  
**SKETCH OF DESCRIPTION**  
**THIS IS NOT A SURVEY**  
**NOT VALID WITHOUT ACCOMPANYING SHEETS 2-3**

**LEGAL DESCRIPTION**

A PARCEL OF LAND BEING A PORTION OF TRACT 2 AS SHOWN ON THE PLAT OF DELRAY ESTATES, AS RECORDED IN PLAT BOOK 29, PAGE 163 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LANDS LYING IN SECTION 19, TOWNSHIP 46 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 2; THENCE ALONG THE WESTERLY LINE OF SAID TRACT 2 AND THE EASTERLY RIGHT-OF-WAY LINE OF CATHERINE DRIVE, N00°04'00"W, A DISTANCE OF 15.54 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 1083.88 FEET AND A CENTRAL ANGLE OF 00°30'00"; THENCE CONTINUE NORTHERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID WESTERLY LINE A DISTANCE OF 9.46 FEET; THENCE LEAVING SAID LINE, S45°37'09"E, A DISTANCE OF 35.33 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID TRACT 2 AND THE NORTHERLY RIGHT-OF-WAY LINE OF WEST LINTON BOULEVARD; THENCE ALONG SAID LINE, S89°20'00"W, A DISTANCE OF 25.00 FEET TO THE **POINT OF BEGINNING**.


CONTAINING 312.89 SQUARE FEET (0.007 ACRES) MORE OR LESS.

2			
1			
NO.	REVISION	BY	DATE

SKETCH & DESCRIPTION REVISIONS

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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 PREPARED UNDER MY DIRECTION ON FEBRUARY 9, 2022. I FURTHER CERTIFY THAT THIS SKETCH OF DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17 ADOPTED BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES 472.027.

  
C. ANDRE RAYMAN, P.S.M.  
PROFESSIONAL SURVEYOR AND MAPPER  
STATE OF FLORIDA LICENSE NO. 4938  
STATE OF FLORIDA LB#6603

FOR:

CATHERINE DR & LINTON BOULEVARD  
ADDITIONAL RIGHT-OF-WAY - CORNER CLIP

SCALE:	N/A
DRAWN BY:	RJB
CHECKED BY:	JCM
DATE:	02-09-2022



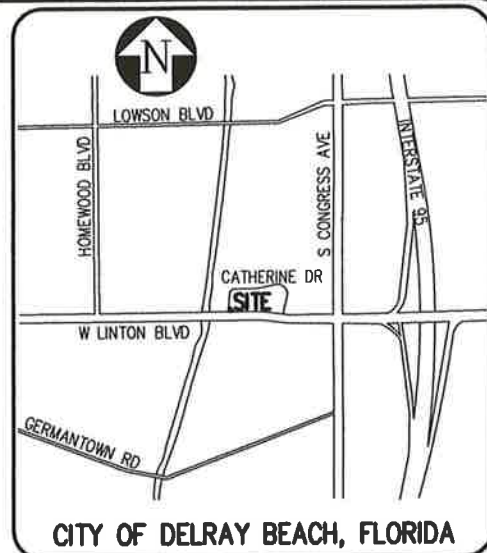
FIELD BOOK #	SHEET: 1 / 3
FLORIDA R.L.S. #	JOB # 17136.05.08

# EXHIBIT A SKETCH OF DESCRIPTION THIS IS NOT A SURVEY

NOT VALID WITHOUT ACCOMPANYING SHEETS 1 & 3

## LEGEND

PCN	PARCEL CONTROL NUMBER
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PG	PAGE
ORB	OFFICIAL RECORDS BOOK
CL	CENTERLINE
PBC	PALM BEACH COUNTY
POB	POINT OF BEGINNING
SQ.FT.	SQUARE FEET
Δ	DELTA
R	RADIUS
L	LENGTH



**LOCATION MAP**  
N.T.S.

## NOTES:

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SCALE FACTOR: 1.0000407  
GROUND DISTANCE X SCALE FACTOR=GRID DISTANCE

2			
1			
NO.	REVISION	BY	DATE

SKETCH & DESCRIPTION REVISIONS

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CATHERINE DR & LINTON BOULEVARD  
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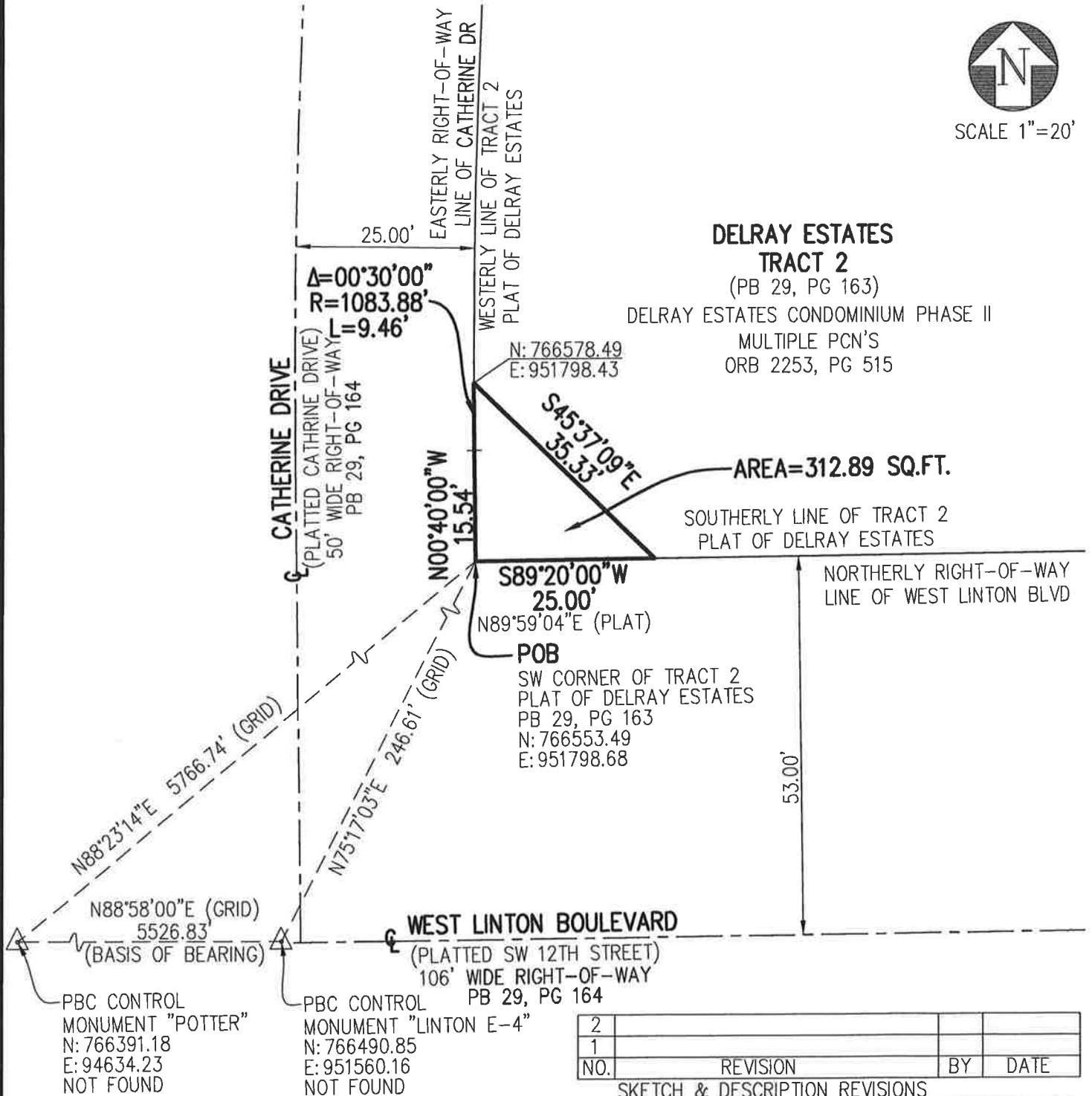
1280 CONGRESS AVENUE, SUITE 101, WEST PALM BEACH, FLORIDA 33409  
PH (561)655-1151 • FAX (561)832-9390 • WWW.ENGENUITYGROUP.COM

FIELD BOOK #	SHEET: 2 / 3
FLORIDA R.L.S. #	JOB # 17136.05.08

**EXHIBIT A**  
**SKETCH OF DESCRIPTION**  
**THIS IS NOT A SURVEY**  
 NOT VALID WITHOUT ACCOMPANYING SHEETS 1-2



SCALE 1"=20'



FOR:

CATHERINE DR & LINTON BOULEVARD  
 ADDITIONAL RIGHT-OF-WAY - CORNER CLIP

SCALE: 1"=20'

DRAWN BY: RJB

CHECKED BY: JCM

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 ENGINEERS • SURVEYORS • GIS MAPPERS

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FIELD BOOK #

SHEET:

3 / 3

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