

Prepared by: RETURN:

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200 N.W. 1st Avenue  
Delray Beach, Florida 33444

RECEIVED BY

SEP 26 2017

City of Delray Beach  
Planning & Zoning

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### EASEMENT DEED FOR PEDESTRIAN CLEAR ZONE

**THIS INDENTURE**, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between Phillip G. Haught & Loretta Haycook Haught, with an mailing address of 125 Clearlake Dr., Ponte Vedra Beach, FL 32082, party of the first part, and the **CITY OF DELRAY BEACH**, with a mailing address of 100 N.W. 1st Avenue, Delray Beach, Florida 33444, a municipal corporation in Palm Beach County, State of Florida, party of the second part:

**WITNESSETH:** That the party of the first part, for and in consideration of the mutual promises herein contained and other good and valuable considerations, does hereby grant, bargain, sell and release unto the party of the second part, its successors and assigns, a perpetual easement to be used for a pedestrian clear zone for the purpose of public pedestrian access with full and free right, liberty, and authority to enter upon and to maintain such pedestrian clear zone across, through and upon or within the following described property located in Palm Beach County, Florida, to-wit:

DESCRIPTION  
See Exhibit "A"

Concomitant and coextensive with this right is the further right in the party of the second party, its successors and assigns, of ingress and egress over and on that portion of land described above, to effect the purposes of the easement, as expressed hereinafter.

That this easement shall be subject only to those easements, restrictions, conditions and reservations of record. That the party of the first part agrees to provide for the release or subordination of any and all mortgages or liens encumbering this easement. The party of the first part also agrees to erect no building or affect any other kind of construction or improvements upon the above-described property, other than the aforementioned sidewalk.

It is understood that the party of the first part shall improve the pedestrian clear zone so as to be an extension of the public sidewalk and shall match the public sidewalk in design and material. Upon completion of pedestrian clear zone construction by the party of the first part to the required standards, the party of the first part shall repair and maintain the sidewalk in conformance with City's practices of maintaining public sidewalks throughout the City.

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 easement and that the same is unencumbered except as provided above. Where the context of this Easement Deed allows or permits, the same shall include the successors or assigns of the parties.

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

WITNESS #1:

[Signature]  
Yassir Colindres  
(name printed or typed)

PARTY OF THE FIRST PART

Philip G. Haught

By: [Signature]

WITNESS #2:

[Signature]  
John Musser  
(name printed or typed)

STATE OF Florida  
COUNTY OF Duval

The foregoing instrument was acknowledged before me this 23<sup>rd</sup> day of September, 2017 by Ragan Hicks Loretta Haught (name of officer or agent), of [blank] (name of corporation), a [blank] (State or place of incorporation) corporation, on behalf of the corporation. He/She is personally known to me or has produced Florida Driver License (type of identification) as identification and did/did not take an oath.

(SEAL)



[Signature]  
Signature of Notary Public -  
State of Florida

WITNESS #1:

[Signature]  
Yassir Colindres  
(name printed or typed)

PARTY OF THE SECOND PART

Loretta Haycook Haught

By: [Signature]

WITNESS #2:

[Signature]  
John Musser  
(name printed or typed)