

Prepared by: RETURN

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

EASEMENT DEED

THIS INDENTURE, made this ____ day of _____, 20__, by ATLANTIC AVE DEVELOPMENT LLC, a Florida limited liability company, with a mailing address of 106 S. Swinton Avenue, Delray Beach, Florida 33444, Grantor, in favor of 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, Grantee:

WITNESSETH: That Grantor, for and in consideration of the mutual promises herein contained and other good and valuable considerations, does hereby grant, bargain, sell and release unto Grantee, its successors and assigns, a right of way and perpetual non-exclusive easement for the purpose of vehicular ingress and egress with full and free right, liberty and authority to enter across, through and upon, over 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 Grantee, its successors and assigns, of ingress and egress over and on that portion of land described above, to affect the purposes of the easement, as expressed hereinafter.

That this easement shall be subject only to those easements, restrictions, and reservations of record. That the Grantor agrees to provide for the release or subordination of any and all mortgages or liens encumbering this easement. The Grantor also agrees to erect no building or any other kind of construction or improvements that would otherwise impede vehicular ingress and egress upon the above-described property, with the exception of the driveway improvements shown on Exhibit "B" attached hereto and incorporated herein.

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 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 Grantor has set its hand and seal the day and hear first above written.

WITNESS #1

(name printed or typed)

ATLANTIC AVE DEVELOPMENT LLC, a Florida
limited liability company, by its Manager,
MGM DELRAY LLC, a Florida limited liability
company, by its Manager, HUDSON DELRAY
LLC, a Florida limited liability company

WITNESS #2

(name printed or typed)

By: _____
Steven Michael, Member

STATE FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by STEVEN MICHAEL, Member of HUDSON DELRAY LLC, a Florida limited liability company,
Manager of MGM DELRAY LLC, a Florida limited liability company, Manager of ATLANTIC AVE
DEVELOPMENT LLC, a Florida limited liability company, on behalf of said limited liability companies, who
is personally known or who has produced _____ (type of identification) and did/did not
take an oath.

Signature of Notary Public
State of Florida

(SEAL)

EXHIBIT "B"

