

Prepared by: RETURN:

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

PCN# 12-43-46-08-21-010-0010

RIGHT-OF-WAY DEED

THIS INDENTURE made this 22 day of February, 2018, between 810 N. Swinton LLC, with a mailing address of 16881 ROSE APPLE DRIVE, DELRAY BEACH, FL 33445 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:

(Legal Description)

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; 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.

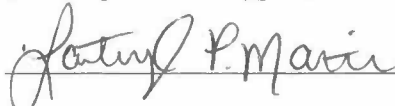
TO HAVE AND TO HOLD THE SAME, together with all and singular the appurtenances thereto belonging or in anywise incident or appertaining, and all the estate, right, title, interest, and claim whatsoever of the said party of the first part, in law or in equity to the only proper use, benefit, and behalf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



KIMBERLY MORGAN
(Name printed or typed)



LATERYL P. MARTIN
(Name printed or typed)

PARTY OF THE FIRST PART

By: 

Stephen M. Petrucci
(Name printed or typed)

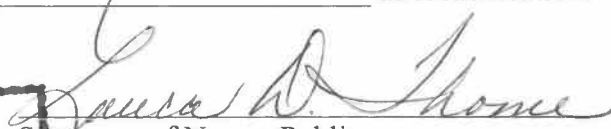
16289 Bridlewood Circle
(Address) Delray Beach, FL 33445

STATE OF Florida

COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 22 day of Feb, 2018, by Stephen M. Petrucci 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 2

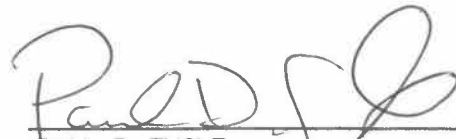
DESCRIPTION:

THAT PORTION OF THE SOUTH 100.0 FEET OF THE NORTH 115.0 FEET OF THE WEST 105.0 FEET OF THE EAST 120.0 FEET OF LOT 10, OF THE SUBDIVISION OF SECTION 8, TOWNSHIP 46 SOUTH, RANGE 43 EAST, AS PER THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 1, PAGE 4 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 10.0 FEET OF THE NORTH 25.0 FEET OF THE WEST 105.0 FEET OF THE EAST 120.0 FEET OF LOT 10, SECTION 8, TOWNSHIP 46 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 4, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

THE WEST 5.0 FEET OF THE EAST 20.0 FEET OF THE SOUTH 95.0 FEET OF THE NORTH 115.0 FEET OF LOT 10, SECTION 8, TOWNSHIP 46 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 4, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.


PAUL D. ENGLE
SURVEYOR & MAPPER NO. 5708

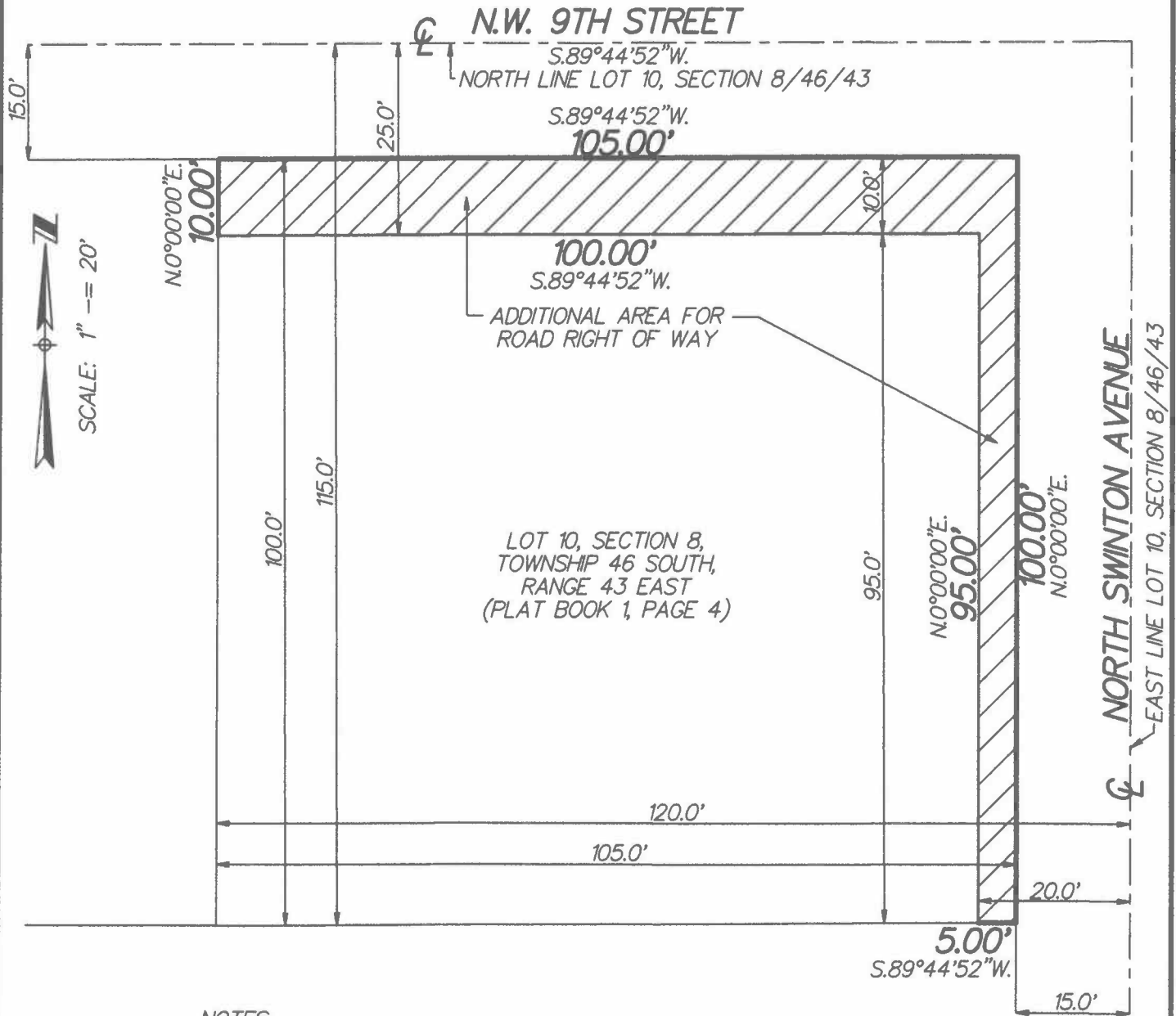
DATE: JAN. 25, 2017

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

ORDER NO. 17-70"R/W"

SKETCH OF DESCRIPTION

EXHIBIT "A"
SHEET 2 OF 2



NOTES:

THIS IS NOT A SURVEY

THE NORTH LINE OF LOT 10 IS
ASSUMED TO BEAR S.89°44'52"W.

SECTION 8/46/43 = SECTION 8,
TOWNSHIP 46 SOUTH, RANGE 43
EAST

☐ = CENTERLINE

ORDER NO. 17-70"R/W"

DATE: JAN. 25, 2017

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