PREPARED BY AND RETURN TO:
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TERMINATION OF PARKING EASEMENT AGREEMENT

THIS TERMINATION OF PARKING EASEMENT AGREEMENT (this "**Termination**") is made as of the ____ day of August, 2017 (the **"Effective Date"**) among the **CITY OF DELRAY BEACH FLORIDA** (the **"City"**), and **EDWARDS ATLANTIC AVENUE, LLC**, an Ohio limited liability company (the **"Owner"**) as successor in interest to **ATLANTIC CENTER, LTD.**, a Florida limited partnership (**"Atlantic"**), **MALLORY DEVELOPMENT, LTD.**, a Florida limited partnership (**"Mallory"**), and **FREECOR INVESTMENTS, INC.**, a Florida corporation (**"Freecor"**, and, collectively with Atlantic and Mallory, the **"Prior Owners"**).

WITNESSETH:

WHEREAS, the City and Prior Owners entered into that certain Parking Easement Agreement recorded in Official Records Book 10926, Page 529 of the Public Records of Palm Beach County, Florida (the **"Parking Easement"**) in connection with a portion of the Property described in **Exhibit "A"** annexed hereto.

WHEREAS, the Owner is the successor in interest to each of the Prior Owners and the fee simple title holder of the property described in **Exhibit "A"** attached.

WHEREAS, the Owner has requested and the City has agreed to terminate the Parking Easement.

NOW THEREFORE, in consideration of the sum of Ten Dollars ($10.00), and other good and valuable consideration the receipt whereof is hereby acknowledged, the City and the Developer hereby agree as follows:

1. The foregoing Recitals are true and correct and are incorporated herein by this reference, as if set forth in their entirety.

2. The City and the Owner hereby terminate the Parking Easement. The Parking Easement shall be null and void and of no further force or effect and is hereby terminated and cancelled of record.

IN WITNESS WHEREOF, the parties hereby execute and deliver this Termination as of the Effective Date.

ATTEST:

By: _____
City Clerk

CITY OF DELRAY BEACH, FLORIDA

By: _____
Name: _____
Its: _____

Approved as to Form:

By: _____
City Attorney

STATE OF FLORIDA
COUNTY OFPALM BEACH

The foregoing instrument was acknowledged before me this _____ day of August, 2017 by _____, the _____ of the CITY OF DELRAY BEACH, FLORIDA. He/She is [_] is personally known or [ ] has produced a _____ driver's license as identification.

[Notary Seal]

_____
Notary Public
Printed Name: _____
My Commission Expires: _____

EDWARDS ATLANTIC AVENUE, LLC,
an Ohio limited liability company

By: _____
Name: _____
Dated: _____, 2017.

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of August, 2017 by _____, the _____ of EDWARDS ATLANTIC AVENUE, LLC, an Ohio limited liability company, on behalf of the company. He/She is [_] is personally known or [ ] has produced a _____ driver's license as identification.

[Notary Seal]

Notary Public
Printed Name:
_____
My Commission Expires:
_____

Exhibit "A"

LEGAL DESCRIPTION

PARCEL I:

PARCEL 1

Lots 1, 2, 3 and 4, less the South 7.8 feet thereof, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof, as recorded in Plat Book 1, Page 3, of the Public Records of Palm Beach County, Florida, less the following two parcels, which were deeded to the State of Florida in Official Records Book 511, Page 516, for right of way of State Road No. 5, to wit:

The West 5 feet of Lots 1, 2, 3 and of Lot 4, less the South 7.8 feet thereof, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to Plat thereof as recorded in Plat Book 1, Page 3, Palm Beach County Records;

And

A parcel of land in Lot 1, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), as recorded in Plat Book 1, Page 3, Palm Beach County Public Records, more particularly described as follows:

From a point on the North line of said Lot 1, located 5 feet East of the Northwest corner thereof, run Easterly along said North line for 15.22 feet; thence run Southwesterly along a curve concave to the Southeast and having a radius of 15 feet for 23.79 feet through a central angle of 90° 51' 00" to a point on a line parallel to and 5 feet Easterly of the West line of said Lot 1; thence run North 01° 08' 35" West along said parallel line for 15.22 feet to the point of beginning.

Together with:

PARCEL 2

The South 7.8 feet of Lot 4 and all of Lots 5 and 6, less the West 5 feet of all the foregoing, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof in Plat Book 1, Page 3 of the Public Records of Palm Beach County, Florida.

PARCEL II:

Lots 7 and 8, less the West 5 feet thereof for road right-of-way, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof, as recorded in Plat Book 1, Page 3, of the Public Records of Palm Beach County, Florida.

recorded in Plat Book 1, Page(s) 3, of the Public Records of Palm Beach County, Florida.

PARCEL VII:

PARCEL 1

Lots 14 through 16 and Lot 17 less the South 3 feet thereof, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof, as recorded in Plat Book 1, Page 3, Public Records of Palm Beach County, Florida.

And

PARCEL 2

Lots 12 and 13, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof, as recorded in Plat Book 1, Page 3, Public Records of Palm Beach County, Florida.

PARCEL VIII:

That portion of N.E. 7th Avenue vacated and abandoned pursuant to Resolution No. 08-09 recorded April 8, 2009 in Official Records Book 23166, Page 1366, lying South of Northeast 1st. Street, North of Atlantic Avenue, East of Lots 12 through 19, and Lot 23, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof recorded in Plat Book 1, Page 3, of the Public Records of Palm Beach, County, Florida, and West of Atlantic Plaza, a replat of part of plat of subdivision of Block 124, Plat Book 18, Page 91, lying in Section 16, Township 46 South, Range 43 East, Palm Beach County, Florida, according to the Plat thereof, as recorded in Plat Book 50, Page 129, of the Public Records of Palm Beach County, Florida.

PARCEL III:

PARCEL 1

Lots 9 & 10, less the West 5 feet, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof, as recorded in Plat Book 1, Page 3, of the Public Records of Palm Beach County, Florida.

PARCEL 2

Lots 18 and 19, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof, as recorded in Plat Book 1, Page 3, Public Records of Palm Beach County, Florida.

PARCEL 3

The South 3 feet of Lot 17; all of Lot 23, less the West 40 feet, and less the South 7 feet for road right of way; all of Lot 24, less the South 7 feet for road right of way; Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof, as recorded in Plat Book 1, Page 3, of the Public Records of Palm Beach County, Florida.

PARCEL IV:

PARCEL 1

Beginning at the Northwest corner of Lot 11, Block 116, of the City of DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof on file in the Office of the Clerk of Circuit Court, Palm Beach County, Florida, recorded in Plat Book 1, Page 3; thence run Easterly along the North line of said Lot 11, a distance of 65 feet; thence Southerly to a point on the North line of Lot 21 in said Block 116, 65 feet East of the Northwest corner of Lot 20 in said Block 116; thence Westerly along the North line of said Lots 21 and 20 to the Northwest corner of said Lot 20; thence Northerly to the point of beginning.

Also

PARCEL 2

A parcel of land located in Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), Plat of which is recorded in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, in Plat Book 1, Page 3, more particularly described as follows:

Commencing at the Southeast corner of Lot 22, Block 116, as shown upon the aforementioned Plat, thence run Westerly along the South line of Lots 22 and 21 a distance of 70 feet more or less to a point which is 65 feet Easterly from the Southwest corner of Block 116, thence run Northerly along a line which is 65 feet East of and parallel to the East line of Northeast 6th Avenue to the intersection of said parallel line with the North line of Lot 11, Block 116 aforesaid Plat; thence, Easterly along the North line of said Lot 11 a distance of 70 feet more or less to the Northeast corner of Lot 11 and which point is also in the West line of said alley, to the Southeast corner of Lot 22, being the point of beginning.

And

PARCEL 3

All of Lot 20 and the West 20 feet of Lot 21, in Block 116 of DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), as in Plat Book 1, Page 3, Palm Beach County, Florida, according to a Plat of DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), on file in the Office of the Clerk of the Circuit Court, Palm Beach County, Florida.

Less

From the Southwest corner of said Lot 20, run North 01° 08' 35" West, along the West line of said Block 116 for 172.0 feet to the Northwest corner of said Lot 11, thence run Easterly along the North line of said Lot 11 for 5 feet; thence run South 01° 08' 35" East, parallel to and 5 feet Easterly from the West line of said Block 116 for 150.22 feet to the beginning of a curve concave to the Northeast and having a radius of 15 feet; thence run Southeasterly along said curve for 23.34 feet, through a central angle of 89° 09' 00" to a point on a line parallel to and 7 feet North of the South line of said Lot 20; thence run Easterly along said parallel line for 45.22 feet to a point on a line parallel to and 20 feet Easterly from the West line of said Lot 21; thence run Southerly, parallel to and 20 feet Easterly from the West line of said Lot 22 for 7 feet to a point on the South line of said Lot 21; thence run Westerly along the South line of Lots 21 and 20 for 65 feet to the Southwest corner of said Lot 20.

And less

South 7 feet of Lot 21, less the West 20 feet thereof, and of Lot 22, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof as recorded in Plat Book 1, Page 3, Public Records of Palm Beach County, Florida.

PARCEL V:

Platted alleyway vacated and abandoned pursuant to Resolution No. 08-09 recorded April 8, 2009 in Official Records Book 23166, Page 1366, lying South of Northeast 1st. Street, North of Atlantic Avenue, East of Lots 1 through 11, & Lot 22, and West of Lots 12 through 19, & Lot 23, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof recorded in Plat Book 1, Page 3, Public Records of Palm Beach, County.

A/K/A

All that portion of the North-South 16 foot alley right of way lying in Block 116, TOWN OF LINTON (NOW DELRAY BEACH), according to the Plat thereof, as recorded in Plat Book 1, Page 3, of the Public Records of Palm Beach County, Florida, less the South 7.0 feet thereof.

PARCEL VI:

The West 40 feet of Lots 23, less the South 7 feet for road right of way, Block 116, DELRAY BEACH (FORMERLY KNOWN AS MAP OF THE TOWN OF LINTON, FLORIDA), according to the Plat thereof, as