

Prepared by/Return to:

City Attorney's Office
City of Delray Beach
200 NW 1st Avenue
Delray Beach, FL 33444

GRANT OF TEMPORARY CONSTRUCTION EASEMENT

THIS GRANT OF TEMPORARY CONSTRUCTION EASEMENT (this "Temporary Construction Easement") is entered into this ____ day of _____, 2019, by AUTO COMPANY XXVII, INC., a Delaware corporation with a mailing address of c/o AutoNation, 200 SW 1st Avenue, 14th Floor, Fort Lauderdale, Florida 33304, Attention: Real Estate Counsel (Grantor), and the CITY OF DELRAY BEACH, a municipal corporation in Palm Beach County, State of Florida, with a mailing address of 100 N.W. 1st Avenue, Delray Beach, Florida 33444 (Grantee).

WITNESSETH, that the Grantor, being the owner of certain real property, lying situate in Palm Beach County, Florida, more particularly described in Exhibit "A" attached hereto and made a part hereof ("Temporary Construction Easement Parcel"), for and in consideration of the sum of ONE (\$1.00) DOLLAR and other valuable considerations, receipt of which is hereby acknowledged, hereby grants unto Grantee, its successors and assigns, a non-exclusive temporary construction easement, for ingress, egress over, upon, under, through and across the Temporary Construction Easement Parcel. Upon the Expiration Date (as defined below), Grantee shall remove all debris thereon.

THIS TEMPORARY CONSTRUCTION EASEMENT, as described herein, is granted for the purpose of tying in, harmonizing, constructing, grading, improving, reconstructing, and inspecting the water installation project as shown on the initial or final plans for project number 18-177642. This Temporary Construction Easement shall commence upon the date of execution by the Grantor and shall automatically expire ("Expiration Date") upon the sooner to occur of the following events: (a) the completion of project number 18-177642 and the issuance of a certificate of completion; or (b) within two (2) years of the date of execution. The Temporary Construction Easement set forth above shall automatically terminate as set forth in this paragraph; provided, however, the Grantee agrees, upon the request of Grantor, to execute such documents reasonably necessary to acknowledge the automatic termination of the Temporary Construction Easement.

TO HAVE AND TO HOLD THE SAME unto the Grantee, its successors and assign.

IN WITNESS WHEREOF, said Grantor has signed and sealed these presents the day and year first above written.

WITNESSES:

GRANTOR:

AUTO COMPANY XXVII, INC.,
a Delaware corporation

Signature of Witness

Printed Name of Witness

Signature of Witness

Printed Name of Witness

By: _____

Name: Charles W. Sabadash III
Title: Authorized Agent

STATE OF FLORIDA
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by Charles W. Sabadash III, the Authorized Agent of Auto Company XXVII, Inc., a Delaware corporation, on behalf of the corporation. He is personally known to me and did not take an oath.

Signature of Notary Public
State of Florida

(SEAL)

EXHIBIT A

Real Property Legal Description

Parcel A, Wallace Ford – Replat, according to the map or plat thereof as recorded in Plat Book 124, Pages 151-153, of the Public Records of Palm Beach County, Florida.