

Prepared by: RETURN:  
City Attorney's Office  
200 N.W. 1<sup>st</sup> Avenue  
Delray Beach, Florida 33444

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## **RIGHT-OF-WAY DEED**

THIS INDENTURE made this \_\_\_\_ day of \_\_\_\_\_, 2019 between **M2D Seven, LLC** with a mailing address of 755 NW 17<sup>th</sup> Avenue, Delray Beach, FL 33445, GRANTOR, and **CITY OF DELRAY BEACH, FLORIDA**, a Florida municipal corporation with a mailing address of 100 N.W. 1<sup>st</sup> Avenue, Delray Beach, FL 33444, GRANTEE.

(Whenever used herein the term "GRANTOR" and "GRANTEE" include singular and plural, heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporation, whenever the context so admits or requires)

### WITNESSETH:

That GRANTOR, 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 GRANTEE, its successors and assigns, all right, title, interest, claim and demand which GRANTOR has in and to the following-described land, situate, lying and being in the County of Palm Beach, State of Florida, to wit:

See Exhibit "A" attached hereto.

This Deed is made for the purpose of giving and granting to GRANTEE, its successors and assigns, a right-of-way and easement in and to said lands for public highway, street, and public utility purposes; and 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 GRANTOR or assigns.

That this right-of-way shall be subject only to those easements, restrictions, and reservation of record. GRANTOR agrees to provide for the release of any and all mortgages or liens encumbering this right-of-way. GRANTOR also agrees to erect no building or effect any other kind of construction or improvements upon the above-described property.

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 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 GRANTOR, in law or in equity to the only proper use, benefit, and behalf of the said GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, GRANTOR has caused these presents to be executed on the date first above written.

Signed, sealed and delivered in the presence of:

\_\_\_\_\_

(Name printed or typed)

\_\_\_\_\_

(Name printed or typed)

GRANTOR  
M2D Seven LLC, a Florida limited liability company

By: \_\_\_\_\_

Marc Julien, its Manager  
(Name printed or typed)

\_\_\_\_\_  
(Address)

STATE OF FLORIDA  
COUNTY OF PALM BEACH

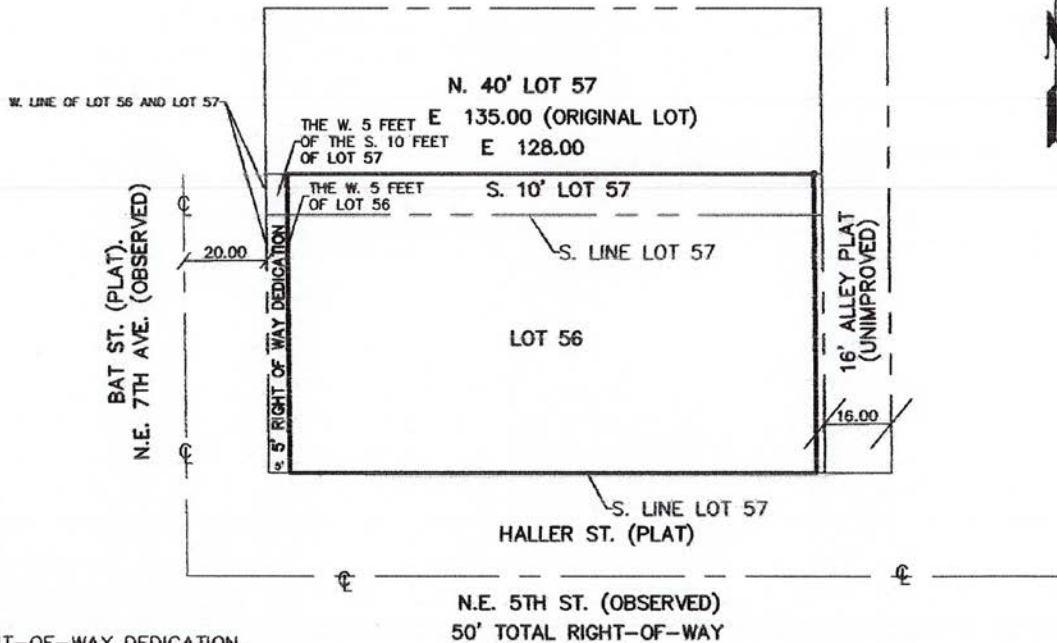
The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2019 by Marc Julien as Manager of M2D Seven LLC, a Florida limited liability company, who is personally known to me or has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Signature of Notary Public – State of Florida

**[Remainder of page intentionally left blank]**

# EXHIBIT "A"

## SKETCH AND DESCRIPTION 5' R\W DEDICATION



5' RIGHT-OF-WAY DEDICATION

### LEGAL DESCRIPTION:

THE WEST 5 FEET OF THE SOUTH 10 FEET OF LOT 57 TOGETHER WITH THE WEST 5 FEET OF LOT 56, HOFMAN ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 3, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE LYING AND BEING IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA.

CONTAINING 362 SQUARE FEET, MORE OR LESS.

### SURVEYOR'S NOTES:

1. ALL BEARINGS OR ANGLES SHOWN HEREON ARE BASED ON THE RECORD PLAT UNLESS OTHERWISE NOTED.
2. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND EMBOSSED SEAL.

### CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION.

PAUL A. DAVIS  
P.S.M.  
STATE OF FLORIDA.

4/3/19



**PAUL A. DAVIS , INC.**

LB #0007219

Land Surveyors • Land Development • Consultants • Planners

4710 N. E. 17TH AVE., POMPAHO BEACH, FLA. 33064-5837

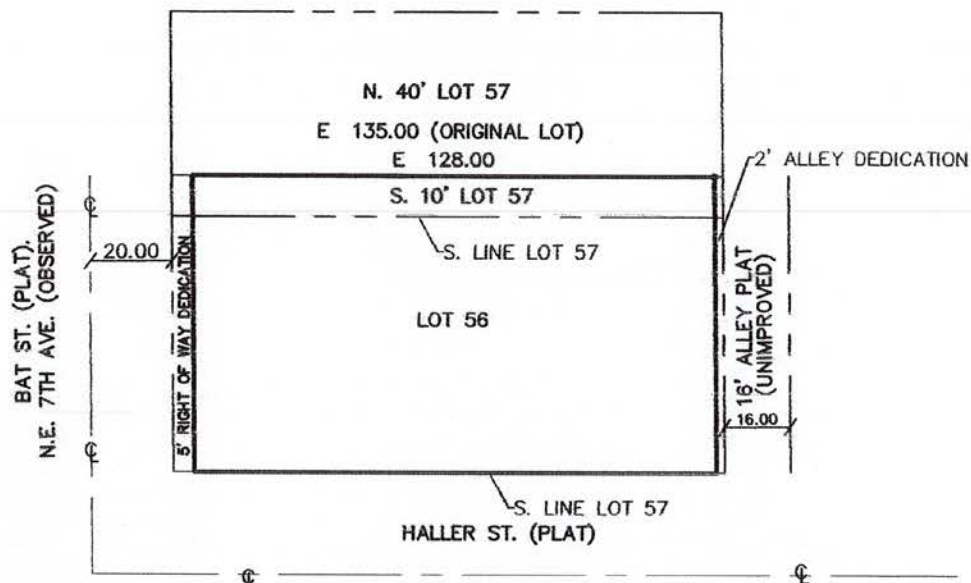
Phone: (954) 421-9101 & (954) 698-9101 fax: (954) 698-9722

Subdivisions & Condominiums Land & Site Planning  
Lot Surveys • Mortgage Surveys • Acreage Surveys • Topographic Surveys • Record Plats • Condominium Plats • Construction Layout

DATE	REVISIONS
SCALE:	1" = 40'
DRAWN BY:	P.A.D.
DATE:	4/3/19
JOB NO:	190226A
F.B./PG.	N/A
FILE	
SHEET NO.	1

EXHIBIT "A" (CONTINUED)

# SKETCH AND DESCRIPTION 2' ALLEY DEDICATION



2' ALLEY DEDICATION  
LEGAL DESCRIPTION:

THE EAST 2 FEET OF THE SOUTH 10 FEET OF LOT 57 TOGETHER WITH THE EAST 2 FEET OF LOT 56, HOFMAN ADDITION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 3, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE LYING AND BEING IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA.

CONTAINING 145 SQUARE FEET, MORE OR LESS.

**SURVEYOR'S NOTES:**

1. ALL BEARINGS OR ANGLES SHOWN HEREON ARE BASED ON THE RECORD PLAT UNLESS OTHERWISE NOTED.
2. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S SIGNATURE AND EMBOSSED SEAL.

**CERTIFICATE:**

I HEREBY CERTIFY THAT THE ATTACHED SKETCH OF DESCRIPTION OF THE DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS SURVEYED UNDER MY DIRECTION.

PAUL A. DAVIS  
P.S.M.  
STATE OF FLORIDA.

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