

Prepared by: RETURN:

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

PCN# 12-43-46-16-01-093-0010

Address: 302 E Atlantic Ave, Delray Beach FL,

RIGHT-OF-WAY DEED

THIS INDENTURE made this __ day of _____, 202_, between **PIERRE DELRAY ONE LLC**, a Delaware Limited Liability Company, with a mailing address of 2000 Avenue Of The Stars, 11th Floor Los Angeles, CA 90067 GRANTOR, and **CITY OF DELRAY BEACH, FLORIDA**, a Florida municipal corporation with a mailing address of 100 N.W. 1st Avenue, Delray Beach, Florida 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.)

W I T N E S S E T H:

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 for the sketch and legal, and See Exhibit "B" attached hereto for the graphic illustrating same.

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

WITNESSES:

GRANTOR: PIERRE DELRAY ONE LLC, a
Delaware Limited Liability Company

Signature

Print Name

Signature

Print Name

By: _____

Name: _____

Its: _____

Date: _____

STATE OF _____

COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization this ____ day of _____, 2020 by _____ as Authorized Signatory of **PIERRE DELRAY ONE LLC**, a Delaware Limited Liability Company.

Personally known ____ OR Produced Identification
Type of Identification Produced _____

[Remainder of Page Intentionally Left Blank]

ATTEST:

**GRANTEE/ CITY OF DELRAY BEACH,
FLORIDA**

By: _____
City Clerk

By: _____
Shelly Petrolia, Mayor

Approved as to Form:

By: _____
City Attorney

[Remainder of Page Intentionally Left Blank]

EXHIBIT "A"
SKETCH AND LEGAL FOR THE RIGHT OF WAY DEED

(See Following Page)

Sketch & Description
SunTrust Delray - Corner Clip Agreement
Block 93, RE-SUBDIVISION OF BLOCK 93, CITY OF
DELRAY BEACH, PALM BEACH, COUNTY
Plat Book 10, Page 53


Corner Clip Agreement: As Written by SurvTech Solutions

A parcel of land being a portion of the lands as described per Official Records Book 29463, Page 1754, of the Public Records of Palm Beach County, Florida, being a part of Block 93, RE-SUBDIVISION OF BLOCK 93, CITY OF DELRAY BEACH, PALM BEACH COUNTY, according to the plat thereof, as recorded in Plat Book 10, Page 53, of the Public Records of Palm Beach County, Florida, being more particularly described as follows:


BEGIN at a point marking the Northwest corner of lands as described per Official Records Book 29463, Page 1754, of the Public Records of Palm Beach County, Florida; thence coincident with the South Right-of-way boundary of East Atlantic Avenue, N 89°19'23" E a distance of 20.00 feet; thence departing said South Right-of-way boundary, S 48°23'45" W a distance of 30.22 feet to a point coincident with the East Right-of-way boundary of Southeast 3rd Avenue as described per said Official Records Book 29463, Page 1754; thence coincident with said East Right-of-way boundary, N 07°28'07" E a distance of 20.00 feet to the POINT OF BEGINNING.


Containing an area of 197.98 square feet, 0.005 acres, more or less.

Legend of Abbreviations

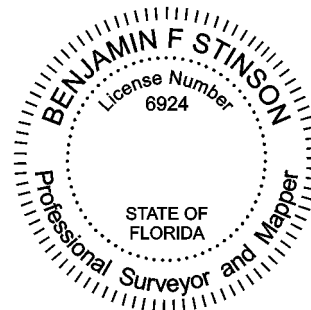
PSM	Professional Surveyor and Mapper	R/W	Right-of-way
(D)	Deed Reference	No.	Number
	Official Records Book	LB	Licensed Business
	29463, Page 1754		Corner Clip Agreement
(P)	Plat Reference		
	(Plat Book 10, Page 53)		

Property Information

 Parcel Control #12-43-46-16-01-093-0010

 Parcel Control #12-43-46-16-01-093-0370

PIERRE DELRAY ONE LLC
 2000 AVENUE OF THE STARS FL 11
 LOS ANGELES, CA 90067 4732




Benjamin F. Stinson PSM No. 6924
 SurvTech Solutions, Inc. LB No. 7340

Project No.: 20170157

Phase: 11

Drawing Name: 20170157_11SK.1

Last Field Date: N/A

Field Book/Page: N/A

Drafted By: B. Stinson

Date Drafted: 01/15/20

Revision Date: N/A

Approved By: B. Stinson

Date Approved: 01/17/20

SURVTECH SOLUTIONS, INC. SURVEYORS AND MAPPERS

10220 U.S. Highway 92 East, Tampa, FL 33610

phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340

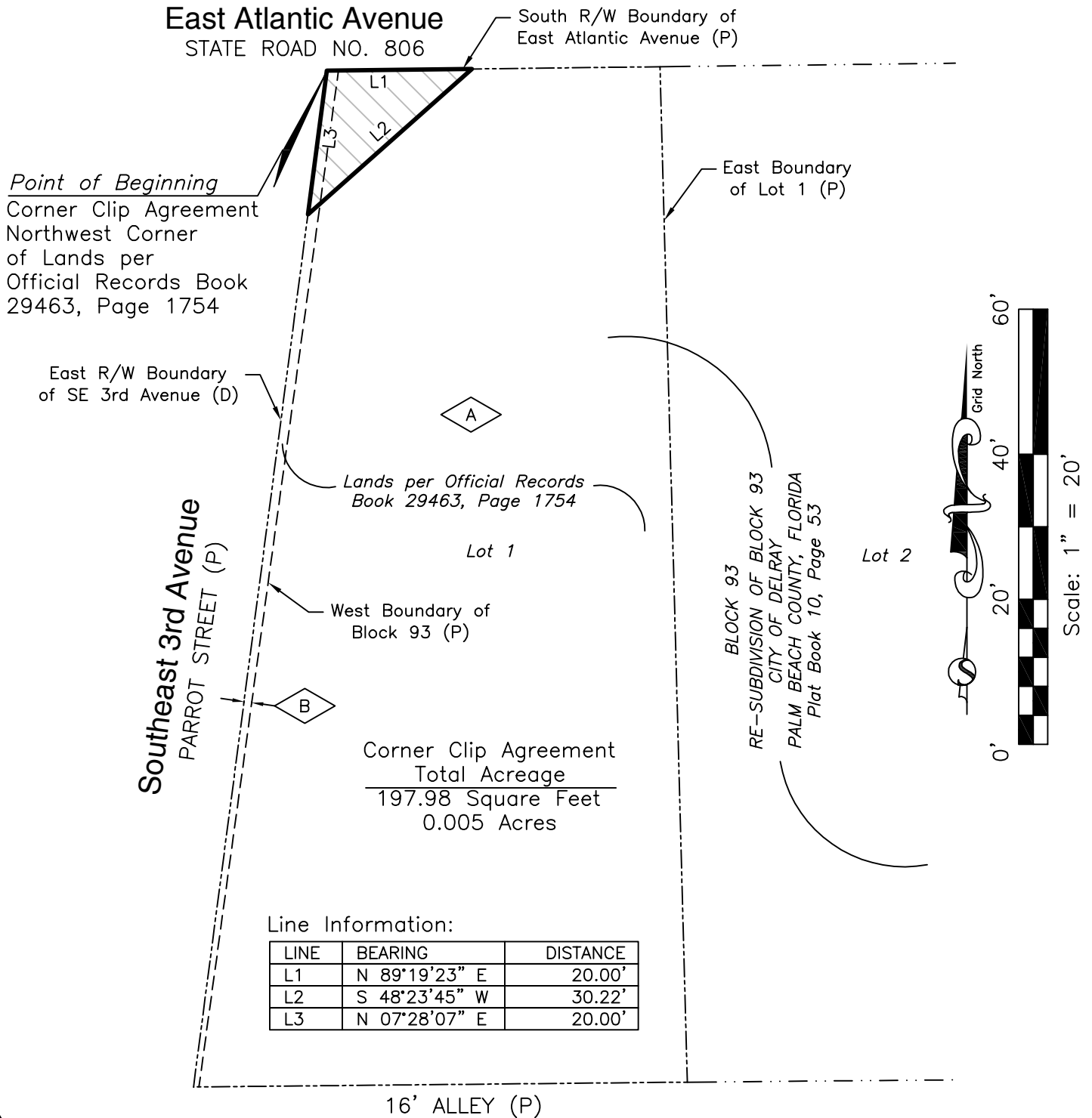
email: bstinson@survtechsolutions.com http://www.survtechsolutions.com

- 1.) Paper copies of this sketch are not valid without the original signature and raised seal of a Florida Licensed Surveyor and Mapper. Digital copies are not valid without the digital signature of a Florida Licensed Surveyor and Mapper.
- 2.) The bearing structure for this sketch is based on a Florida East State Plane grid bearing of N 89°19'23" E for the South Right-of-way Boundary of East Atlantic Avenue.
- 3.) THIS IS NOT A BOUNDARY SURVEY.

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 TOMORROW'S TECHNOLOGY



Sketch & Description
SunTrust Delray - Corner Clip Agreement
Block 93, RE-SUBDIVISION OF BLOCK 93, CITY OF
DELRAY BEACH, PALM BEACH, COUNTY
Plat Book 10, Page 53



Line Information:

LINE	BEARING	DISTANCE
L1	N 89°19'23" E	20.00'
L2	S 48°23'45" W	30.22'
L3	N 07°28'07" E	20.00'

PROJECT NO.: 20170157
 PHASE: 11
 LAST FIELD DATE: N/A



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 10220 U.S. Highway 92 East, Tampa, FL 33610
 phone: (813)-621-4929, fax: (813)-621-7194, Licensed Business #7340
 email: bstinson@survtechsolutions.com <http://www.survtechsolutions.com>

PIERRE DELRAY BEACH SITE I



CONSENT AND JOINDER OF MORTGAGEE

_____ (Mortgagee), is the holder of that certain Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing dated as of _____, 2020, recorded in the Official Records Book _____, at page _____ (Instrument No. _____), of the Public Records of Palm Beach County, Florida ("Mortgage"), which encumbers a portion of the following described property, in Palm Beach County, Florida, to wit:

Lots 1, Block 93, RE-SUBDIVISION OF BLOCK 93, DELRAY BEACH, FLORIDA,
according to the plat thereof, recorded in Plat Book 10, Page 53, of the Public Records of
Palm Beach County, Florida.

The undersigned, Mortgagee, hereby consents to the foregoing Right-of-Way Deed from **PIERRE DELRAY ONE LLC**, a Delaware Limited Liability Company ("Grantor") to the **City of Delray Beach**, a municipal entity ("Grantee") and hereby subordinates the lien of its Mortgage to the Right-of-Way Deed.

IN WITNESS WHEREOF, this Consent and Joinder is executed by the undersigned this _____ day of _____, 2020.

WITNESS #1:

MORTGAGEE:

By: _____

(Printed Name)

(Printed Name & Title)

WITNESS #2:

(Printed Name)

Acknowledgement

STATE OF _____
COUNTY OF _____

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 20__, by _____
(name of person), as _____ (type of authority) for _____ (name
of party on behalf of whom instrument was executed).

Personally known ____ OR Produced Identification
Type of Identification Produced _____