

Prepared by: RETURN:

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

PCN 12-43-46-16-01-078-0131

Address: 166 SE 2nd Avenue

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

THIS INDENTURE is made this \_\_\_\_ day of \_\_\_\_\_, 2020, between **BRONSEN I DELRAY, LLC**, with a mailing address of 2665 Bayshore Drive, Suite 605B, Miami, Florida 33133, 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.)

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

WITNESSES:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

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 \_\_\_\_\_

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

ATTEST:

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

By: \_\_\_\_\_  
City Clerk

By: \_\_\_\_\_  
Shelly Petrolia, Mayor

Approved as to Form:

By: \_\_\_\_\_  
City Attorney

## EXHIBIT “A”



947 Clint Moore Road  
Boca Raton, Florida 33487

SURVEYING & MAPPING  
Certificate of Authorization No. LB7264

Tel: (561) 241-9988  
Fax: (561) 241-5182

## SKETCH AND LEGAL DESCRIPTION - NOT A SURVEY 2' RIGHT OF WAY PARCEL

### LEGAL DESCRIPTION

THE WEST 2.00 FEET OF THE SOUTH 39.50 FEET OF LOT 13 AND THE WEST 2.00 FEET OF THE NORTH 18.50 FEET OF LOT 14, BLOCK 78, MAP OF THE TOWN OF LINTON (NOW KNOWN AS DELRAY BEACH), ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

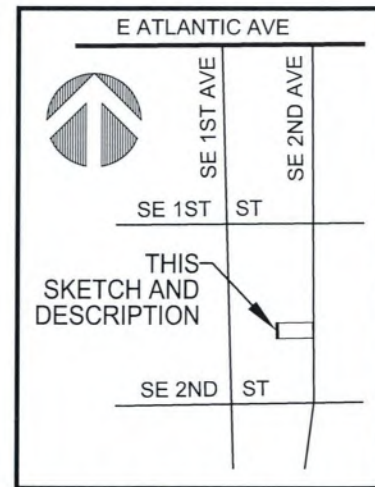
SAID LANDS SITUATE IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA.

### NOTES

1. THIS DRAWING IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED OR REFERENCED IN THE PREPARATION OF THIS SKETCH AND LEGAL DESCRIPTION.
3. BEARINGS ARE BASED AN ASSUMED BEARING OF S01°33'20"E ALONG SE 2ND AVE.
4. CONTAINS 116 SQUARE FEET, MORE OR LESS.

### ABBREVIATIONS

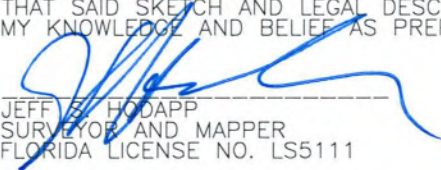
A	=	ARC LENGTH
B.C.R.	=	BROWARD COUNTY RECORDS
D	=	DELTA (CENTRAL ANGLE)
D.E.	=	DRAINAGE EASEMENT
L.M.E.	=	LAKE MAINTENANCE EASEMENT
MON.	=	MONUMENT
N/D	=	NAIL AND DISC
P.B.	=	PLAT BOOK
P.B.C.R.	=	PALM BEACH COUNTY RECORDS
PG.	=	PAGE
PROP.	=	PROPOSED
R	=	RADIUS
R/W	=	RIGHT-OF-WAY
SQ.	=	SQUARE
U.E.	=	UTILITY EASEMENT



**LOCATION MAP**  
NOT TO SCALE

### SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THE SKETCH AND LEGAL DESCRIPTION SHOWN HEREON COMPLIES WITH STANDARDS OF PRACTICE AS CONTAINED IN CHAPTER 5J-17.051, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT SAID SKETCH AND LEGAL DESCRIPTION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION.

  
JEFF S. HODAPP  
SURVEYOR AND MAPPER  
FLORIDA LICENSE NO. LS5111

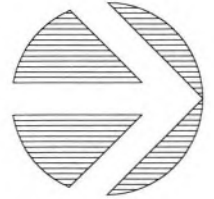
PROJECT NAME: 166 SE 2ND AVE	DATE: 12/13/2019
JOB NO. 18185	DWG BY: AJR
CK'D BY: JSH	SHEET 1 OF 2

# PERIMETER

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TRACT "A"  
"SOFA DELRAY ONE"  
(P.B. 118, PGS. 102-103, P.B.C.R.)

16' ALLEY  
(P.B. 1, PG. 3, P.B.C.R.)

2' R/W  
(P.B. 118, PGS.  
102-103, P.B.C.R.)

2' R/W  
(P.B. 118, PGS.  
104-105, P.B.C.R.)

10'X19' U.E.  
(P.B. 118, PGS.  
104-105, P.B.C.R.)

LOT 14  
BLOCK 78  
(P.B. 1, PG. 3, P.B.C.R.)

TRACT "A"  
"SOFA DELRAY TWO"  
(P.B. 118, PGS. 104-105, P.B.C.R.)

5' R/W  
(P.B. 118, PGS.  
104-105, P.B.C.R.)

**SE 2ND AVENUE**

50' R/W  
(P.B. 1, PG. 3, P.B.C.R.)

**FLORIDA EAST COAST RAILROAD**

JOB NO. 18185	PROJECT NAME: 166 SE 2ND AVE	DWG BY: AJR	SCALE: 1" = 30'	
		CK'D BY: JSH	DATE: 12/13/2019	SHEET 2 OF 2