

Prepared by: RETURN:

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

PCN 12-43-46-16-01-114-0191  
Address: 200 NE 7th Avenue

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

THIS INDENTURE is made this \_\_\_\_ day of January, 2021, between JD Realty Holdings, LLC, a Delaware Limited Liability Company, with a mailing address of 70 Hudson Street, Suite 7A, Hoboken, NJ 07030, 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 hereunto set its hand and seal on the date first above written.

Signed, sealed and delivered  
In the presence of:

**JD REALTY HOLDINGS, LLC, a  
Delaware limited liability company**

Lauren DeStefano  
Signature of first witness

By: [Signature]  
DUSTIN SALZANO, as Manager

Lauren DeStefano  
Printed name of first witness

[Signature]  
Signature of second witness

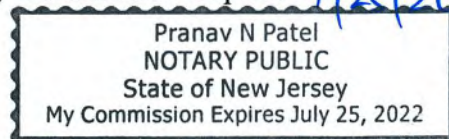
Jainam Shah  
Printed name of second witness

**NOTARIZATIONS**

STATE OF NEW JERSEY  
COUNTY OF ESSEX

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 19<sup>th</sup> day of January, 2021, by Dustin N. Salzano, as Manager of JD Realty Holdings, LLC, on behalf of the company, who ☐ is personally known to me or ☒ has produced a driver's license as identification.

[Signature]  
NOTARY PUBLIC - State of New Jersey  
My Commission Expires 7/25/2022



ATTEST:

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

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

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

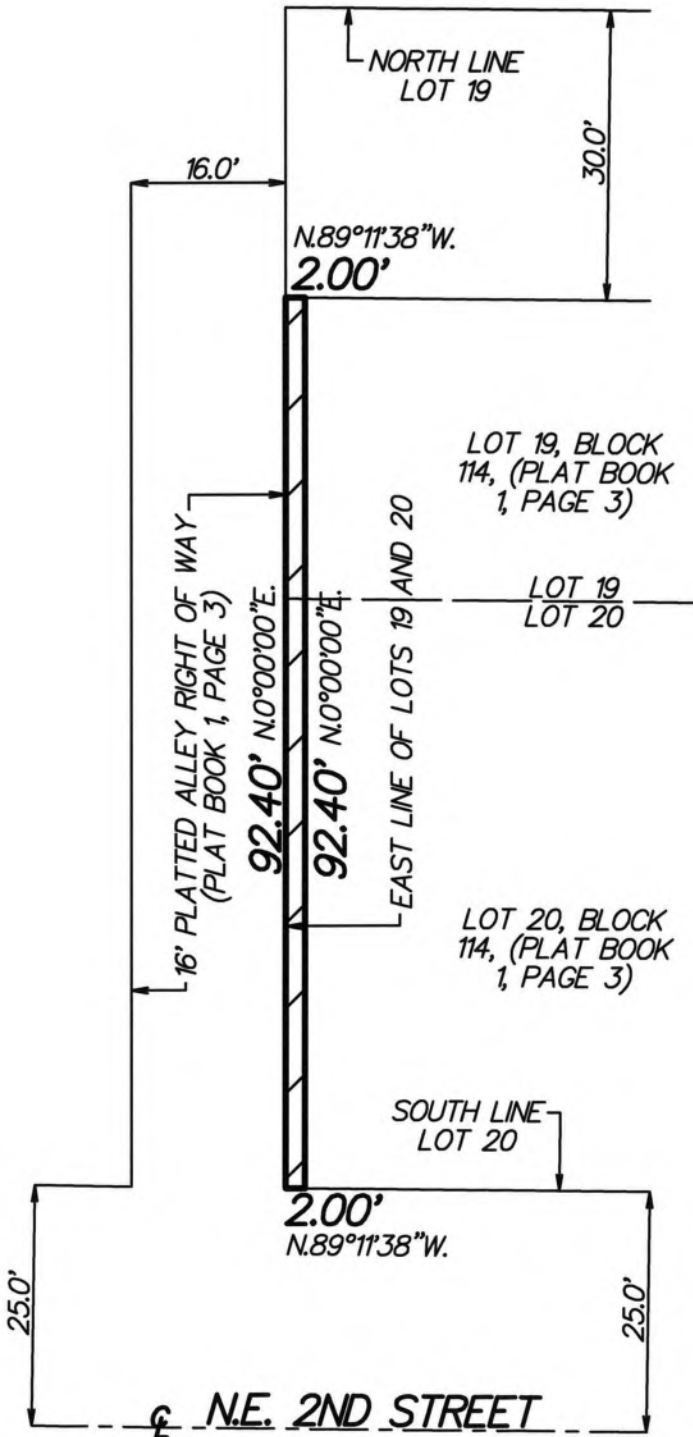
Approved as to Form:

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

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# SKETCH OF DESCRIPTION

EXHIBIT "A"  
SHEET 1 OF 1



## NOTES:

THIS IS NOT A SURVEY

THE WEST LINE OF LOTS 19 AND 20  
IS ASSUMED TO BEAR N.90°00'00"E.

CL = CENTERLINE

## DESCRIPTION:

THE WEST 2.0 FEET OF THE  
FOLLOWING DESCRIBED PARCEL.

LOT 19, LESS THE NORTH 30 FEET  
THEREOF AND ALL OF LOT 20, BLOCK  
114, 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.

*Paul D. Engle*

PAUL D. ENGLE  
SURVEYOR & MAPPER NO. 5708

DATE: NOVEMBER 1, 2018

O'BRIEN, SUITER & O'BRIEN, INC.  
CERTIFICATE OF AUTHORIZATION #LB353  
SURVEYOR AND MAPPER IN RESPONSIBLE  
CHARGE: PAUL D. ENGLE  
955 N.W. 17TH AVENUE, SUITE K-1  
DELRAY BEACH FLORIDA 33445  
(561) 276-4501 (561) 732-3279

ORDER NO. 75-734 "ALLEY RIGHT OF WAY"