

Prepared by: RETURN:

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

PCN 12-43-46-16-05-105-0200; 12-43-46-16-05-105-0180

Address: 343 NE 5th Avenue, Delray Beach, FL 33483;
325 NE 5th Avenue, Delray Beach, FL 33483

RIGHT-OF-WAY DEED

THIS INDENTURE made this ___ day of _____, 202_, between DIXIE HOLDINGS 17 LLC, a Florida limited liability company with a mailing address of _33 NE 4th Avenue, Delray Beach, FL 33483 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.

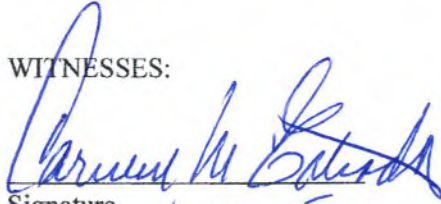
That this right-of-way shall be subject only to those easements, restrictions, and reservation of record. GRANTOR agrees to provide for the release of any and all mortgages or liens encumbering this right-of-way. GRANTOR also agrees to erect no building or effect any other kind of construction or improvements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

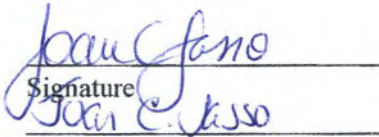
GRANTOR does hereby fully warrant the title to said land and will defend the same against the lawful claims of all persons whomsoever claimed by, through or under it, that it has good right and lawful authority to grant the above-described right-of-way and that the same is unencumbered. Where the context 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.

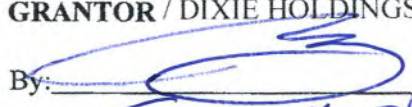
IN WITNESS WHEREOF, said Grantor has signed and sealed these presents the day and year first above written.

WITNESSES:


Signature
CARMEN M. ESTRADA
Print Name


Signature
Joan C. Sasso
Print Name

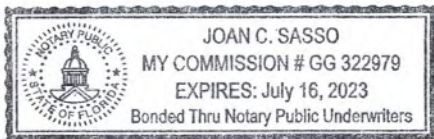
GRANTOR / DIXIE HOLDINGS 17 LLC

By: 
Name: Thomas M. Stanley
Its: Manager
Date: 2/19/2021

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 19 day of February, 2021, by Thomas M. Stanley (name of person), as Manager (type of authority) for Dixie Holdings LLC (name of party on behalf of whom instrument was executed).

Personally known ☒ OR Produced Identification ☐
Type of Identification Produced _____




Notary Public – State of Florida

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ATTEST:

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

By: _____
City Clerk

By: _____
Shelly Petrolia, Mayor

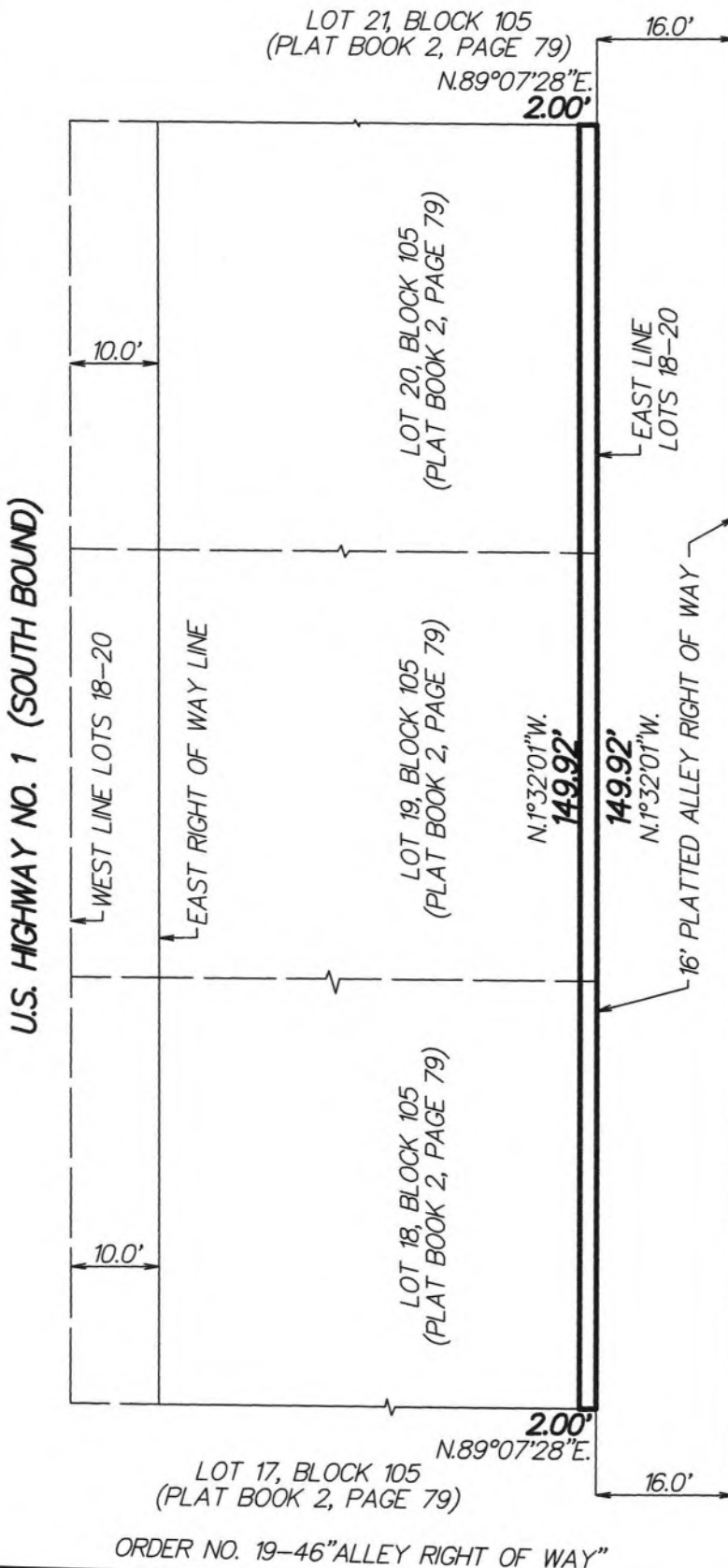
Approved as to Form:

By: _____
City Attorney

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SKETCH OF DESCRIPTION

EXHIBIT "A"
SHEET 1 OF 1



DESCRIPTION:

THE EAST 2.0 FEET OF LOTS 18, 19 AND 20, LESS THE WEST 10 FEET THEREOF, BLOCK 105, HIGHLAND PARK, DELRAY BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 79, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

NOTES:

THIS IS NOT A SURVEY

THE EAST LINE OF LOTS 18-20 IS ASSUMED TO BEAR N.1°32'01"W.

Paul D.
Engle

Digitally signed by
Paul D. Engle
Date: 2020.10.23
09:10:02 -04'00'

PAUL D. ENGLE
SURVEYOR & MAPPER NO. 5708

DATE: OCTOBER 23, 2020

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