

Prepared by: RETURN:

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

PCN 12-43-46-16-01-020-0110

Address: 98 NW 5th Avenue

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

THIS INDENTURE made this \_\_\_ day of \_\_\_\_\_, 202\_, between Delray Beach Community Redevelopment Agency,

with a mailing address of 20 North Swinton Avenue, Delray Beach, FL 33444,

**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:

*Renée*  
Signature  
Renée Jadusingh  
Print Name

*Tara*  
Signature  
Tara Toto  
Print Name

GRANTOR

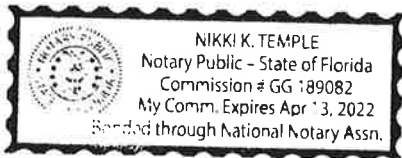
By: *Shirley D. Johnson*  
Name: Shirley Johnson  
Its: Delray Beach CRA Board Chair

Date: 4/19/21

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 April, 2021, by Shirley Johnson (name of person), as Chair (type of authority) for CRA (name of party on behalf of whom instrument was executed).

Personally known  OR Produced Identification   
Type of Identification Produced \_\_\_\_\_



*Nikki K Temple*  
Notary Public – State of Florida

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**[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"

**RIGHT OF WAY DEDICATION  
SKETCH AND LEGAL DESCRIPTION**

SECTION 16 & 17, TOWNSHIP 46 SOUTH, RANGE 43 EAST

PARCEL CONTROL #: 12-43-46-16-01-020-0110

ADDRESS: 98 NORTHWEST 5TH AVENUE, DELRAY BEACH FL, 33444

**GRAPHIC SCALE**



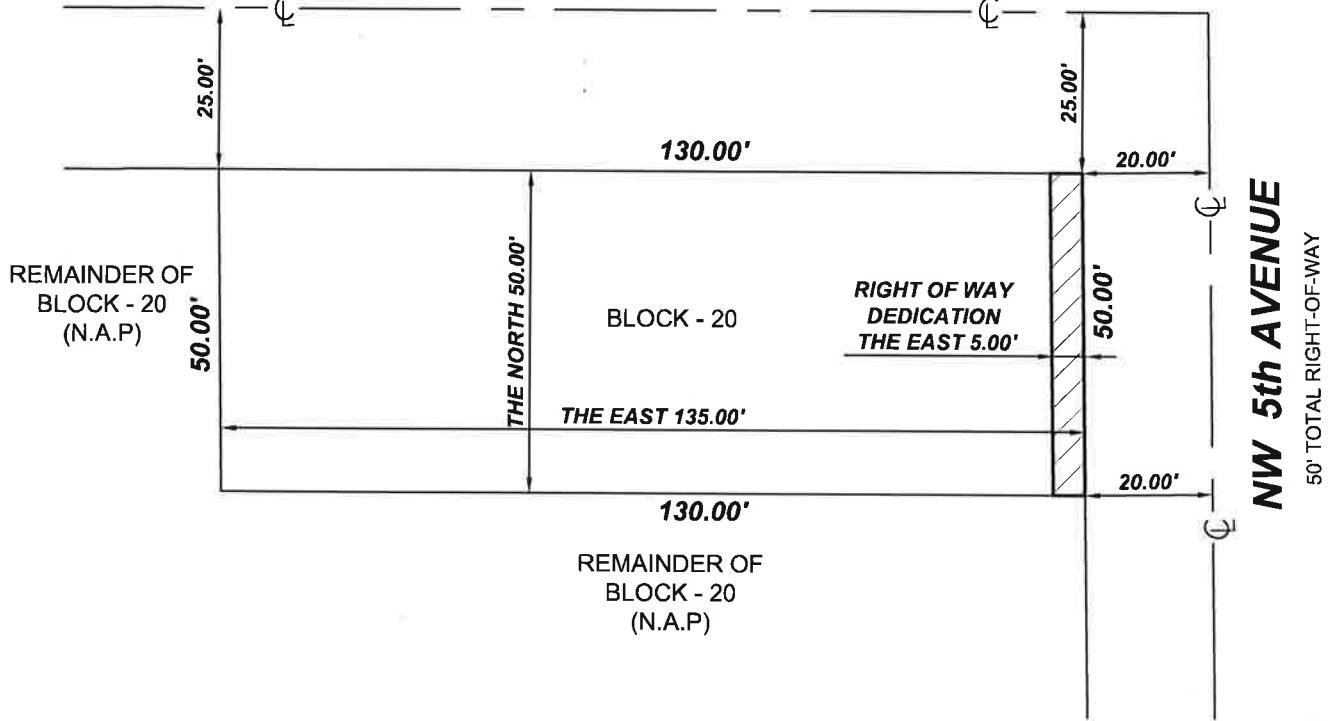
(IN FEET)

1 INCH = 30 FEET



**NW 1ST STREET**

50' TOTAL RIGHT-OF-WAY



**LEGAL DESCRIPTION:**

THE EAST 5 FOOT OF THE NORTH 50 FEET OF THE EAST 135 FEET OF BLOCK 20, CITY OF DELRAY BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

**SURVEYOR'S NOTES:**

1. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN MADE BY JOHN IBARRA & ASSOCIATES, INC.
2. THIS SKETCH IS BASED ON INFORMATION FURNISHED BY CLIENT OR CLIENT'S REPRESENTATIVE.
3. THIS SKETCH IS NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY: THIS "SPECIFIC PURPOSE SURVEY" OF THE PROPERTY DESCRIBED HEREON, HAS RECENTLY BEEN SURVEYED AND DRAWN UNDER MY SUPERVISION, AND COMPLIES WITH THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

BY:  01/27/2021  
JOHN IBARRA (DATE OF FIELD WORK)

PROFESSIONAL LAND SURVEYOR NO.: 5204 STATE OF FLORIDA

<b>DRAWN BY:</b>	T.B.
<b>DATE :</b>	01/27/2021
<b>SCALE:</b>	1"=30'
<b>SURVEY NO:</b>	18-003594-6
<b>SHEET:</b>	1 OF 2



**JOHN IBARRA & ASSOCIATES, INC.**  
Professional Land Surveyors & Mappers  
WWW.IBARRALANDSURVEYORS.COM

<p>777 N.W. 72nd AVENUE SUITE 3025 MIAMI, FLORIDA 33126 PH: (305) 262-0400 FAX: (305) 262-0401</p>	<p>4851 TAMIAMI TRAIL NORTH SUITE # 200 NAPLES, FL 34103 PH: (239) 540-2660 FAX: (239) 540-2664</p>
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**L.B.# 7806 SEAL**

**RIGHT OF WAY DEDICATION  
SKETCH AND LEGAL DESCRIPTION**

SECTION 16 & 17, TOWNSHIP 46 SOUTH, RANGE 43 EAST  
PARCEL CONTROL #: 12-43-46-16-01-020-0110

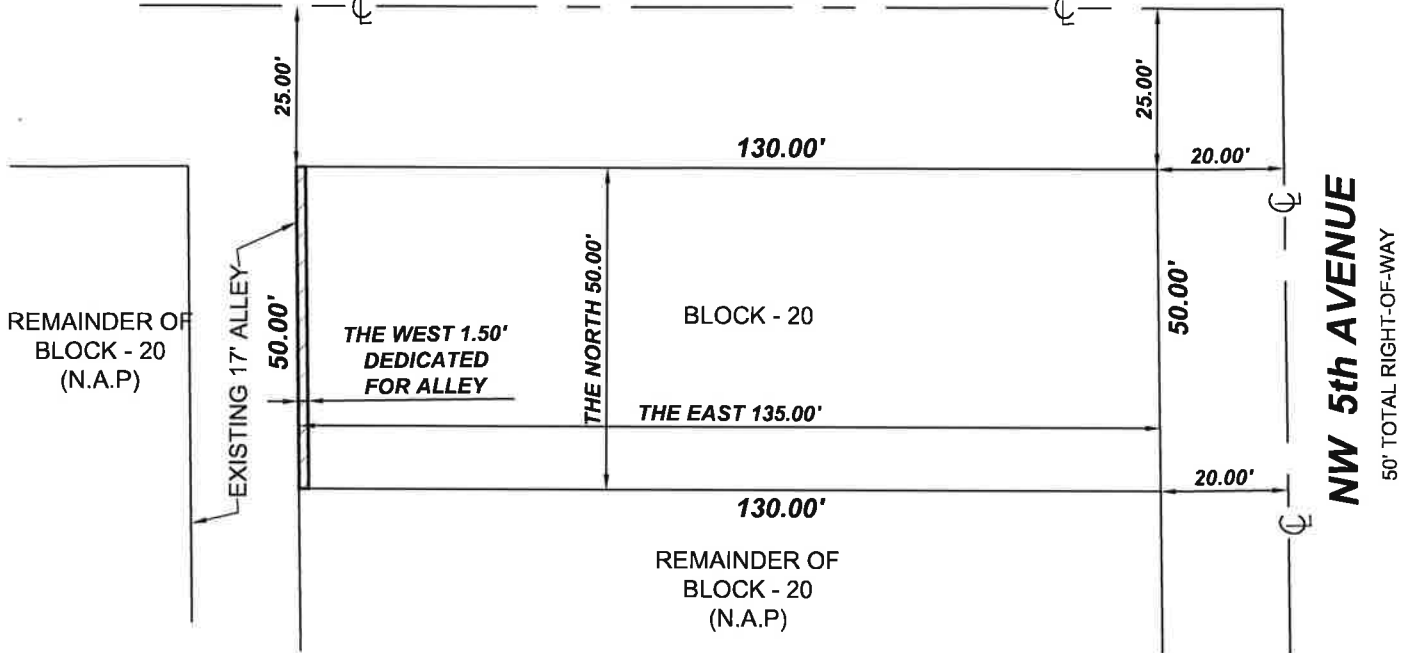
ADDRESS: 98 NORTHWEST 5TH AVENUE, DELRAY BEACH FL, 33444

**GRAPHIC SCALE**



**NW 1ST STREET**

50' TOTAL RIGHT-OF-WAY



**LEGAL DESCRIPTION:**

THE WEST 1.5 FOOT OF THE NORTH 50 FEET OF THE EAST 135 FEET OF BLOCK 20, CITY OF DELRAY BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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BY: \_\_\_\_\_ **01/27/2021**  
: **JOHN IBARRA** (DATE OF FIELD WORK)

PROFESSIONAL LAND SURVEYOR NO.: 5204 STATE OF FLORIDA

<b>DRAWN BY:</b>	T.B.
<b>DATE :</b>	01/27/2021
<b>SCALE:</b>	1"=30'
<b>SURVEY NO.:</b>	18-003594-6
<b>SHEET:</b>	2 OF 2

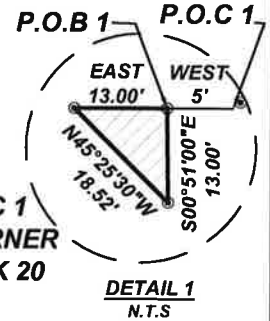
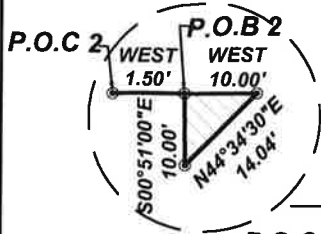
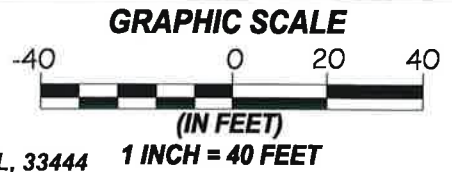
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L.B.# 7806 SEAL

**RIGHT OF WAY DEDICATION  
SKETCH AND LEGAL DESCRIPTION**  
SECTION 16 & 17, TOWNSHIP 46 SOUTH, RANGE 43 EAST  
PARCEL CONTROL #: 12-43-46-16-01-020-0110  
ADDRESS: 98 NORTHWEST 5TH AVENUE, DELRAY BEACH FL, 33444



**NW 1ST STREET**

50' TOTAL RIGHT-OF-WAY

**NE CORNER  
BLOCK 20**

**NW 5th AVENUE**

50' TOTAL RIGHT-OF-WAY

DETAIL 2  
N.T.S.

DETAIL 1  
N.T.S.

REMAINDER OF  
BLOCK - 20  
(N.A.P)

17' ALLEY

THE EAST LINE OF THE  
WEST 1.50' OF BLOCK 20

THE NORTH  
50.00'

THE EAST 135.00'

130.00'  
REMAINDER OF  
BLOCK - 20  
(N.A.P)

THE WEST LINE OF THE  
EAST 5.00' OF BLOCK 20

50.00'



**LEGAL DESCRIPTION:**

A PARCEL OF LAND BEING A PORTION OF THE NORTH 50 FEET OF THE EAST 135 FEET OF BLOCK 20, CITY OF DELRAY BEACH, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 3, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF BLOCK 20, THENCE RUN WITH AN ASSUMED BEARING WEST ALONG THE NORTH LINE OF BLOCK 20, SAID LINE ALSO BEING THE SOUTH RIGHT OF WAY LINE NW 1ST STREET, FOR A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING, THENCE S00°51'00" RUN ALONG THE WEST LINE OF THE EAST 5.00 FEET OF BLOCK 20, FOR A DISTANCE OF 13.00 FEET; THENCE RUN N45°25'30"W FOR A DISTANCE OF 18.52 FEET TO A POINT ON THE NORTH LINE OF BLOCK 20; THENCE RUN EAST ALONG THE NORTH LINE OF BLOCK 20, SAID LINE ALSO BEING THE SOUTH RIGHT OF WAY LINE NW 1ST STREET, FOR A DISTANCE OF 13.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH

COMMENCE AT THE NORTHWEST CORNER OF BLOCK 20, THENCE RUN WITH AN ASSUMED BEARING EAST ALONG THE NORTH LINE OF BLOCK 20, SAID LINE ALSO BEING THE SOUTH RIGHT OF WAY LINE NW 1ST STREET, FOR A DISTANCE OF 1.50 FEET TO THE POINT OF BEGINNING, THENCE S00°51'00"E ALONG THE EAST LINE OF THE WEST 1.50 FEET OF BLOCK 20 FOR A DISTANCE OF 10.00 FEET; THENCE RUN N44°34'30"W FOR A DISTANCE OF 14.04 FEET TO A POINT ON THE NORTH LINE OF BLOCK 20; THENCE RUN WEST ALONG THE NORTH LINE OF BLOCK 20, SAID LINE ALSO BEING THE SOUTH RIGHT OF WAY LINE NW 1ST STREET, FOR A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

**SURVEYOR'S NOTES:**

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BY:  01/27/2021  
JOHN IBARRA (DATE OF FIELD WORK)  
PROFESSIONAL LAND SURVEYOR NO.: 5204 STATE OF FLORIDA

DRAWN BY:	T.B.
DATE:	03/16/2021
SCALE:	1"=40'
SURVEY NO.:	18-003594-6
SHEET:	1 OF 1



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JOHN IBARRA  
CERTIFICATE  
NO. 5204  
STATE OF  
FLORIDA  
PROFESSIONAL LAND SURVEYOR

L.B.# 7806 SEAL