

Prepared by: RETURN:

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

PCN \_\_\_\_\_  
Address: \_\_\_\_\_

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

THIS INDENTURE made this \_\_\_ day of \_\_\_\_\_, 202\_, between \_\_\_\_\_,

with a mailing address of \_\_\_\_\_,

**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:

**GRANTOR**

\_\_\_\_\_  
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 \_\_\_\_\_, 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

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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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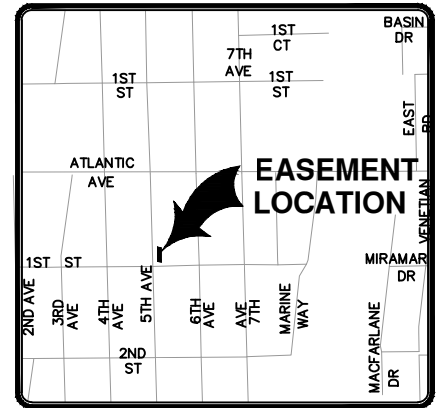
## EXHIBIT “A”

## DESCRIPTION:

SHEET 1 OF 1

A PORTION OF LOTS 28 AND 29, IN BLOCK 29, OF RE-SUBDIVISION OF BLOCKS 29 AND 37, DELRAY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, AT PAGE 66, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 COMMENCE AT THE SW CORNER OF SAID LOT 28; THENCE ALONG THE WEST LINE OF SAID LOT 28, N01°32'19"W 9.85 FEET TO THE POINT OF BEGINNING;  
 THENCE CONTINUE ALONG SAID WEST LINE AND THE WEST LINE OF SAID LOT 29, ALSO BEING A EASTERLY RIGHT-OF-WAY LINE OF SW 5th AVENUE, NORTH 01°32'19" WEST 44.15 FEET; THENCE ALONG THE NORTH LINE OF SAID LOT 29, NORTH 89°18'41" EAST 5.00 FEET; THENCE SOUTH 01°32'19" EAST 49.15 FEET; THENCE ALONG AFORESAID EASTERLY RIGHT-OF-WAY LINE OF SW 5th AVENUE, NORTH 46°06'49" WEST 7.12 FEET TO THE POINT OF BEGINNING.

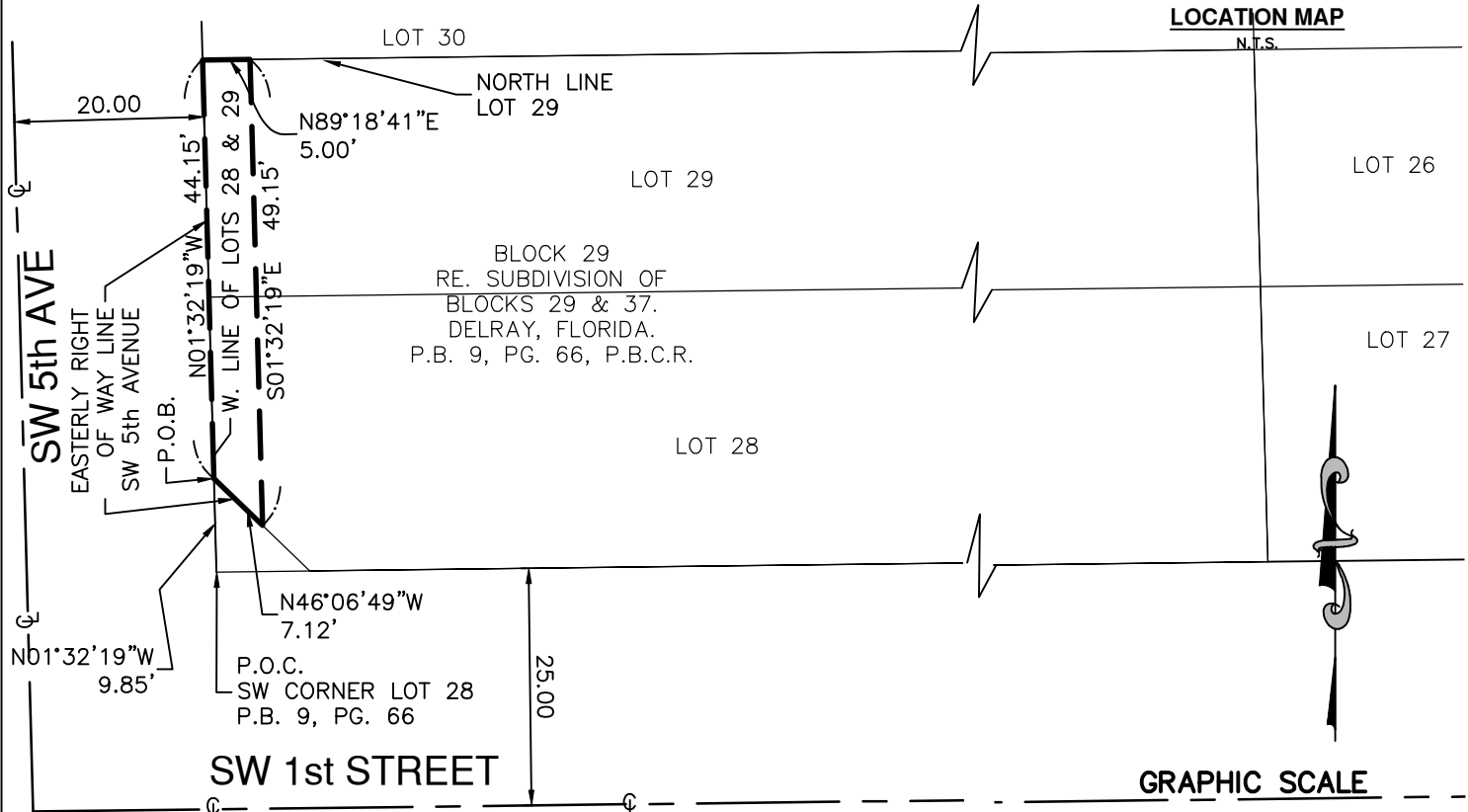
SAID LANDS SITUATE, LYING, AND BEING IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAINING 233 SQUARE FEET (0.005 ACRES) MORE OR LESS.



TOWNSHIP 46S - RANGE 43E - SECTION 17

## LOCATION MAP

N.T.S.



## ABBREVIATIONS:

O.R.B. - OFFICIAL  
 RECORD BOOK  
 P.B. - PLAT BOOK  
 PG. - PAGE  
 P.B.C.R. - PALM BEACH  
 COUNTY RECORDS  
 CL - CENTERLINE

## SURVEYOR'S NOTE:

BEARING SHOW HEREON ARE  
 BASED ON A BEARING OF  
 N89°18'41" E ALONG THE SOUTH  
 LINE OF BLOCK 29

## GRAPHIC SCALE



( IN FEET )  
 1 INCH = 20 FEET

## SKETCH &amp; DESCRIPTION

THIS SKETCH DOES NOT  
 REPRESENT A BOUNDARY SURVEY

CERTIFIED TO:

DELRAY BEACH CRA

HEREBY CERTIFY THAT THIS SKETCH MEETS  
 STANDARDS OF PRACTICE AS SET FORTH BY THE  
 FLORIDA DEPARTMENT OF AGRICULTURE AND  
 CONSUMER SERVICES OF PROFESSIONAL  
 SURVEYORS AND MAPPERS IN CHAPTER 5J-17,  
 FLORIDA ADMINISTRATIVE CODE PURSUANT TO  
 SECTION 472.027, FLORIDA STATUTES.  
 DATED THIS 28th DAY OF JULY 2021 A.D.

STATE OF

MARTIN P. ROSSI  
 PROFESSIONAL SURVEYOR AND MAPPER  
 STATE OF FLORIDA REGISTRATION No. 5857

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL  
 RED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER  
 SURVEYOR'S STATE OF AUTHORIZATION: LB6680

**MILLER LEGG**

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 Ft. Lauderdale, Florida · 33309-2364  
 954-436-7000 · Fax: 954-436-8664  
 www.millerlegg.com

PROJECT NO.

19-00014

FILE NO.

SD-1