



## Legislation Text

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**File #:** 19-682, **Version:** 1

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**TO:** Mayor and Commissioners  
**FROM:** Timothy Stillings, Development Services Department  
**THROUGH:** Neal de Jesus, Interim City Manager  
**DATE:** July 9, 2019

A QUIT CLAIM DEED OF 5 FEET ON NE 7<sup>TH</sup> AVENUE REPLACED BY A 5 FEET WIDE PERPETUAL SIDEWALK EASEMENT ALONG NE 7TH AVENUE AND NE 5TH STREET, AND A 5 FEET WIDE RIGHT OF WAY DEDICATION ALONG NE 7TH AVENUE AND A 2 FEET WIDE ALLEYWAY DEDICATION FOR 501 NE 7TH AVENUE.

**Recommended Action:**

Consider the Quit Claim deed, the perpetual sidewalk easement, and the right of way and alleyway dedication for 501 NE 7th Avenue.

**Background:**

On November 6, 2018, the Delray Beach City Commission accepted a 977 square feet perpetual sidewalk easement along NE 5th Street and NE 7th Avenue and a Right-of-Way dedication along the alleyway of 501 NE 7th Avenue. The intent of the perpetual sidewalk easement was to provide public access along the noted streets without conveying or deeding the area to the City. Upon recordation, it was noted that the perpetual sidewalk easement area was conveyed by a right of way deed not an easement as intended. As the 977 sf area is for public access only, it is requested to provide a quit claim deed for the 977 sf to the owners of the subject parcel and acceptance of a perpetual sidewalk easement for the public access.

**City Attorney Review:**

Approved as to form and legal sufficiency

**Funding Source/Financial Impact:**

N/A

**Timing of Request:**

The timing of this request is critical for the owners to obtain financing for the development of the subject parcel.