

RIGHT OF WAY DEED TO CITY OF MIRAMAR
Conveys the Title for Highway Purposes

This instrument prepared by:

Property Appraiser's Parcel
Identification No. _____
Grantee Tax payer's Identification No. _____

THIS INDENTURE, made this ____ day of _____, A.D. 20____, by and between _____, a _____, having its principal address at _____, in said State, party of the first part, and the **CITY OF MIRAMAR**, a Florida municipality, and its successors in interest, party of the second part.

W I T N E S S E T H:

That the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) to it in hand paid by the party of the second part, receipt whereof is hereby acknowledged, and for other and further good and valuable considerations, does hereby grant, bargain and sell to the party of the second part, and its successors in interest, for the purpose of a public highway and purposes incidental thereto, the following described land, situate, lying and being in the County of Broward, State of Florida, to-wit:

See Exhibit "D" attached hereto and by this reference made a part hereof.

It is the intention of the party of the first part by this instrument to convey to the said City, and its successors in interest, the land above described for use as a public highway and for all purposes incidental thereto.

It is expressly provided that if and when said highway shall be lawfully and permanently discontinued, the title to the said above described land shall immediately revert to the party of the first part, its successors and assigns, and it or they shall have the right to immediately re-possess the same.

And the said party of the first part will defend the title to said land against the lawful claims of all persons whomsoever, claiming by, through or under it.

IN WITNESS WHEREOF, the said party of the first part, has executed this instrument the day and year first above written.

Signed, Sealed, Attested
and Delivered in our presence:

Print Name: _____

By: _____
Name: _____
Title: _____

Print Name: _____

ACKNOWLEDGMENT

STATE OF _____)
COUNTY OF _____)

THE FOREGOING INSTRUMENT was acknowledged before me this ____ day of _____, 20____, by _____ as _____ of _____, a _____ on behalf of the _____, who is personally known to me (_____) or has produced _____, as identification.

SEAL

NOTARY PUBLIC

My Commission Expires:

Print or Type Name of Notary Public

court to which the _____ is a party that would affect the and/or title to the Property or any portion thereof.

9. That to the best of Affiant's knowledge there are no unrecorded easements or claims of easements affecting the Property or any portion thereof.

10. That the Property does not constitute all or substantially all of the assets of the _____.

11. That there are no matters pending against the _____ that could give rise to a lien that would attach to the Property or any portion thereof between _____, 20_____, and the recording of the Quit Claim Deed from the _____ to the City of Miramar, a Florida municipal corporation ("Grantee") and that the _____ has not and will not execute any instrument that would adversely affect the title to or transfer of the Property or any portion thereof from the _____ to Grantee.

12. Affiant recognizes that Grantee is materially relying on the veracity of the contents of this Affidavit, and that this Affidavit is being given for the purpose of inducing Grantee to accept a dedication of the Property from the _____.

FURTHER AFFIANT SAYETH NAUGHT.

Type Name & Title

Sworn to and subscribed before me this _____ day of _____, 20____, who (check one) [] is personally known to me or [] has produced _____ as identification.

SEAL

NOTARY PUBLIC

My Commission Expires:

Print or Type Name of Notary Public

OPINION OF TITLE

To: City of Miramar

With the understanding that this Opinion of Title is furnished to the City of Miramar, Florida, as inducement for execution of an agreement covering the real property, hereinafter described or for acceptance of a warranty deed, easement, covenant or unity of title, as applicable, it is hereby certified that I have examined a complete Abstract of Title or Policy of Title Insurance issued by _____ dated _____ covering the period from the beginning to the _____ day of _____, 20____, at the hours of _____, inclusive, of the following described property:

See Exhibit "A" attached hereto and by this reference made a part hereof.

I am of the opinion that on the last mentioned date, the fee simple title to the above-described real property was vested in:

Subject to the following encumbrances, liens and other exceptions:

1. **RECORDED MORTGAGES:**

2. **RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS:**

3. **GENERAL EXCEPTIONS:**
 - a. Taxes for 20____ and subsequent years and taxes or special assessments which are not shown as existing liens by the Public Records.
 - b. Rights or claims of parties in possession not shown by the Public Records.
 - c. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises.
 - d. Easements or claims of easements not shown by the Public Records.

- e. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
- f. Any adverse claim to all or any part of the land that is now under water or which has previously been under water but filled or exposed through the efforts of man.

4. **SPECIAL EXCEPTIONS:**

All of the foregoing recorded in the Public Records of Broward County, Florida.

I HEREBY CERTIFY that I have reviewed all the aforementioned encumbrances and exceptions and that none of the encumbrances and/or exceptions listed above will restrict the use of the property for the purposes set forth in the agreement, assignment, warranty deeds, easement, covenant and unity of title, as applicable.

Therefore, it is my opinion that the following party(ies) must join in the agreement in order to make the agreement a valid and binding covenant on the lands described herein.

<u>Name</u>	<u>Interest</u>	<u>Special Exception Number</u>
	Owner	
	Mortgagee	

The following is a description of the aforementioned abstract and its continuations:

<u>Number</u>	<u>Company Certifying</u>	<u>No. of Entries</u>	<u>Period Covered</u>
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I HEREBY CERTIFY that the legal description in this Opinion of Title coincides with, and is the same as, the legal description in the proffered, recordable agreement.

I, the undersigned further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

