

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2023-675-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING 4 UNOPENED AND UNIMPROVED PORTIONS
7 OF THE OAK STREET, MAPLE STREET, AND CEDAR
8 STREET RIGHTS-OF-WAY, ESTABLISHED IN THE PLAT OF
9 DAHLS ADDITION TO GARDEN CITY, AS RECORDED IN
10 PLAT BOOK 6, PAGE 16 OF THE CURRENT PUBLIC
11 RECORDS OF DUVAL COUNTY, FLORIDA, IN COUNCIL
12 DISTRICT 8, AT THE REQUEST OF BIRD DOG, LLC;
13 PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS;
14 PROVIDING AN EFFECTIVE DATE.
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16 **BE IT ORDAINED** by the Council of the City of Jacksonville:

17 **Section 1. Closure and Abandonment.** Four unopened and
18 unimproved portions of the Oak Street, Maple Street and Cedar Street
19 rights-of-way, established in the Plat of Garden City, as recorded
20 in Plat Book 6, page 16 of the current public records of Duval County,
21 Florida, located in Council District 8, a depiction and description
22 of which is attached hereto as **Exhibit 1**, and incorporated herein by
23 this reference, are hereby closed and abandoned and/or disclaimed as
24 rights-of-way at the request of Bird Dog, LLC (the "Applicant");

25 The Applicant paid the right-of-way closure application fee of
26 \$8,364.00 for four (4) closures and this sum has been deposited into
27 the City's General Fund account. This closure request was reviewed
28 and approved by the various city, state, and utility agencies that
29 might have an interest in the right-of-way and there were no
30 objections to the Applicant's request.

31 **Section 2. Purpose.** The Applicant has requested the

1 closure in connection with its development of the Hansen Creek
2 residential community of townhomes or duplexes.

3 **Section 3. Hold Harmless Covenant.** The closure and
4 abandonment by the City of its interests in the rights-of-way is
5 subject to Applicant's execution and delivery to the City of a Hold
6 Harmless Covenant, in substantially the same form attached hereto as
7 **Exhibit 2**, incorporated herein by this reference. Accordingly, the
8 closure and abandonment of the right-of-way shall not be recorded in
9 the public records until execution and delivery to the City by the
10 Applicant of the required Hold Harmless Covenant.

11 **Section 4. Effective Date.** This Ordinance shall become
12 effective upon signature by the Mayor or upon becoming effective
13 without the Mayor's signature.

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18 Form Approved:

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20 /s/ Harry M. Wilson, IV

21 Office of General Counsel

22 Legislation Prepared By: Harry M. Wilson, IV

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