

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2019-807-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING VARIOUS JACKSONVILLE HEIGHTS
7 UNOPENED AND UNIMPROVED RIGHTS-OF-WAY
8 ESTABLISHED IN PLAT BOOK 5, PAGE 93 OF THE
9 PUBLIC RECORDS OF DUVAL COUNTY, IN COUNCIL
10 DISTRICT 12, AT THE REQUEST OF KB HOME
11 JACKSONVILLE, LLC; PROVIDING FOR APPROVAL
12 SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE
13 DATE.
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15 **BE IT ORDAINED** by the Council of the City of Jacksonville:

16 **Section 1. Closure and Abandonment.** Various Jacksonville
17 Heights unopened and unimproved rights-of-way established in Plat
18 Book 5, Page 93 of the Public Records of Duval County, in Council
19 District 12, descriptions of which are attached hereto as **Exhibit 1**
20 and incorporated herein by this reference, are hereby closed and
21 abandoned and/or disclaimed as rights-of-way at the request of KB
22 Home Jacksonville, LLC (the "Applicant"). There are no city,
23 state, or other agency objections to this closure request. The
24 Applicant is seeking the closures on behalf of the owners of the
25 properties on both sides of the rights-of-way. Applicant has paid
26 the associated right-of-way closure application fees of \$8,364.00,
27 and this amount has been deposited into the General Fund, PWRE011-
28 34907.

29 **Section 2. Purpose.** Applicant is requesting the closure
30 of these rights-of-way to accommodate the proposed plat of a

1 single-family residential neighborhood. There is no infrastructure
2 within these rights-of-way.

3 **Section 3. Hold Harmless Covenant.** The closure and
4 abandonment by the City of its interests in the various rights-of-
5 way is subject to the execution and delivery to the City by
6 Applicant ("Grantor") of a hold harmless covenant in substantially
7 the same form attached hereto as **Exhibit 2** and incorporated herein
8 by this reference. Accordingly, the closure and abandonment of the
9 rights-of-way shall not be recorded in the Public Records until
10 execution and delivery to the City by Grantor of the required hold
11 harmless covenant.

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

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16 Form Approved:

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18 /s/ James R. McCain, Jr.

19 Office of General Counsel

20 Legislation prepared by: James R. McCain, Jr.

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