

1 Introduced by the Council President at the request of the Mayor:  
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4 **ORDINANCE 2021-712-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR  
6 DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION  
7 OF THE 7TH STREET EAST RIGHT-OF-WAY, ESTABLISHED  
8 IN THE RE-PLAT OF GLEN MYRA, AS RECORDED IN PLAT  
9 BOOK 6, PAGE 95 OF THE CURRENT PUBLIC RECORDS OF  
10 DUVAL COUNTY, FLORIDA, IN COUNCIL DISTRICT 7, AT  
11 THE REQUEST OF FICKLING LAND HOLDINGS, LLC,  
12 SUBJECT TO RESERVATION UNTO JEA OF AN ALL  
13 UTILITIES AND FACILITIES EASEMENT AND  
14 RESERVATION UNTO THE CITY OF JACKSONVILLE OF A  
15 PERPETUAL, UNOBSTRUCTED 25 FOOT DRAINAGE  
16 EASEMENT; PROVIDING FOR APPROVAL SUBJECT TO  
17 CONDITIONS; PROVIDING AN EFFECTIVE DATE.  
18

19 **BE IT ORDAINED** by the Council of the City of Jacksonville:

20 **Section 1. Closure and Abandonment.** An unopened and  
21 unimproved portion of the 7th Street East right-of-way established  
22 in the Re-Plat of Glen Myra, as recorded in Plat Book 6, Page 95 of  
23 the current public records of Duval County, Florida, located in  
24 Council District 7, a description of which is attached hereto as  
25 **Exhibit 1** and incorporated herein by this reference, is hereby closed  
26 and abandoned and/or disclaimed as a right-of-way at the request of  
27 Fickling Land Holdings, LLC (the "Applicant"); provided however,  
28 there is reserved unto JEA an all utilities and facilities easement  
29 on, over, under, through and across the closed right-of-way for  
30 ingress and egress and for all utilities and facilities, including  
31 but not limited to, water, sewer and electric, so as to provide JEA

1 continued access to repair and maintain these utilities and  
2 facilities, and there is further reserved unto the City of  
3 Jacksonville a perpetual, unobstructed 25 foot drainage easement on,  
4 over, under, through and across the southern 25 feet of the right-  
5 of-way closure area. The Applicant paid the right-of-way closure  
6 application fee of \$2,091.00 and this amount has been deposited into  
7 the General Fund. This closure request was reviewed and approved by  
8 the various city, state, and utility agencies that might have an  
9 interest in the right-of-way and there were no objections to the  
10 Applicant's request.

11 **Section 2. Purpose.** The Applicant is requesting the  
12 closure in order to expand current uses on Applicant's adjacent  
13 property (R.E. No. 115803-0000) to store construction equipment and  
14 materials in the right-of-way closure area for its business, subject  
15 to the conditions set forth herein.

16 **Section 3. Hold Harmless Covenant.** The closure and  
17 abandonment by the City of its interests in the right-of-way is  
18 subject to Applicant's execution and delivery to the City of a Hold  
19 Harmless Covenant, in substantially the same form attached hereto as  
20 **Exhibit 2** and incorporated herein by this reference. Accordingly,  
21 the closure and abandonment of the right-of-way shall not be recorded  
22 in the public records until execution and delivery to the City by the  
23 Applicant of the required Hold Harmless Covenant.

24 **Section 4. Effective Date.** This Ordinance shall become  
25 effective upon signature by the Mayor or upon becoming effective  
26 without the Mayor's signature.

1 Form Approved:

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3  /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation prepared by: Mary E. Staffopoulos

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