

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2024-850-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND IMPROVED PORTION OF
7 THE NUSSBAUM DRIVE RIGHT-OF-WAY, ESTABLISHED IN
8 THE PLAT OF JACKSONVILLE HEIGHTS NORTH HALF OF
9 TOWNSITE, AS RECORDED IN PLAT BOOK 3, PAGE 51 OF
10 THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY,
11 FLORIDA, IN COUNCIL DISTRICT 9, AT THE REQUEST
12 OF JOSEPH LATCHMAN AND EMILY (LIVINGSTON)
13 LATCHMAN; PROVIDING FOR APPROVAL SUBJECT TO
14 CONDITIONS; 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.** An opened and improved
18 portion of the Nussbaum Drive right-of-way, established in the Plat
19 of Jacksonville Heights North Half of Townsite, as recorded in Plat
20 Book 3, Page 51 of the current public records of Duval County,
21 Florida, located in Council District 9, a depiction and description
22 of which is attached hereto as **Exhibit 1** and incorporated herein by
23 this reference, is hereby closed and abandoned and/or disclaimed as
24 a right-of-way at the request of Joseph Latchman and Emily
25 (Livingston) Latchman, (the "Applicant"). The Applicant paid the
26 right-of-way closure application fee of \$2,091.00 and this amount has
27 been deposited into the General Fund. This closure request was
28 reviewed and approved by the various city, state, and utility agencies
29 that might have an interest in the right-of-way and there were no
30 objections to the Applicant's request.

31 **Section 2. Purpose.** Joseph Latchman and Emily (Livingston)

1 Latchman own property adjacent to the closure area at 8014 Nussbaum
2 Drive (R.E. No. 013216-0250), 8017 Nussbaum Drive (R.E. No. 013216-
3 0150) and 800 Nussbaum Drive (R.E. No. 013216-0200) and are requesting
4 the closure in order to extend their yard and to fence in that portion
5 of the closure area that will convey to Applicant to reduce criminal
6 activity within the closure area, subject to the conditions set forth
7 herein.

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

16 **Section 4. Effective Date.** This Ordinance shall become
17 effective upon signature by the Mayor or upon becoming effective
18 without the Mayor's signature.

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20 Form Approved:

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22 /s/Joelle J. Dillard

23 Office of General Counsel

24 Legislation Prepared By: Joelle J. Dillard

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