

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2021-589-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION
7 OF JACKSONVILLE HEIGHTS RIGHT-OF-WAY
8 ESTABLISHED IN THE JACKSONVILLE HEIGHTS PLAT, AS
9 RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT
10 PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, IN
11 COUNCIL DISTRICT 12, AT THE REQUEST OF W.T. &
12 L.L. INVESTMENTS AND THE HUNTLEY JIFFY TRUST;
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.** An unopened and
18 unimproved portion of Jacksonville Heights right-of-way, established
19 in the Jacksonville Heights Plat, as recorded in Plat Book 5, Page
20 93 of the current public records of Duval County, Florida, located
21 in Council District 12, a description of which is attached hereto as
22 **Exhibit 1** and incorporated herein by this reference, is hereby closed
23 and abandoned and/or disclaimed as a right-of-way at the request of
24 W.T. & L.L. Investments and the Huntley Jiffy Trust (collectively,
25 the "Applicants"). The Applicants paid the right-of-way closure
26 application fee of \$2,091.00, which has been deposited into the
27 General Fund. This closure request was reviewed and approved by the
28 various city, state, and utility agencies that might have an interest
29 in the right-of-way and there were no objections to the Applicants'
30 request.

31 **Section 2. Purpose.** The Applicants own the parcels on

1 either side of the right-of-way (R.E. Nos. 002064-0100 and 002076-
2 0000) and are requesting the closure in order to connect their parcels
3 to prepare for development of the property, subject to the conditions
4 set forth herein.

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

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

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18 Form Approved:

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20 /s/ Mary E. Staffopoulos

21 Office of General Counsel

22 Legislation prepared by: Mary E. Staffopoulos

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