

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2022-565-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING A PORTION OF A 15 FOOT DRAINAGE AND
7 UTILITIES EASEMENT, RECORDED IN OFFICIAL RECORDS
8 BOOK 7283, PAGE 1349 OF THE PUBLIC RECORDS OF
9 DUVAL COUNTY, FLORIDA, AND LYING WITHIN THOSE
10 LANDS DESCRIBED IN THAT CERTAIN DEED RECORDED IN
11 OFFICIAL RECORDS BOOK 6793, PAGE 782 OF THE
12 PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, IN
13 COUNCIL DISTRICT 5, AT THE REQUEST OF LAVILLA
14 IV, LLC; PROVIDING FOR APPROVAL SUBJECT TO
15 CONDITIONS; PROVIDING AN EFFECTIVE DATE.
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17 **BE IT ORDAINED** by the Council of the City of Jacksonville:

18 **Section 1. Closure and Abandonment.** A portion of that
19 certain 15 foot drainage and utilities easement recorded in Official
20 Records Book 7283, page 1349 of the current public records of Duval
21 County, Florida, and lying within those lands described in that
22 certain deed recorded in Official Records Book 6793, page 782 of the
23 public records of Duval County, Florida, located in Council District
24 5, a description of which is attached hereto as **Exhibit 1** and
25 incorporated herein by this reference, is hereby closed and abandoned
26 and/or disclaimed at the request of Lavilla IV, LLC (the "Applicant").
27 The Applicant paid the easement closure application fee of \$1,066.00,
28 which has been deposited into the General Fund. This closure request
29 was reviewed and approved by the various city, state, and utility
30 agencies that might have an interest in the right-of-way and there
31 were no objections to the Applicant's request.

1 **Section 2. Purpose.** The Applicant owns the parcel in which
2 the subject portion of the drainage and utilities easement is located
3 (R.E. No. 130411-0600) and is requesting the closure in order to
4 construct an apartment community.

5 **Section 3. Hold Harmless Covenant.** The closure and
6 abandonment by the City of its interests in the subject drainage and
7 utilities easement is contingent upon Applicant's 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 drainage and utilities easement shall not be recorded in the official
12 public records until execution and delivery to the City by the
13 Applicant 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 _____
21 Office of General Counsel

22 Legislation prepared by: Mary E. Staffopoulos

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