

1 Introduced by Council Member Amaro:
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4 **RESOLUTION 2026-230**

5 A RESOLUTION CONCERNING THE VACATION OF
6 PORTIONS OF THE PLAT OF SUBDIVISION OF LOT 10,
7 SECTION 33, T1S-27E, PURSUANT TO SECTION
8 177.101(3), FLORIDA STATUTES; RETURNING A
9 PORTION OF THE LANDS SHOWN ON SAID PLAT OF
10 SUBDIVISION OF LOT 10, SECTION 33, T1S-27E, TO
11 ACREAGE; MAKING FINDINGS; ABANDONING CERTAIN
12 UNOPENED ROADS WITHIN THE BOUNDARIES OF THE
13 JACKSONVILLE HEIGHTS SUBDIVISION PLAT THAT
14 HAVE NOT BEEN OPENED AND HAVE NOT BECOME ROADS
15 SUITABLE AND NECESSARY FOR THE TRAVELING
16 PUBLIC; AND ENSURING LEGAL ACCESS TO ABUTTING
17 PROPERTIES; PROVIDING AN EFFECTIVE DATE.

18
19 **WHEREAS**, Section 177.101(3), Florida Statutes, authorizes the
20 governing bodies of counties and municipalities to adopt
21 resolutions vacating plats of subdivisions in said counties and
22 municipalities, in whole or in part, returning the property covered
23 by such plat, either in whole or in part, to acreage upon a showing
24 that the person making application for such vacation is the owner
25 of that portion of the lands covered by the plat sought to be
26 vacated, and further, that the vacation will not affect the
27 ownership or right of convenient access of persons owning other
28 parts of the previously platted subdivision; and

29 **WHEREAS**, the Plat of Subdivision of Lot 10, Section 33, T1S-
30 27E is recorded in Plat Book 1, Page 9 in the current public
31 records of Duval County, Florida (the "Plat"), and encompass lands

1 east of I-95 and north of Arlington Expressway on the eastside of
2 Jacksonville; and

3 **WHEREAS**, while the rights-of-way located within the lands
4 described in that certain Sketch and Legal Description (Job No.
5 2025-604-13) prepared by Perret and Associates, Inc., dated on
6 December 15, 2025 (the "Sketch"), which is attached to the
7 surveyor's affidavit provided by Nathan P. Perret, Florida
8 Professional Surveyor and Mapper No. 6900, dated December 23, 2025
9 (the "Surveyor's Affidavit"), a copy of which is attached hereto
10 and incorporated by reference as **Exhibit 1**, are presumed to be
11 dedicated public rights-of-way, none of the platted rights-of-way
12 located within the lands described in the Sketch were ever opened,
13 improved or accepted by the City for maintenance. Additionally,
14 said rights-of-way have not become highways suitable for the
15 traveling public; and

16 **WHEREAS**, Richmond American Homes of Florida, LP, a Colorado
17 limited partnership, (the "Applicant"), has applied to vacate those
18 portions of the plat described in the Sketch; and

19 **WHEREAS**, the remaining lots or portions of lots owned by
20 others within the Plat will not become landlocked parcels with no
21 right of convenient access upon vacation of the plat, but will
22 continue to have legal access; and

23 **WHEREAS**, the Applicant has agreed and understands that
24 vacation of the plat and reversion of the land to acreage will have
25 no effect on the recorded easements previously granted to third
26 parties by the Applicant's predecessors in title, and those
27 easements are unaffected by this Resolution and the plat vacation;
28 and

29 **WHEREAS**, the vacation of the platted roadways within the
30 Applicant's property will not otherwise affect the right of
31 convenient access to persons owning other parts of the platted

1 lands and will not affect the previously granted recorded
2 easements; and

3 **WHEREAS,** as required by Section 177.101(3), Florida Statutes,
4 the Applicant has provided evidence of ownership of lands within
5 the plat to be vacated; and

6 **WHEREAS,** public notice as required by law and specifically in
7 compliance with Section 177.101(4), Florida Statutes, has been
8 given, and all state and county taxes on the lands to be vacated
9 have been paid in full or provision made for such payment; now
10 therefore

11 **BE IT RESOLVED** by the Council of the City of Jacksonville:

12 **Section 1. Findings.** The Council finds as fact and
13 concludes as a matter of law as follows:

14 (a) The Applicant owns fee simple title to the lands within
15 the plat to be vacated, which lands are more particularly described
16 in the Sketch.

17 (b) According to the Surveyor's Affidavit upon the vacation
18 of the rights-of-way located within the lands described in the
19 Sketch, the right of convenient access for the remaining lands
20 within the plat not here being vacated continue to have legal
21 access, and the vacation of the platted roadways located within the
22 lands described in the Sketch will not otherwise affect the right
23 of convenient access of persons owning other portions of the lands
24 within the plat.

25 **Section 2. Vacation Approved.** Vacation of that portion
26 of the Plat of Subdivision of Lot 10, Section 33, T1S-27E, plat
27 described in the Sketch is by this Resolution approved. According
28 to Section 177.101(5), Florida Statutes, this Resolution shall have
29 the effect of vacating all streets and alleys located within the
30 lands described in the Sketch that have not become necessary for
31 use by the traveling public. Such vacation shall not become

1 effective until a certified copy of this Resolution has been filed
2 with the Office of the Clerk of the Circuit Court and duly recorded
3 in the public records of Duval County, Florida.

4 **Section 3. Effective Date.** This Resolution shall become
5 effective upon signature by the Mayor or upon becoming effective
6 without the Mayor's signature.

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8 Form Approved:

9
10 /S/ Terrence L. Harvey

11 Office of General Counsel

12 Legislation prepared by: Terrence L. Harvey

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