

1 Introduced by Council Member White:

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4 **RESOLUTION 2025-354**

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

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

30 **WHEREAS,** the German Town Subdivision plat and Pickett's  
31 Subdivision plat is recorded in Plat Book 5, Page 31, and Plat Book

5, Page 93 in the current public records of Duval County, Florida (the "Plats"), and encompass lands west of I-295 and North of I-10 on the westside of Jacksonville; and

**WHEREAS**, while the rights-of-way located within the lands described in that certain Sketch and Legal Description (Job No. 24-14643) prepared by Melrose Surveying and Mapping, Inc., dated on October 23, 2024 (the "Sketch"), which is attached to the surveyor's affidavit provided by William J. Melrose, Florida Professional Surveyor and Mapper No. 5843, dated November 5, 2024 (the "Surveyor's Affidavit"), a copy of which is attached hereto and incorporated by reference as **Exhibit 1**, are presumed to be dedicated public rights-of-way, none of the platted rights-of-way located within the lands described in the Sketch were ever opened, improved or accepted by the City for maintenance. Additionally, said rights-of-way have not become highways suitable for the traveling public; and

**WHEREAS**, Georgia Lynn Hodges, Alan Barry Grosse and Douglas Brian Grosse, in their individual capacity and as Trustees of the George R. Grosse Family Trust, (collectively the "Applicant"), have applied to vacate those portions of the plats described in the Sketch; and

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

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

1       **WHEREAS,** the vacation of the platted roadways within the  
2 Applicant's property will not otherwise affect the right of  
3 convenient access to persons owning other parts of the platted  
4 lands and will not affect the previously granted recorded  
5 easements; and

6       **WHEREAS,** as required by Section 177.101(3), Florida Statutes,  
7 the Applicant has provided evidence of ownership of lands within  
8 the plats to be vacated; and

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

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

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

17       (a) The Applicant owns fee simple title to the lands within  
18 the plats to be vacated, which lands are more particularly  
19 described in the Sketch.

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

28       **Section 2. Vacation Approved.** Vacation of that portion  
29 of the German Town Subdivision plat and Pickett's Subdivision plat  
30 described in the Sketch is by this Resolution approved. According  
31 to Section 177.101(5), Florida Statutes, this Resolution shall have

1 the effect of vacating all streets and alleys located within the  
2 lands described in the Sketch that have not become necessary for  
3 use by the traveling public. Such vacation shall not become  
4 effective until a certified copy of this Resolution has been filed  
5 with the Office of the Clerk of the Circuit Court and duly recorded  
6 in the public records of Duval County, Florida.

7 **Section 3. Effective Date.** This Resolution shall become  
8 effective upon signature by the Mayor or upon becoming effective  
9 without the Mayor's signature.

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11 Form Approved:

12  
13 /s/ Terrence L. Harvey

14 Office of General Counsel

15 Legislation prepared by: Terrence L. Harvey

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