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ORDINANCE 2023-835

AN ORDINANCE CLOSING AND ABANDONING AND/OR DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION OF THE MOAT STREET ALLEY RIGHT-OF-WAY, ESTABLISHED IN THE PLAT BOOK AR-73, OF WEST JACKSONVILLE, OF THE FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, IN COUNCIL DISTRICT 9, AT THE REQUEST OF SAR INV LLC; PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED by the Council of the City of Jacksonville:

Section 1. Closure and Abandonment. An unopened unimproved portion of the Moat Street alley right-of-way established in the Plat Book AR-73, of West Jacksonville, of the former public records of Duval County, Florida, located in Council District 9, a description and depiction of which is attached hereto as Exhibit 1 and incorporated herein by this reference, is hereby closed and abandoned and/or disclaimed as a right-of-way at the request of SAR INV LLC (the "Applicant"). The Applicant paid the right-of-way closure application fee of \$2,091.00, which has been deposited into the General Fund. This closure request was reviewed and approved by the various city, state, and utility agencies that might have an interest in the right-of-way and there were no objections to the Applicant's request.

Section 2. Purpose. The Applicant owns property adjacent to and on both sides of the closure area at 0 Moat Street (R.E. No. 050499-0000) and is requesting the closure to connect his property

and combine it with the closure area for the possible development of a multi-tenant garage or warehouse.

abandonment by the City of its interests in the right-of-way is subject to Applicant's execution and delivery to the City of a Hold Harmless Covenant, in substantially the same form attached hereto as **Exhibit 2** and incorporated herein by this reference. Accordingly, the closure and abandonment of the right-of-way shall not be recorded in the public records until execution and delivery to the City by the Applicant of the required Hold Harmless Covenant.

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

Form Approved:

/s/ Joelle J. Dillard

Office of General Counsel

Legislation prepared by: Joelle J. Dillard

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