

HOLD HARMLESS COVENANT

This **Hold Harmless Covenant** is hereby granted this ____ day of _____, 2022, by Brendan and Kaitlin Moran, whose address is 4229 Stacey Road East, Jacksonville, Florida 32250 ("Grantor") in favor of the **CITY OF JACKSONVILLE**, a consolidated political subdivision and municipal corporation existing under the laws of the State of Florida, whose mailing address is 117 West Duval Street, Jacksonville, Florida 32202 ("City").

IN CONSIDERATION for the closure and/or abandonment of City right-of-way or easement areas pursuant to **CITY ORDINANCE 2022-__**, a copy of which is attached hereto and incorporated by reference (the "Ordinance"), located near **RE# 180020-0005** in **Council District 13** and established in the Official Public Records of Duval County, Florida at **Plat Book 28 Page 13 & 13A**.

Grantor, its successors and assigns, holds harmless, indemnifies, and will defend **CITY OF JACKSONVILLE**, its members, officials, officers, employees, and agents against any claim, action, loss, damage, injury, liability, cost and expense of whatever kind or nature (including, but not by way of limitation, attorney fees and court costs) arising out of injury (whether mental or corporeal) to persons, including death, or damage to property, arising out of or incidental to the use of the abandoned right-of-way or easement areas, more particularly described in **Exhibit "A"**, attached hereto and incorporated herein by reference (the "Property"); including, but not limited to such injuries or damages resulting from flooding or erosion. This **Hold Harmless Covenant** shall run with the real property described in **Exhibit "A"**. The adjacent property owner(s) who acquire the Property as a result of the abandonment shall be responsible for maintaining the Property.

Furthermore, the Property shall remain totally unobstructed by any permanent improvements that may impede the use by the City or JEA of their reserved easement rights, if any, under the provisions of the reserved easement and/or the Ordinance. In the event that such easement rights are reserved by City or JEA: (a) the construction of driveways and the installation of fences, hedges, and landscaping is permissible but subject to removal or damage by the City or JEA at the expense of the Grantor, its successors and assigns, for any repairs to or replacement of the improvements; and (b) Grantor, its successors and assigns, shall indemnify, defend, and hold City and JEA harmless from, any and all loss, damage, action, claim, suit, judgment, cost, or expense for injury to persons (including death) or damage to property and improvements (including destruction), in any manner resulting from or arising out of the installation, replacement, maintenance or failure to maintain, or removal of any improvements placed within the easement area by Grantor, its successors or assigns, and the City's or JEA's exercise of their rights in the reserved easement.

**Signed and Sealed
in Our Presence:**

GRANTOR:

(Sign) _____

By: _____

(Print) _____

Name:

Title:

(Sign) _____

(Print) _____

**STATE OF FLORIDA
COUNTY OF DUVAL**

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____ 20__, by _____.

{NOTARY SEAL}

[Signature of Notary Public-State of Florida]
[Name of Notary Typed, Printed, or Stamped]

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

MAP OF

A PORTION LOT 4, PABLO ISLAND UNIT 1, TOGETHER WITH A PORTION OF LOT 5 OF SAID PABLO ISLAND UNIT 1, ACCORDING TO THE THEREOF RECORDED IN PLAT BOOK 28, PAGES 13 AND 13A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING COMMENCE AT THE MOST NORTHERLY CORNER OF LOT 5, PABLO ISLAND UNIT 1, SAID POINT LYING ON THE EASTERLY RIGHT OF WAY LINE OF STACEY ROAD EAST; THENCE NORTH 04°58'00" EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 9.40 FEET; THENCE SOUTH 47°59'39" EAST, DEPARTING SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 283.68 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE INTRACOASTAL WATERWAY; THENCE SOUTH 27°19'00" WEST, ALONG SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 7.75 FEET TO THE SOUTHEAST CORNER OF AFORESAID LOT 5; THENCE NORTH 52°11'53" WEST, DEPARTING SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 102.31 FEET; THENCE NORTH 47°59'39" WEST, A DISTANCE OF 172.29 FEET TO THE AFORESAID EASTERLY RIGHT OF WAY LINE OF STACEY ROAD EAST; THENCE NORTH 04°58'00" EAST, ALONG SAID EASTERLY RIGHT OF WAY LINE, A DISTANCE OF 9.40 TO THE POINT OF BEGINNING. CONTAINING 3,810 SQUARE FEET MORE OR LESS.

APPROVED
DESCRIPTION AGREES
WITH MAP
CITY ENGINEERS OFFICE
TOPO/SURVEY BRANCH
By SCC Date 10/7/22

NOTES:

1. THIS IS A MAP ONLY, (NOT A BOUNDARY SURVEY).
2. BEARINGS ARE BASED ON THE NORTHERLY LINE OF LOT 4, PABLO ISLAND UNIT 1, BEING SOUTH 52°58'45" EAST, AS PER PLAT.
3. THE INTRACOASTAL WATERWAY CHANNEL IS BASED ON THE U.S. ARMY CORPS OF ENGINEERS "IWW MCF 83 HARN.DWG" FILE.
4. SEE SHEET 2 OF 2 FOR MAP TO ACCOMPANY THE ABOVE DESCRIPTION.

THIS MAP IS CERTIFIED TO: BRENDAN MORAN.



JASON BOATWRIGHT, P.S.M.
FLORIDA LICENSED SURVEYOR AND MAPPER No. LS 7292
FLORIDA LICENSED SURVEYING & MAPPING BUSINESS No. LB 3672

"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

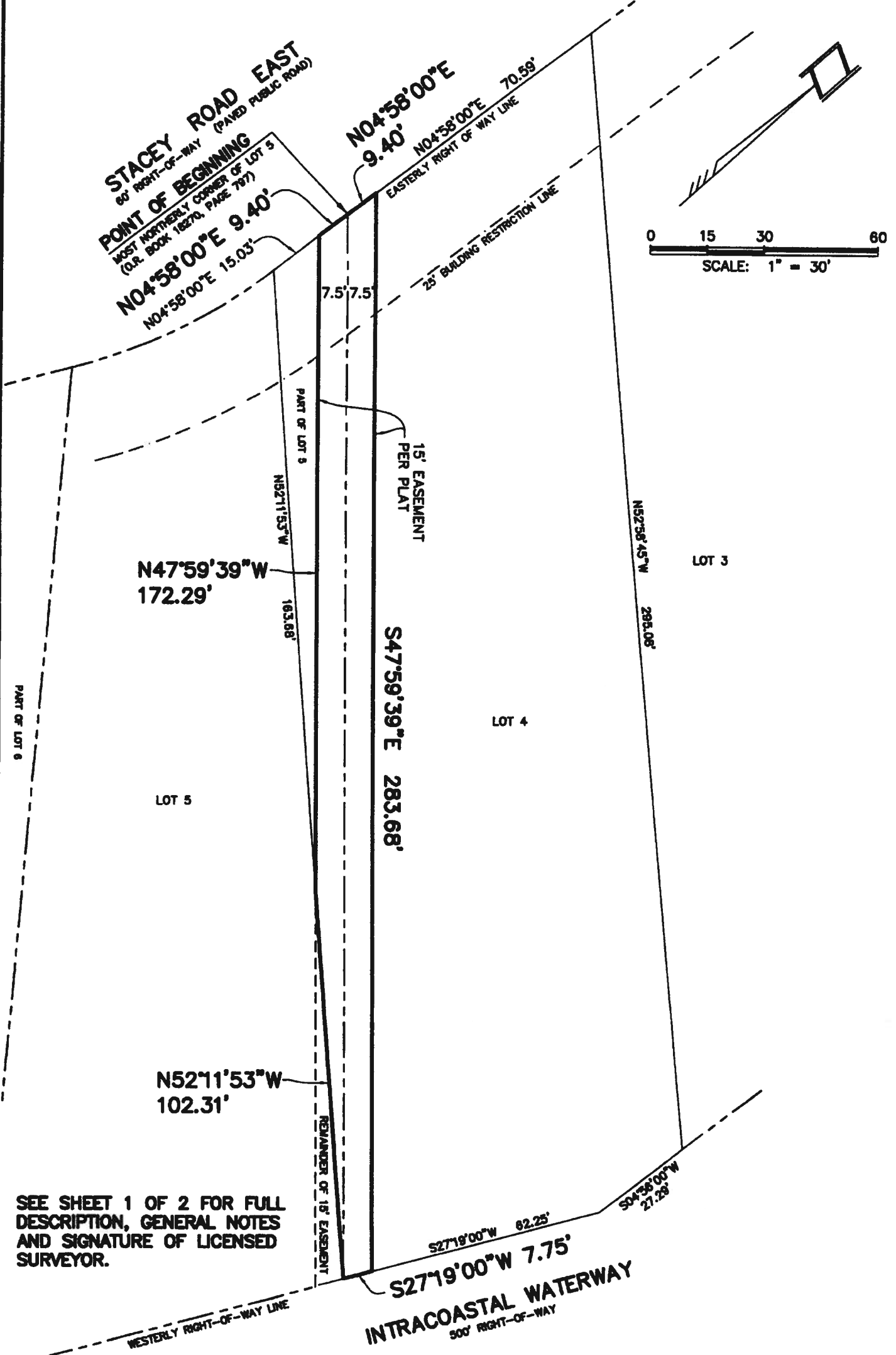
CHECKED BY: _____
DRAWN BY: DAF
FILE # 2022-1087

BOATWRIGHT LAND SURVEYORS, INC.
1500 ROBERTS DRIVE JACKSONVILLE BEACH, FLORIDA
(904) 241-8550

DATE: AUGUST 08, 2022
SHEET 1 OF 2

MAP OF

A PORTION LOT 4, PABLO ISLAND UNIT 1, TOGETHER WITH A PORTION OF LOT 5 OF SAID PABLO ISLAND UNIT 1, AS RECORDED IN PLAT BOOK 28, PAGES 13 AND 13A OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



SEE SHEET 1 OF 2 FOR FULL DESCRIPTION, GENERAL NOTES AND SIGNATURE OF LICENSED SURVEYOR.

CHECKED BY: _____
 DRAWN BY: DAF
 FILE #: 2022-1087

BOATWRIGHT LAND SURVEYORS, INC.
 1500 ROBERTS DRIVE JACKSONVILLE BEACH, FLORIDA
 (904) 241-8550

DATE: AUGUST 08, 2022
 SHEET 2 OF 2