

1 Introduced by the Council President at the request of the Mayor:  
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4 **ORDINANCE 2021-815**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR  
6 DISCLAIMING A 24 FOOT DRAINAGE AND UTILITIES  
7 RIGHT-OF-WAY ESTABLISHED IN THE WISPERING PINES  
8 PLAT, AS RECORDED IN PLAT BOOK 26, PAGE 15 OF  
9 THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY,  
10 FLORIDA, IN COUNCIL DISTRICT 10, AT THE REQUEST  
11 OF ROBERT'S DIESEL SERVICE, INC.; PROVIDING FOR  
12 APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN  
13 EFFECTIVE DATE.  
14

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

16 **Section 1. Closure and Abandonment.** The 24-foot drainage  
17 and utilities right-of-way established in the Wispering Pines Plat,  
18 as recorded in Plat Book 26, Page 15 of the current public records  
19 of Duval County, Florida, located in Council District 10, a  
20 description of which is attached hereto as **Exhibit 1** and incorporated  
21 herein by this reference, is hereby closed and abandoned and/or  
22 disclaimed as a drainage and utilities right-of-way at the request  
23 of Robert's Diesel Service, Inc. (the "Applicant"). The Applicant  
24 paid the right-of-way closure application fee of \$2,091.00, which has  
25 been deposited into the General Fund. This closure request was  
26 reviewed and approved by the various city, state, and utility agencies  
27 that might have an interest in the right-of-way and there were no  
28 objections to the Applicant's request.

29 **Section 2. Purpose.** The Applicant owns the parcels  
30 situated on either side of the right-of-way closure area (R.E. Nos.  
31 049022-0005 and 048970-0000) and is requesting the closure in order

1 to connect Applicant's parcels and to use the closed right-of-way  
2 area for storage and maintenance of school buses, subject to the  
3 conditions set forth herein. The subject right-of-way was never  
4 utilized for drainage or utilities and there is no infrastructure in  
5 the closure area.

6 **Section 3. Hold Harmless Covenant.** The closure and  
7 abandonment by the City of its interests in the subject drainage and  
8 utilities right-of-way is contingent upon Applicant's execution and  
9 delivery to the City of a Hold Harmless Covenant, in substantially  
10 the same form attached hereto as **Exhibit 2** and incorporated herein  
11 by this reference. Accordingly, the closure and abandonment of the  
12 drainage and utilities right-of-way shall not be recorded in the  
13 official public records until execution and delivery to the City by  
14 the Applicant of the required Hold Harmless Covenant.

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

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19 Form Approved:

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21  /s/ Mary E. Staffopoulos

22 Office of General Counsel

23 Legislation prepared by: Mary E. Staffopoulos

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