

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2021-661**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION
7 OF THE LEAHY ROAD RIGHT-OF-WAY ESTABLISHED IN
8 THE ROBINWOOD ACRES UNIT NO. 3 PLAT, AS RECORDED
9 IN PLAT BOOK 21, PAGE 43 OF THE CURRENT PUBLIC
10 RECORDS OF DUVAL COUNTY, FLORIDA, IN COUNCIL
11 DISTRICT 4, AT THE REQUEST OF ALEX CHAMBERS,
12 SUBJECT TO RESERVATION UNTO THE CITY OF
13 JACKSONVILLE OF AN ALL UTILITIES AND FACILITIES
14 EASEMENT OVER THE CLOSED PORTION OF THE RIGHT-
15 OF-WAY; PROVIDING FOR APPROVAL SUBJECT TO
16 CONDITIONS; PROVIDING AN EFFECTIVE DATE.
17

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

19 **Section 1. Closure and Abandonment.** An unopened and
20 unimproved portion of the Leahy Road right-of-way established in the
21 Robinwood Acres Unit No. 3 Plat, as recorded in Plat Book 21, Page
22 43 of the current public records of Duval County, Florida, located
23 in Council District 4, a description of which is attached hereto as
24 **Exhibit 1** and incorporated herein by this reference, is hereby closed
25 and abandoned and/or disclaimed as a right-of-way at the request of
26 Alex Chambers (the "Applicant"); provided however, there is reserved
27 unto the City of Jacksonville an all utilities easement on, over,
28 across, and under the closed right-of-way for ingress and egress and
29 for all utilities. The Applicant paid the right-of-way closure
30 application fee of \$2,091.00 and this amount has been deposited into
31 the General Fund. This closure request was reviewed and approved by

1 the various city, state, and utility agencies that might have an
2 interest in the right-of-way and there were no objections to the
3 Applicant's request.

4 **Section 2. Purpose.** The Applicant is requesting the
5 closure in order to clear out overgrowth within the closed right-of-
6 way and to increase the aesthetic appeal of the closed right-of-way
7 and Applicant's adjacent property (R.E. No. 163940-0000), subject to
8 the conditions set forth herein.

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

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

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21 Form Approved:

22
23 /s/ Mary E. Staffopoulos

24 Office of General Counsel

25 Legislation prepared by: Mary E. Staffopoulos

26 GC-#1449316-v1-Leahy_Road_ROW_Closure_(Alex_Chambers) (2021).docx