

HOLD HARMLESS COVENANT

This **Hold Harmless Covenant** is hereby granted this ____ day of _____, 2023, by **Seefried-PSO JAX LLC**, whose address is **3333 Riverwood Pkwy Ste. 200**, Atlanta, Georgia 30339 ("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 _____**, a copy of which is attached hereto and incorporated by reference (the "Ordinance"), located near **RE# 108131-0000** in Council District 7 and established in Deed Book 1152, Page 363, of the Former Public Records of Duval County, Florida.

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:**

(Sign) _____
(Print) _____
(Sign) _____
(Print) _____

GRANTOR:

By: _____
Name: _____
Title: _____

**STATE OF FLORIDA
COUNTY OF DUVAL**

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____ 2023, 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 _____

EXHIBIT "A"

O.R.B. 14987
PAGE 310

TISON'S SUBDIVISION
(PLAT BOOK 1, PAGE 150)
LOT 9

PECAN PARK ROAD *S88°31'19"E*
(60' PUBLIC RIGHT-OF-WAY) *50.00'*

POINT OF BEGINNING

Intersection of the Southerly right-of-way line of PECAN PARK ROAD and the Westerly right-of-way line of SEWELL ROAD

O.R.B. 18632
PAGE 1878

O.R.B. 3384
PAGE 847

(BASIS OF BEARING)
N01°28'41"E 1575.75'
S01°28'41"W 1575.75'

CSX TRANSPORTATION, INC.
(100' RIGHT-OF-WAY)

O.R.B. 18632
PAGE 1878

TISON'S SUBDIVISION
(PLAT BOOK 1, PAGE 150)
LOT 9

SEWELL ROAD PARCEL
(50' PUBLIC RIGHT-OF-WAY)
3.527± ACRES

N01°30'05"E 1496.56'
S01°30'05"W 1496.58'

MAIN STREET NORTH
U.S. 17 (STATE ROAD 5)
(100' PUBLIC RIGHT-OF-WAY)

TISON'S SUBDIVISION
(PLAT BOOK 1, PAGE 150)
LOT 9

O.R.B. 20065
PAGE 566

N88°29'55"W
50.00'

MAP SHOWING SKETCH & DESCRIPTION OF

All of SEWELL ROAD, a 50 foot right-of-way, as now established, lying Southerly of PECAN PARK ROAD, an 60 foot right-of-way, as now established, lying in Section 40, Township 1 North, Range 27 East, Duval County, Florida, being more particularly described as:

BEGIN at the intersection of the Southerly right-of-way line of PECAN PARK ROAD, an 60 foot right-of-way, as now established, with the westerly right-of-way line of SEWELL ROAD, a 50 foot right-of-way, as now established, thence South 88°31'19" East, along the Northerly terminus of said SEWELL ROAD, 50.00 feet, to a point on the Easterly right-of-way of said SEWELL ROAD; thence along said Easterly right-of-way the following two (2) courses: 1) South 01°28'41" West 1575.75 feet; 2) South 01°30'05" West, 1496.58 feet to the Southerly terminus of said right-of-way; thence North 88°29'55" West, along said Southerly terminus, 50.00 feet to Southeast corner of lands described in Official Records Book 7408, Page 74, of the Current Public Records of Duval County, and Westerly right-of-way line of said SEWELL ROAD; thence North 01°30'05" East, along Easterly boundary thereof, and the said Westerly right-of-way line, 1496.56 feet, to the Southeast corner of lands described in Official Records Book 3384, Page 847, of said Public Records; thence North 01°28'41" East, along the Easterly boundary thereof, and continuing along said Westerly right-of-way line, 1575.75 feet; to the **POINT OF BEGINNING**.

Containing 3.527 acres, more or less.



SURVEYORS NOTES

1. This is not a boundary survey
2. All dimensions, unless otherwise noted, are US survey feet.
3. Bearings are based of the Westerly right-of-way of SEWELL ROAD, a 50' right-of-way, having a bearing of North 01°28'41" East.
4. Horizontal datum is reference to Florida State Plane Coordinate System, East, Zone, North American Datum of 1983 (NAD83).

APPROVED
DESCRIPTION AGREES WITH MAP
O.R.B. 18632
PAGE 1878
CITY ENGINEERS OFFICE
TOPO/SURVEY BRANCH
O.R.B. 7408
PAGE 74
By SCC Date 11/17/22

PREPARED FOR: **SEEFRIED INDUSTRIAL PROPERTIES**

JOB#: 21-268

DRAWN: MAS DATE: / / CHECKED BY: JKM

PROJECT
PECAN PARK - SEWELL RD
LOCATED IN:
DUVAL COUNTY, FLORIDA

REVISIONS

DATE	DESCRIPTION	DRAWN BY
11-18-22	ADDED ORB 3384 TO DESCRIPTION	MAS



ARC SURVEYING & MAPPING, INC.

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www.arcsurveyors.com

John K. Maffett
FLORIDA PROFESSIONAL
SURVEYOR & MAPPER NO. **LS6951**