

**HOLD HARMLESS COVENANT**

This **Hold Harmless Covenant** is hereby granted this \_\_\_\_ day of \_\_\_\_\_, 202\_\_, by JAX Edgewood Partners LLC, whose address is 1801 5<sup>th</sup> Ave. N. Ste. 300, Birmingham, AL 35203 ("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# 088298-0100** in Council District 9 and established via the Plat of John M. Stevens Subdivision of Part of the Chas. F. Sibbald Grant Sec as recorded in **Plat Book 4, Page 85** of the Official 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 \_\_\_\_\_ 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 \_\_\_\_\_



www etminc.com  
tel 904-642-8550 • fax 904-642-4165  
14775 Old St Augustline Road • Jacksonville, Florida 32258

September 1, 2022

Work Order No. 22-178.01  
File No. 1281-04.01A

**Stevens Avenue Closure**

The East one-half of Stevens Avenue, lying Westerly of and adjacent to Lots 30 and 31, as depicted on John M. Stevens Subdivision of part of the Chas. F. Sibbald Grant Sec 55 and Lot 4 Sec 5 T.2S.-R.26E, recorded in Plat Book 4, page 85, of the current Public Records of Duval County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the intersection of the Northerly right of way line of West 12th Street, a variable width right of way as presently established, with the Easterly right of way line of Edgewood Avenue North, a 100 foot right of way as presently established; thence South 88°35'46" East, along said Northerly right of way line, 630.18 feet to the Southwesterly corner of Lot 35 as depicted on said John M. Stevens Subdivision of Part of the Chas. F. Sibbald Grant Sec 55 and Lot 4 Sec 5 T.2S.-R.26E, said corner lying on the Easterly right of way line of Stevens Avenue, as closed per City of Jacksonville Ordinance 2022-263-E; thence North 01°53'03" East, along said Easterly right of way line, 660.39 feet to the Southwesterly corner of said Lot 31, and to the Point of Beginning.

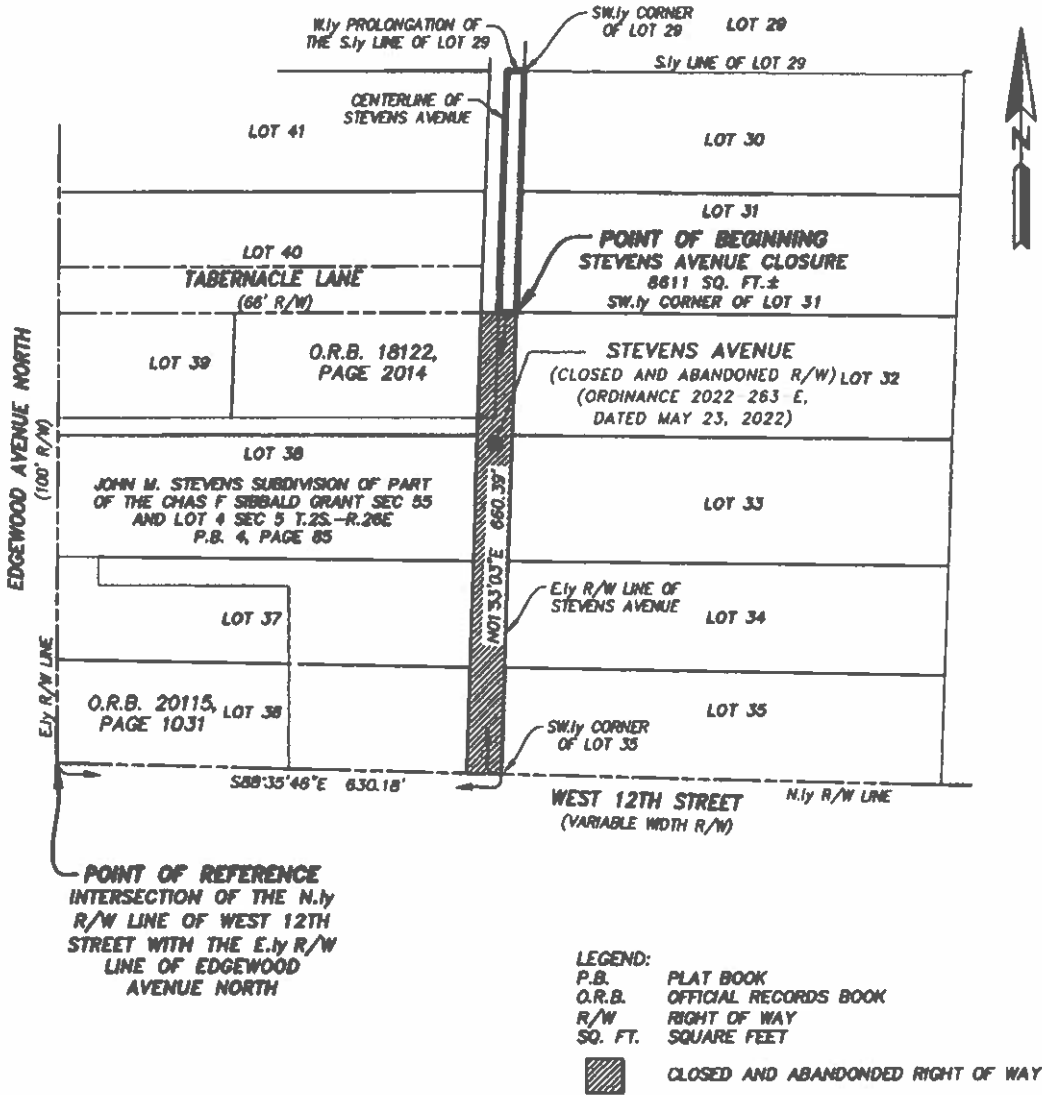
From said Point of Beginning, thence South 89°53'54" West, departing said Easterly right of way line of Stevens Avenue, 25.02 feet to the centerline of said Stevens Avenue; thence North 01°53'03" East, along said centerline, 344.57 feet to its intersection with the Westerly prolongation of the Southerly line of Lot 29 as depicted on said John M. Stevens Subdivision of Part of the Chas. F. Sibbald Grant Sec 55 and Lot 4 Sec 5 T.2S.-R.26E; thence South 89°28'55" East, along said Westerly prolongation, 25.01 feet to the Southwesterly corner of said Lot 29, said corner lying on said Easterly right of way line of Stevens Avenue; thence South 01°53'03" West, along said Easterly right of way line, 344.30 feet to the Point of Beginning.

Containing 8611 square feet, more or less.

APPROVED  
DESCRIPTION AGREES  
WITH MAP  
CITY ENGINEERS OFFICE  
TOPO/SURVEY BRANCH  
By SCC Date 10/17/22

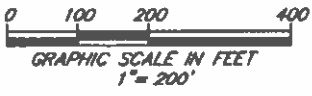
# SKETCH TO ACCOMPANY DESCRIPTION OF

THE EAST ONE-HALF OF STEVENS AVENUE, LYING WESTERLY OF AND ADJACENT TO LOTS 30 AND 31, AS DEPICTED ON JOHN M. STEVENS SUBDIVISION OF PART OF THE CHAS. F. SIBBALD GRANT SEC 55 AND LOT 4 SEC 5 T.2S.-R.26E, RECORDED IN PLAT BOOK 4, PAGE 85, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.



SHEET 1 OF 2

GENERAL NOTES:  
 1) THIS IS NOT A SURVEY.  
 2) BEARINGS BASED ON THE NORTHERLY RIGHT OF WAY LINE OF WEST 12TH STREET AS BEING SOUTH 88°35'46" EAST.



**ETM**  
 Surveying & Mapping, Inc.  
 VISION • EXPERIENCE • RESULTS

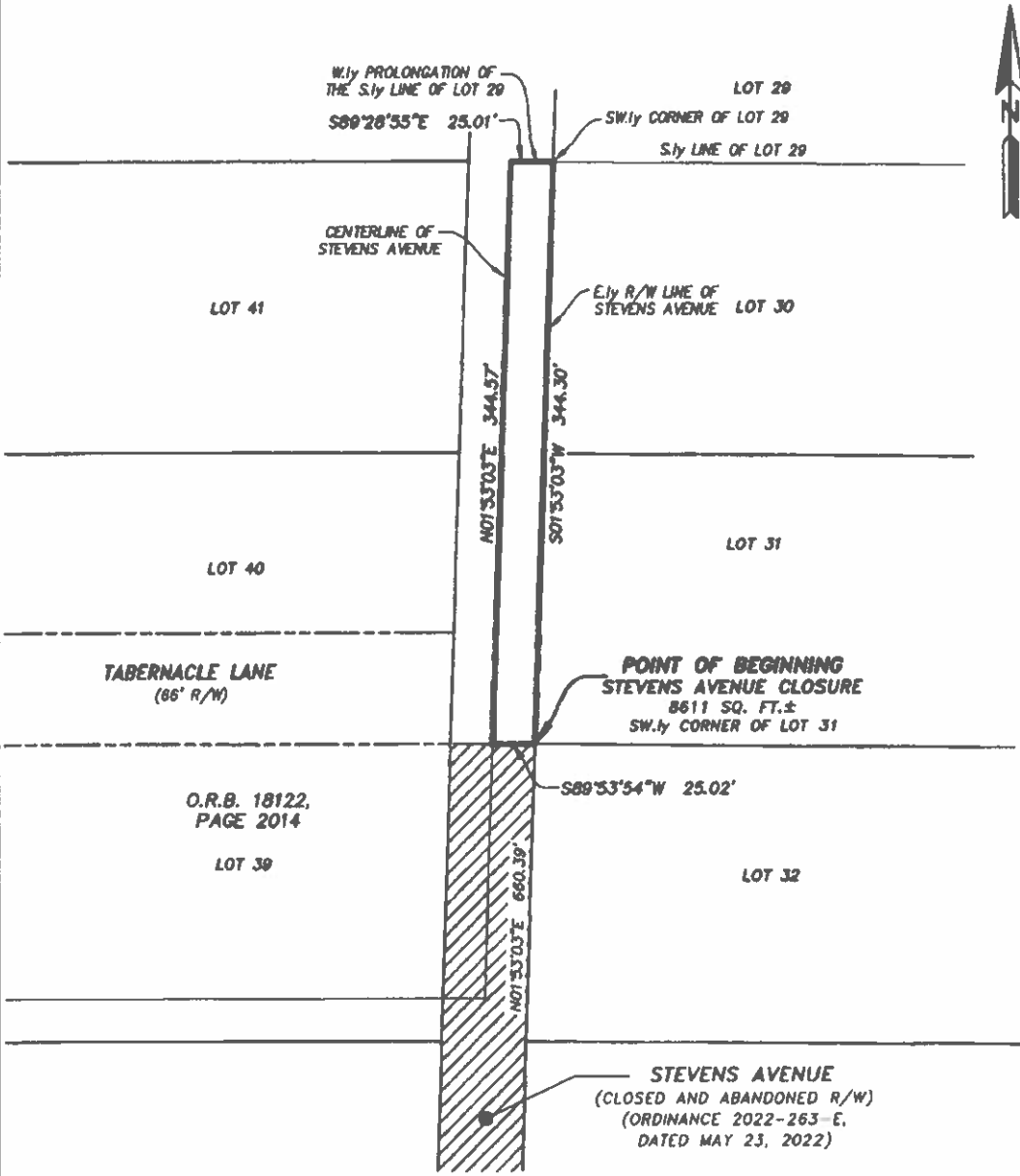
14775 Old St. Augustine Road, Jacksonville, FL 32258  
 Tel: (904) 642-8550 Fax: (904) 642-4165  
 Certificate of Authorization No.: LB 3824

SCALE: 1"=200'  
 DATE: SEPTEMBER 1, 2022  
 BOB L. PITTMAN  
 PROFESSIONAL SURVEYOR AND MAPPER  
 STATE OF FLORIDA PSM No. 4827

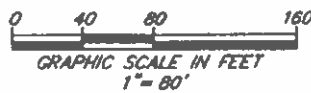


Digital Signature  
 by Bob L. Pittman, P S M.

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- LEGEND:
- P.B. PLAT BOOK
  - O.R.B. OFFICIAL RECORDS BOOK
  - R/W RIGHT OF WAY
  - SQ. FT. SQUARE FEET
  - CLOSED AND ABANDONED RIGHT OF WAY



SHEET 2 OF 2

SEE SHEET 1 FOR GENERAL NOTES.

PREPARED BY:  
 ETM SURVEYING & MAPPING, INC.  
 14778 OLD ST. AUGUSTINE ROAD  
 JACKSONVILLE, FL 32238 (904) 643-8550  
 CERTIFICATE OF AUTHORIZATION NO. LB 3684