

1 Introduced by the Council President at the request of the Mayor:

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4 **ORDINANCE 2025-439**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR  
6 DISCLAIMING THREE (3) UNOPENED AND UNIMPROVED  
7 PORTIONS OF UNNAMED RIGHTS-OF-WAY AS RECORDED IN  
8 PLAT BOOK 6, PAGE 74, PLAT OF NORTH DINSMORE  
9 FARMS, OF THE CURRENT PUBLIC RECORDS OF DUVAL  
10 COUNTY, FLORIDA, AND TWO (2) UNOPENED,  
11 UNIMPROVED, AND UNNAMED RIGHTS OF WAY AS  
12 DEPICTED IN THE UNRECORDED MAP OF DINSMORE,  
13 DINSMORE PLOTS AND THE DINSMORE FARMS, ALL  
14 LOCATED IN COUNCIL DISTRICT 8, AT THE REQUEST OF  
15 GENUINE GIANTS, LLC, AND CONGRAREE AND PENN  
16 LANDSCAPE TREES, LLC; PROVIDING FOR APPROVAL  
17 SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE  
18 DATE.

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

21 **Section 1. Closure and Abandonment.** Three (3) unopened and  
22 unimproved portions of unnamed Rights-of-Way as recorded in Plat Book  
23 6, Page 74, Plat of North Dinsmore Farms, of the current public  
24 records of Duval County, Florida (See R.E. # 002604-1000 for  
25 reference), and two (2) unopened, unimproved, and unnamed Rights-of-  
26 Way as depicted in the unrecorded Map of Dinsmore, Dinsmore Plots  
27 and the Dinsmore Farms (See R.E. No. 003838-0015 for reference), all  
28 located in Council District 8, depictions and descriptions of which  
29 are attached hereto as **Exhibit 1** and incorporated herein by this  
30 reference, are hereby closed and abandoned and/or disclaimed at the  
31 request of Genuine Giant, LLC and Congaree and Penn Landscape Trees,

1 LLC (the "Applicants"),

2 The Applicants have paid five closure application fees totaling  
3 \$10,455.00 and this sum has been deposited into the City's General  
4 Fund. This closure request was reviewed and approved by the various  
5 city, state, and utility agencies that might have an interest in the  
6 right-of-way and there were no objections to the Applicant's request.

7 **Section 2. Purpose.** Genuine Giants, LLC has requested  
8 this closure to develop a farm store to support its existing business  
9 (See R.E. # 002604-1000 for reference). Co-applicant Congaree and  
10 Penn Landscape Trees, LLC has requested the closure for continued use  
11 of the areas for open space and agricultural purposes, but the nearby  
12 properties may eventually become ten acre lots with a single  
13 residential dwelling on each lot (See R.E. # 003838-0015 for  
14 reference).

15 **Section 3. Hold Harmless Covenant.** The closure and  
16 abandonment by the City of its interests in the right-of-way is  
17 subject to Applicants' execution and delivery to the City of a Hold  
18 Harmless Covenant, in substantially the same forms attached hereto  
19 as **Exhibit 2** and incorporated herein by this reference. Accordingly,  
20 the closure and abandonment of the right-of-way shall not be recorded  
21 in the public records until execution and delivery to the City by the  
22 Applicant of the required Hold Harmless Covenant.

23 **Section 4. Effective Date.** This Ordinance shall become  
24 effective upon signature by the Mayor or upon becoming effective  
25 without the Mayor's signature.

Form Approved:

/s/ Harry M. Wilson, IV

Office of General Counsel

Legislation Prepared By: Harry M. Wilson, IV

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