

HOLD HARMLESS COVENANT

This **Hold Harmless Covenant** is hereby granted this ____ day of _____, 2023, by Margaret Barnett Emmet, whose address is **3764 Ortega Blvd.**, Jacksonville, Florida 32210-4333 (“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# 101346-0000** in Council District 14 and as established in the Plat of Ortega as recorded in Plat Book 3, Page 40.

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:**

GRANTOR:

(Sign) _____

By: _____

(Print) _____

Name:

Title:

(Sign) _____

(Print) _____

**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 _____

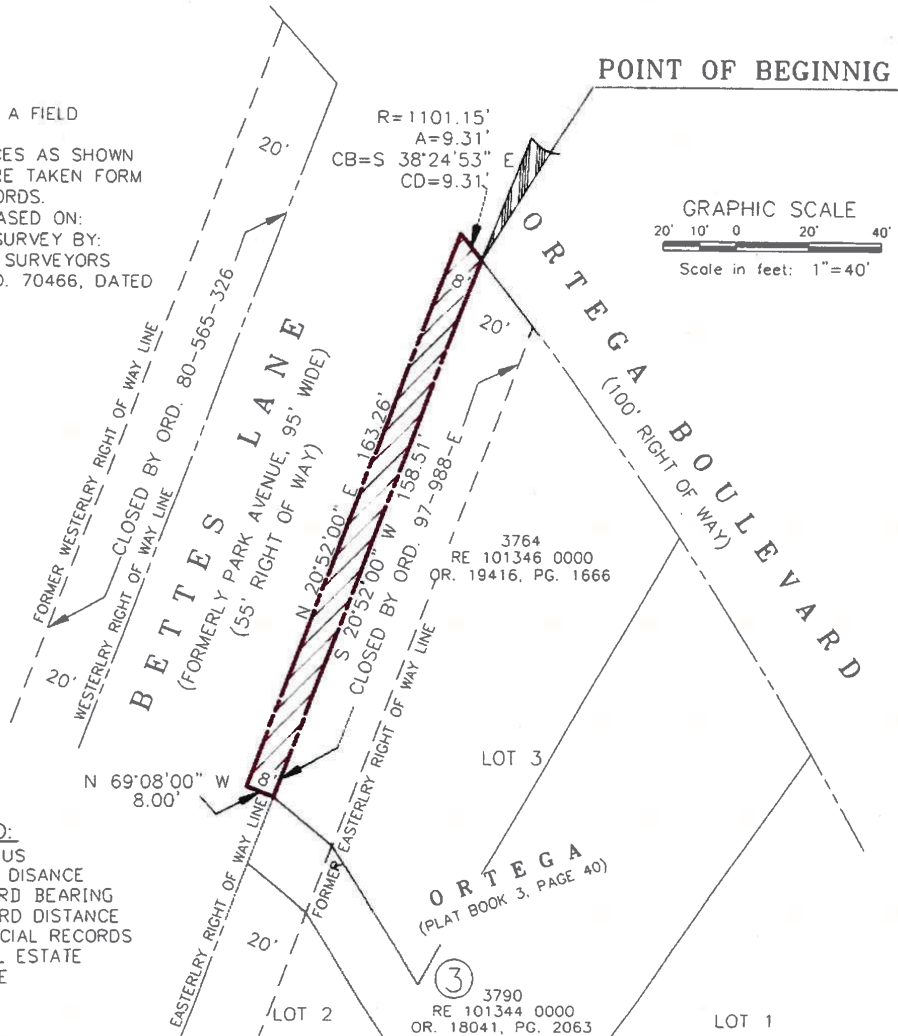
SKETCH AND LEGAL DESCRIPTION OF:

A PORTION OF BETTES LANE, (A 55 FOOT RIGHT OF WAY); (FORMERLY PARK AVENUE, A 95 FOOT RIGHT OF WAY), AS SHOWN ON THE PLAT OF ORTEGA, AS RECORDED IN PLAT BOOK 3, PAGE 40 OF THE CURRENT PUBLIC RECORDS, DUVAL COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF BETTES LANE, (A 55 FOOT RIGHT OF WAY) WITH THE SOUTHERLY RIGHT OF WAY LINE OF ORTEGA BOULEVARD, (A 100 FOOT RIGHT OF WAY), SAID POINT ALSO BEING THE NORTHWESTERLY CORNER OF THE LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 19416, PAGE 1666 OF SAID CURRENT PUBLIC RECORDS; THENCE SOUTH 20°52'00" WEST, ALONG SAID EASTERLY RIGHT OF WAY LINE, 158.51 FEET TO THE SOUTHWEST CORNER OF LAST SAID LANDS. THENCE NORTH 69°08'00" WEST, 8.00 FEET TO A POINT ON A LINE, 8 FEET NORTHWESTERLY OF AND PARALLEL WITH SAID EASTERLY RIGHT OF WAY LINE; THENCE NORTH 20°52'00" EAST, ALONG SAID PARALLEL LINE, 163.26 FEET TO AN INTERSECTION WITH A NORTHWESTERLY PROLONGATION OF AFORESAID SOUTHERLY RIGHT OF WAY LINE OF ORTEGA BOULEVARD, SAID POINT LYING IN A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 1101.15 FEET, THENCE IN A SOUTHEASTERLY DIRECTION ALONG AND AROUND THE ARC OF SAID CURVE AND LAST SAID PROLONGATION 9.31 FEET BACK TO THE POINT OF BEGINNING, SAID ARC BEING SUBTENDED BY A CHORD BEARING AND DISTANCE OF SOUTH 38°24'53" EAST, 9.31 FEET. THE ABOVE DESCRIBED PARCEL CONTAINS 1287 SQUARE FEET MORE OR LESS.

NOTES:

- THIS IS NOT A FIELD SURVEY.
- ALL DISTANCES AS SHOWN HEREON WERE TAKEN FROM PUBLIC RECORDS.
- BEARINGS BASED ON: BOUNDARY SURVEY BY: ASSOCIATED SURVEYORS INC., JOB NO. 70466, DATED 9-19-2017.



LEGEND:

- R = RADIUS
- A = ARC DISTANCE
- CB = CHORD BEARING
- CD = CHORD DISTANCE
- OR = OFFICIAL RECORDS
- RE = REAL ESTATE
- PG = PAGE

CERTIFICATION

THIS IS TO CERTIFY THAT THIS SKETCH WAS MADE UNDER THE UNDERSIGNED'S RESPONSIBLE DIRECTION AND SUPERVISION, THAT THE SKETCH DATA MEETS OR EXCEEDS STANDARDS OF PRACTICE FOR SURVEYING, IN THE STATE OF FLORIDA SET FORTH BY CHAPTER NO. 5J-17 (050-052) OF THE FLORIDA ADMINISTRATIVE CODE (FAC) FOR LAND SURVEYORS IN THE STATE OF FLORIDA.

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

CITY OF JACKSONVILLE 214 N HOGAN STREET 10th FLOOR JACKSONVILLE, FLORIDA, 32202	ENGINEERING DIVISION DEPARTMENT OF PUBLIC WORKS (904)255-8760	LEGEND <input type="checkbox"/> CONCRETE MONUMENT X-X FENCE <input type="checkbox"/> NAIL <input type="checkbox"/> IRON PIPE X CROSS CUT
<i>Danny S. Wheeler</i> 2-09-23 DANNY S. WHEELER, P.L.S., FLORIDA REGISTRATION NUMBER 6902 10th FLOOR, 214 N HOGAN STREET 32202 (904) 255-8760		
DATE: 2-09-23	SCALE: 1" = 40'	SHEET NO. 1 OF 1

PROJECT PATH: E