

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Neighborhoods, Community Services, Public Health and
3 Safety Committee:
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6 **ORDINANCE 2021-814-E**

7 AN ORDINANCE CLOSING AND ABANDONING AND/OR
8 DISCLAIMING THE DRAINAGE EASEMENT RECORDED IN
9 OFFICIAL RECORDS BOOK 1145, PAGE 498 OF THE
10 CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA,
11 LOCATED IN COUNCIL DISTRICT 10, AT THE REQUEST
12 OF ROBERT'S DIESEL SERVICE, INC.; PROVIDING FOR
13 APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN
14 EFFECTIVE DATE.
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16 **BE IT ORDAINED** by the Council of the City of Jacksonville:

17 **Section 1. Closure and Abandonment.** The drainage easement
18 recorded in Official Records Book 1145, Page 498 of the current public
19 records of Duval County, Florida, located in Council District 10, a
20 description of which is attached hereto as **Exhibit 1** and incorporated
21 herein by this reference, is hereby closed and abandoned and/or
22 disclaimed as a drainage easement at the request of Robert's Diesel
23 Service, Inc. (the "Applicant"). The Applicant paid the easement
24 closure application fee of \$1,066.00 and the closure and abandonment
25 with encroachment fee of \$516.00, both of which have been deposited
26 into the General Fund. This closure request was reviewed and approved
27 by the various city, state, and utility agencies that might have an
28 interest in the drainage easement and there were no objections to the
29 Applicant's request.

30 **Section 2. Purpose.** The Applicant owns the parcel

1 adjacent to this drainage easement (R.E. No. 048970-0000) and is
2 requesting the closure in order to use the closed easement area for
3 storage and maintenance of school buses. The subject drainage
4 easement is not utilized and there is no City infrastructure in the
5 easement area.

6 **Section 3. Hold Harmless Covenant.** The closure and
7 abandonment by the City of its interests in the subject portion of
8 the easement is contingent upon Applicant's execution and delivery
9 to the City of a Hold Harmless Covenant, in substantially the same
10 form attached hereto as **Exhibit 2** and incorporated herein by this
11 reference. Accordingly, the closure and abandonment of the portion
12 the aforesaid drainage easement shall not be recorded in the official
13 public records until execution and delivery to the City by the
14 Applicant of the required Hold Harmless Covenant.

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

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19 Form Approved:

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21 /s/ Paige H. Johnston

22 Office of General Counsel

23 Legislation prepared by: Mary E. Staffopoulos

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