

AFFIDAVIT OF ROAD MAINTENANCE OR REPAIR

STATE OF FLORIDA
COUNTY OF DUVAL

BEFORE ME, the undersigned authority, personally appeared John Pappas ("Affiant"), who being by me first duly sworn, on oath, says:

1. This Affidavit is given on the personal knowledge of Affiant.
2. Affiant is the Director of Public Works for the City of Jacksonville (the "City"), and is authorized to make this Affidavit on behalf of the City.
3. City is the owner of certain real property located in Duval County, Florida, and the roads located thereon (the "Rights of Way"), which Rights of Way are more particularly described on **Exhibit A** attached hereto and made a part hereof.
4. From and after June 24, 2003, the Rights of Way described on **Exhibit A** attached hereto have been regularly maintained or repaired continuously and uninterruptedly by the City.

DATED as of September 5, 2019.

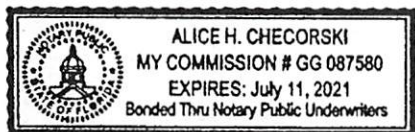
By: *John Pappas*
Affiant: John Pappas

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 5th day of September, 2019, by John Pappas, an individual, who [] is personally known to me or [] has produced _____ as identification.

{NOTARY SEAL}

Alice H. Checorski
Notary Public, State and County Aforesaid
Print Name Alice H. Checorski
My Commission Number: GG087580
My Commission Expires: July 11, 2021

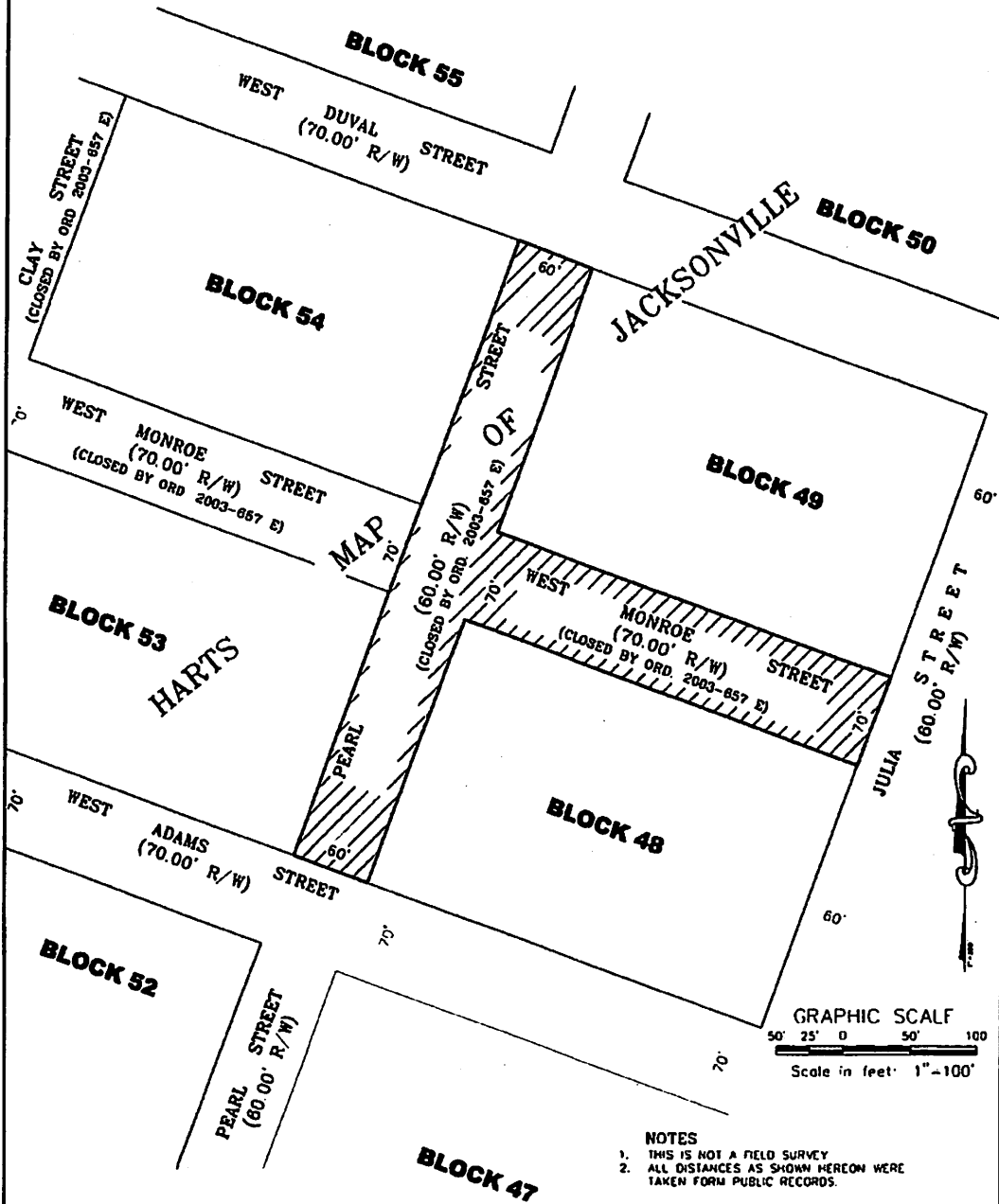


SKETCH AND LEGAL DESCRIPTION OF:

THAT PORTION OF WEST MONROE STREET, CLOSED BY ORDINANCE 2003-657-E, (FORMERLY A 70.00 FOOT RIGHT OF WAY), LYING WESTERLY OF THE WESTERLY RIGHT OF WAY LINE OF JULIA STREET, (60.00 FOOT RIGHT OF WAY), AND EASTERLY OF THE WESTERLY RIGHT OF WAY LINE OF PEARL STREET, (A 60.00 FOOT RIGHT OF WAY)

TOGETHER WITH:

THAT PORTION OF PEARL STREET, CLOSED BY ORDINANCE 2003-657-E, (FORMERLY A 60 FOOT RIGHT OF WAY), LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF WEST DUVAL STREET, (70.00 FOOT RIGHT OF WAY), AND NORTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF WEST ADAMS STREET, (A 70.00 FOOT RIGHT OF WAY)



- NOTES**
1. THIS IS NOT A FIELD SURVEY
 2. ALL DISTANCES AS SHOWN HEREON WERE TAKEN FROM PUBLIC RECORDS.

CERTIFICATION:
THIS IS TO CERTIFY THAT THIS SKETCH WAS MADE UNDER THE UNDERSIGNED'S RESPONSIBLE DIRECTION AND SUPERVISION, THAT THE SKETCH DATA COMPLIES WITH ALL OF THE REQUIREMENTS FOR MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYORS IN THE STATE OF FLORIDA (CHAPTER NO. SJ 17.(050) (052), F.A.C.).

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 □ CONCRETE MONUMENT x-x FENCE ○ NAIL ○ IRON PIPE x CROSS CUT
<i>Danny S. Wheeler</i> DANNY S. WHEELER, P.L.S. FLORIDA REGISTRATION NUMBER 6902 10th FLOOR, 214-N HOGAN STREET 32202 (904)-255-8760		SHEET NO 1 of 1
DATE: 8-27-19	SCALE: 1"=100'	
ROAD NO.:	ER NO.:	

1 Introduced by the Council President at the request of the Mayor:
2
3

4 **ORDINANCE 2019-**

5 AN ORDINANCE REPEALING IN PART ORDINANCE 2003-
6 657-E, WHICH ABANDONED CERTAIN ROADWAYS IN
7 CONNECTION WITH THE CONSTRUCTION OF THE DUVAL
8 COUNTY COURTHOUSE, AS TO THE RIGHTS-OF-WAY
9 ALONG WEST MONROE STREET (BETWEEN PEARL STREET
10 AND JULIA STREET) AND PEARL STREET (BETWEEN
11 WEST ADAMS STREET AND WEST DUVAL STREET) TO
12 ACCOMMODATE CONSTRUCTION OF THE NEW JEA
13 HEADQUARTERS BUILDING; DEDICATION OF REOPENED
14 RIGHTS-OF-WAY AS CITY ROADS; RECORDING OF
15 ORDINANCE BY OFFICE OF GENERAL COUNSEL;
16 PROVIDING AN EFFECTIVE DATE.
17

18 **WHEREAS**, pursuant to Ordinance 2003-657-E (the "Abandonment
19 Ordinance"), the City, in part, abandoned portions of West Monroe
20 Street and Pearl Street in anticipation of the construction of the
21 Duval County Courthouse as a part of the Better Jacksonville Plan;
22 and

23 **WHEREAS**, from the time of the enactment of the Abandonment
24 Ordinance, a portion of the roads abandoned thereunder, described
25 as West Monroe Street (between Pearl Street and Julia Street) and
26 Pearl Street (between West Adams Street and West Duval Street), a
27 description of which is attached hereto as **Exhibit 1** (collectively,
28 the "Rights-of-Way"), were not closed to the public, and the City
29 has continually and uninterruptedly maintained the Rights-of-Way as
30 City roads; and

31 **WHEREAS**, as authorized by Ordinance 2019-401-E, the City and

1 Ryan Companies US, Inc. ("Developer") have entered into that
2 certain Purchase and Sale Agreement dated July 8, 2019
3 ("Agreement"), pursuant to which the Developer will purchase an
4 approximately 1.52 acre parcel of unimproved real property located
5 at 337 West Adams Street (the "Property"), which is bounded to the
6 west and north by the abandoned Rights-of-Way, and to construct
7 thereon an approximately 207,810 square foot office building and
8 structured parking facility to serve as the new JEA headquarters;
9 and

10 WHEREAS, pursuant to the Agreement, the City is obligated to
11 file this Ordinance in order to open and rededicate the previously
12 abandoned Rights-of-Way adjacent to the Property, as depicted on
13 Exhibit 1 attached hereto; now therefore

14 BE IT ORDAINED by the Council of the City of Jacksonville:

15 Section 1. Ordinance 2003-657-E Repealed in Part.
16 Ordinance 2003-657-E (the "Abandonment Ordinance"), attached hereto
17 as Exhibit 2 and incorporated herein by this reference, regarding
18 the abandonment of a portion of the right-of-way along West Monroe
19 Street and Pearl Street as necessary to accommodate the
20 construction of the Duval County Courthouse, is hereby repealed in
21 part as to that certain portion of West Monroe Street (between
22 Pearl Street and Julia Street) and Pearl Street (between West Adams
23 Street and West Duval Street), a description of which is attached
24 hereto as Exhibit 1 and incorporated herein by this reference. The
25 purpose of the partial repeal of the Abandonment Ordinance is to
26 re-establish and dedicate as City roads the Rights-of-Way.

27 Section 2. Dedication as City Road. Pursuant to the
28 affidavit attached hereto as Exhibit 3 and incorporated herein by
29 this reference, since the date of the enactment of the Abandonment
30 Ordinance in 2003 the Rights-of-Way, as depicted on Exhibit 1
31 attached hereto and incorporated herein by this reference, were not

1 closed to the public and the City has continuously and
2 uninterruptedly maintained the Rights-of-Way. Accordingly,
3 pursuant to Section 95.361, *Florida Statutes*, the Rights-of-Way are
4 deemed to be dedicated to the public and all right, title,
5 easement, and appurtenances in and to the roads shall vest in the
6 City.

7 **Section 3. Recording of Ordinance by Office of General**
8 **Counsel.** The Office of General Counsel is hereby directed to
9 record a certified copy of this Ordinance as enacted, including all
10 exhibits attached hereto, in the office of the Clerk of the Circuit
11 Court for Duval County and consistent with Section 95.361, *Florida*
12 *Statutes*, such recording shall be prima facie evidence of ownership
13 of all right, title, easement, and appurtenances in and to the
14 Rights-of-Way by the City.

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.

18
19 Form Approved:

20
21 /s/ _____

22 Office of General Counsel

23 Legislation prepared by: John Sawyer

24 GC-#1302587-v1-Legislation - 2019- Rededication_of_Monroe_and_Pearl_Streets -

25 _Ryan_Companies.doc