

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2023-81-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING CERTAIN DRAINAGE EASEMENTS
7 ESTABLISHED IN MAP BOOK E, PAGES 71 THROUGH 86,
8 IN THE OFFICIAL PUBLIC RECORDS OF DUVAL COUNTY,
9 FLORIDA, ALL LYING WITHIN A PORTION OF THE
10 EQUINOX EAST PLAT, AS RECORDED IN PLAT BOOK 78,
11 PAGES 27 THROUGH 35, OF THE CURRENT PUBLIC
12 RECORDS OF DUVAL COUNTY, FLORIDA, IN COUNCIL
13 DISTRICT 11, AT THE REQUEST OF FORESTAR (USA)
14 REAL ESTATE GROUP INC.; PROVIDING FOR APPROVAL
15 SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE
16 DATE.
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18 **BE IT ORDAINED** by the Council of the City of Jacksonville:

19 **Section 1. Closure and Abandonment.** The drainage easements
20 established in Map Book E, pages 71 through 86, in the official public
21 records of Duval County, Florida, all lying within a portion of the
22 Equinox East Plat, as recorded in Plat Book 78, pages 27 through 35,
23 of the current public records of Duval County, Florida, located in
24 Council District 11, a depiction and description of which is attached
25 hereto as **Exhibit 1** and incorporated herein by this reference, are
26 hereby closed and abandoned and/or disclaimed as drainage easements
27 at the request of Forestar (USA) Real Estate Group Inc. (the
28 "Applicant"). The Applicant paid a total application fee of \$6,328.00
29 (four easement closures with encroachments), which has been deposited
30 into the General Fund. This closure request was reviewed and approved
31 by the various city, state, and other agencies that might have an

1 interest in the drainage easements and there were no objections to
2 the Applicant's request.

3 **Section 2. Purpose.** The Applicant owns numerous parcels
4 in the area of A.C. Skinner Parkway near Key Lime Drive that are
5 subject to these drainage easements (see R.E. No. 138439-1310 for
6 locational purposes) and is requesting the closure for the
7 construction of a townhome development, subject to the conditions set
8 forth herein.

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

18 **Section 4. Effective Date.** This Ordinance shall become
19 effective upon signature by the Mayor or upon becoming effective
20 without the Mayor's signature.

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22 Form Approved:

23
24 _____
25 Office of General Counsel

26 Legislation prepared by: Mary E. Staffopoulos

27 GC-#1546418-v2-Equinox_East_-_Drainage_Easement_Closure_(Forestar_Real_Estate).docx