

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2022-206**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND IMPROVED PORTION OF
7 THE PEARCE STREET RIGHT-OF-WAY, ESTABLISHED IN
8 THE GRAND BOULEVARD PLAT, AS RECORDED IN PLAT
9 BOOK 3, PAGE 89 OF THE CURRENT PUBLIC RECORDS OF
10 DUVAL COUNTY, FLORIDA, IN COUNCIL DISTRICT 8, AT
11 THE REQUEST OF GREATER FRIENDLY MISSIONARY
12 BAPTIST CHURCH INC., SUBJECT TO RESERVATION UNTO
13 JEA OF AN ALL UTILITIES, FACILITIES AND ACCESS
14 EASEMENT OVER THE CLOSURE AREA AND RESERVATION
15 OF A UTILITY EASEMENT IN FAVOR OF AT&T OVER THE
16 NORTHERLY 25 FEET OF THE CLOSURE AREA; PROVIDING
17 FOR APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN
18 EFFECTIVE DATE.
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20 **BE IT ORDAINED** by the Council of the City of Jacksonville:

21 **Section 1. Closure and Abandonment.** An opened and improved
22 portion of the Pearce Street right-of-way established in the Grand
23 Boulevard Plat, as recorded in Plat Book 3, Page 89 of the current
24 public records of Duval County, Florida, located in Council District
25 8, a description and depiction of which is attached hereto as **Exhibit**
26 **1** and incorporated herein by this reference, is hereby closed and
27 abandoned and/or disclaimed as a right-of-way at the request of
28 Greater Friendly Missionary Baptist Church Inc. (the "Applicant");
29 provided however, there is reserved unto JEA an all utilities,
30 facilities and access easement on, over, under, through and across
31 the closed right-of-way area for ingress and egress and for all

1 utilities and facilities, including but not limited to, water, sewer
2 and electric, so as to provide JEA continued access to repair and
3 maintain these utilities and facilities. In addition, a utility
4 easement shall be reserved in favor of AT&T over the northerly 25
5 feet of the closure area.

6 The Applicant paid the right-of-way closure application fee of
7 \$2,091.00 and this amount has been deposited into the General Fund.
8 This closure request was reviewed and approved by the various city,
9 state, and utility agencies that might have an interest in the right-
10 of-way and there were no objections to the Applicant's request.

11 **Section 2. Purpose.** The Applicant owns property adjacent
12 to the closure area at 1664 W. 19th Street (R.E. No. 046071-0000) and
13 is requesting the closure in order to construct a paved parking lot
14 and running track for the neighborhood's use, subject to the
15 conditions set forth herein.

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

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

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation prepared by: Mary E. Staffopoulos

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