

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2021-236-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND IMPROVED PORTION OF
7 THE CHURCH STREET RIGHT-OF-WAY ESTABLISHED IN
8 LAVILLA HARTS MAP OF THE FORMER PUBLIC RECORDS
9 OF DUVAL COUNTY, FLORIDA, IN COUNCIL DISTRICT
10 7, AT THE REQUEST OF VOLUNTEERS OF AMERICA OF
11 FLORIDA, INC., SUBJECT TO RESERVATION UNTO THE
12 CITY AND JEA OF AN ALL UTILITIES AND
13 FACILITIES EASEMENT OVER THE CLOSED PORTION OF
14 THE RIGHT-OF-WAY; 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.** An opened and
20 improved portion of the Church Street right-of-way established in
21 Lavilla Harts Map of the former public records of Duval County,
22 Florida, located in Council District 7, a description of which is
23 attached hereto as **Exhibit 1** and incorporated herein by this
24 reference, is hereby closed and abandoned and/or disclaimed as a
25 right-of-way at the request of Volunteers of America of Florida,
26 Inc. (the "Applicant"); provided however, there is reserved unto
27 the City and JEA an all utilities and facilities easement on, over,
28 across, and under the closed right-of-way for ingress and egress
29 and for all utilities and facilities, including but not limited to,
30 water, sewer, electric and drainage, so as to provide the City and

1 JEA continued access to repair and maintain these utilities and
2 facilities in the future. The Applicant paid the right-of-way
3 closure application fee of \$2,091.00 and this amount has been
4 deposited into the General Fund. This closure request was reviewed
5 and approved by the various city, state, and utility agencies that
6 might have an interest in the right-of-way and there were no
7 objections to the Applicant's request.

8 **Section 2. Purpose.** The Applicant is requesting the
9 closure to improve security and the overall aesthetic of the
10 Applicant's property located at 716 West Church Street (R.E. #
11 074692-0010), subject to the conditions set forth herein.

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

21 **Section 4. Effective Date.** This Ordinance shall become
22 effective upon signature by the Mayor or upon becoming effective
23 without the Mayor's signature.

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25 Form Approved:

26
27 /s/ Mary E. Staffopoulos

28 Office of General Counsel

29 Legislation prepared by: Mary E. Staffopoulos

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