

1 Introduced by Council Member Amaro and amended by the Rules Committee:
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4 **RESOLUTION 2026-230-A**

5 A RESOLUTION CONCERNING THE VACATION OF PORTIONS
6 OF THE PLAT OF SUBDIVISION OF LOT 10, SECTION
7 33, T1S-27E, PURSUANT TO SECTION 177.101(3),
8 FLORIDA STATUTES; RETURNING A PORTION OF THE
9 LANDS SHOWN ON SAID PLAT OF SUBDIVISION OF LOT
10 10, SECTION 33, T1S-27E, TO ACREAGE; MAKING
11 FINDINGS; ABANDONING CERTAIN UNOPENED ROADS
12 WITHIN THE BOUNDARIES OF THE PLAT THAT HAVE NOT
13 BEEN OPENED AND HAVE NOT BECOME ROADS SUITABLE
14 AND NECESSARY FOR THE TRAVELING PUBLIC; AND
15 ENSURING LEGAL ACCESS TO ABUTTING PROPERTIES;
16 PROVIDING AN EFFECTIVE DATE.
17

18 **WHEREAS,** Section 177.101(3), Florida Statutes, authorizes the
19 governing bodies of counties and municipalities to adopt resolutions
20 vacating plats of subdivisions in said counties and municipalities,
21 in whole or in part, returning the property covered by such plat,
22 either in whole or in part, to acreage upon a showing that the person
23 making application for such vacation is the owner of that portion of
24 the lands covered by the plat sought to be vacated, and further, that
25 the vacation will not affect the ownership or right of convenient
26 access of persons owning other parts of the previously platted
27 subdivision; and

28 **WHEREAS,** the Plat of Subdivision of Lot 10, Section 33, T1S-
29 27E is recorded in Plat Book 1, Page 9 in the current public records
30 of Duval County, Florida (the "Plat"), and encompass lands east of
31 I-95 and North of Arlington Expressway on the eastside of

1 Jacksonville; and

2 **WHEREAS**, while the rights-of-way located within the lands
3 described in that certain Sketch and Legal Description (Job No. 2025-
4 604-13) prepared by Perret and Associates, Inc., dated on December
5 15, 2025 (the "Sketch"), which is attached to the surveyor's affidavit
6 provided by Nathan P. Perret, Florida Professional Surveyor and Mapper
7 No. 6900, dated December 23, 2025 (the "Surveyor's Affidavit"), a
8 copy of which is attached hereto and incorporated by reference as
9 **Exhibit 1**, are presumed to be dedicated public rights-of-way, none
10 of the platted rights-of-way located within the lands described in
11 the Sketch were ever opened, improved or accepted by the City for
12 maintenance. Additionally, said rights-of-way have not become
13 highways suitable for the traveling public; and

14 **WHEREAS**, Richmond American Homes of Florida, LP, a Colorado
15 limited partnership, (the "Applicant"), has applied to vacate those
16 portions of the plat described in the Sketch; and

17 **WHEREAS**, the remaining lots or portions of lots owned by others
18 within the Plat will not become landlocked parcels with no right of
19 convenient access upon vacation of the plat, but will continue to
20 have legal access; and

21 **WHEREAS**, the Applicant has agreed and understands that
22 vacation of the plat and reversion of the land to acreage will have
23 no effect on the recorded easements previously granted to third
24 parties by the Applicant's predecessors in title, and those easements
25 are unaffected by this Resolution and the plat vacation; and

26 **WHEREAS**, the vacation of the platted roadways within the
27 Applicant's property will not otherwise affect the right of convenient
28 access to persons owning other parts of the platted lands and will
29 not affect the previously granted recorded easements; and

30 **WHEREAS**, as required by Section 177.101(3), Florida Statutes,
31 the Applicant has provided evidence of ownership of lands within the

1 plat to be vacated; and

2 **WHEREAS,** public notice as required by law and specifically in
3 compliance with Section 177.101(4), Florida Statutes, has been given,
4 and all state and county taxes on the lands to be vacated have been
5 paid in full or provision made for such payment; now therefore

6 **BE IT RESOLVED** by the Council of the City of Jacksonville:

7 **Section 1. Findings.** The Council finds as fact and
8 concludes as a matter of law as follows:

9 (a) The Applicant owns fee simple title to the lands within the
10 plat to be vacated, which lands are more particularly described in
11 the Sketch.

12 (b) According to the Surveyor's Affidavit upon the vacation of
13 the rights-of-way located within the lands described in the Sketch,
14 the right of convenient access for the remaining lands within the
15 plat not here being vacated continue to have legal access, and the
16 vacation of the platted roadways located within the lands described
17 in the Sketch will not otherwise affect the right of convenient access
18 of persons owning other portions of the lands within the plat.

19 **Section 2. Vacation Approved.** Vacation of that portion of
20 the Plat of Subdivision of Lot 10, Section 33, T1S-27E, plat described
21 in the Sketch is by this Resolution approved. According to Section
22 177.101(5), Florida Statutes, this Resolution shall have the effect
23 of vacating all streets and alleys located within the lands described
24 in the Sketch that have not become necessary for use by the traveling
25 public. Such vacation shall not become effective until a certified
26 copy of this Resolution has been filed with the Office of the Clerk
27 of the Circuit Court and duly recorded in the public records of Duval
28 County, Florida.

29 **Section 3. Effective Date.** This Resolution shall become
30 effective upon signature by the Mayor or upon becoming effective
31 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: Terrence L. Harvey

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