

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

4 **ORDINANCE 2022-721**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND IMPROVED PORTION OF
7 THE COLLINS FIELD WAY RIGHT-OF-WAY, ESTABLISHED
8 IN THE PLAT OF SANDLER LAKES, AS RECORDED IN
9 PLAT BOOK 75, PAGES 9-14 OF THE CURRENT PUBLIC
10 RECORDS OF DUVAL COUNTY, FLORIDA, IN COUNCIL
11 DISTRICT 12, AT THE REQUEST OF KB HOME
12 JACKSONVILLE LLC, SUBJECT TO RESERVATION UNTO
13 JEA OF AN ALL UTILITIES, FACILITIES AND ACCESS
14 EASEMENT; PROVIDING FOR APPROVAL SUBJECT TO
15 CONDITIONS; PROVIDING AN EFFECTIVE DATE.
16

17 **BE IT ORDAINED** by the Council of the City of Jacksonville:

18 **Section 1. Closure and Abandonment.** An opened and improved
19 portion of the Collins Field Way right-of-way, established in the
20 Plat of Sandler Lakes, as recorded in Plat Book 75, Pages 9-14 of the
21 current public records of Duval County, Florida, located in Council
22 District 5, a depiction and description of which is attached hereto
23 as **Exhibit 1** and incorporated herein by this reference, is hereby
24 closed and abandoned and/or disclaimed as a right-of-way at the
25 request of KB Home Jacksonville LLC, (the "Applicant"); provided
26 however, there is reserved unto JEA an all utilities, facilities and
27 access easement on, over, under, through and across the closed right-
28 of-way for ingress and egress and for all utilities and facilities,
29 including but not limited to, water, sewer and electric, so as to
30 provide JEA continued access to repair and maintain these utilities
31 and facilities. The Applicant paid the right-of-way closure

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

6 **Section 2. Purpose.** The Applicant owns property adjacent
7 to the closure area (see R.E. No. 015450-1010 for locational purposes)
8 and is requesting the closure to create two additional single family
9 lots within its Sandler Lakes development, subject to the conditions
10 set forth herein.

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

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

22
23 Form Approved:

24
25 /s/ Mary E. Staffopoulos

26 Office of General Counsel

27 Legislation prepared by: Mary E. Staffopoulos

28 GC-#1526284-v2-Collins_Field_Way_ROW_Closure_(KB_Homes).docx