

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

2
3
4 **ORDINANCE 2025-400**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION
7 OF KONA AVENUE AS RECORDED IN PLAT BOOK 8, PAGES
8 23-25, OAKWOOD VILLA ESTATES, OF THE CURRENT
9 PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LOCATED
10 IN COUNCIL DISTRICT 1, AT THE REQUEST OF NORTH
11 FLORIDA SCHOOL OF SPECIAL EDUCATION, INC.,
12 SUBJECT UNTO RESERVATION TO CITY AND JEA OF A
13 NON-EXCLUSIVE ALL-UTILITIES, FACILITIES, AND
14 ACCESS EASEMENT ON, OVER, UNDER, THROUGH, AND
15 ACROSS THE CLOSURE AREA; PROVIDING FOR APPROVAL
16 SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE
17 DATE.

18
19 **BE IT ORDAINED** by the Council of the City of Jacksonville:

20 **Section 1. Closure and Abandonment.** An unopened and
21 unimproved portion of Kona Avenue as recorded in Plat Book 8, Pages
22 23-25, Oakwood Villa Estates, of the current public records of Duval
23 County, Florida, located in Council District 1, a depiction and
24 description of which is attached hereto as **Exhibit 1** and incorporated
25 herein by this reference, is hereby closed and abandoned and/or
26 disclaimed at the request of North Florida School of Special
27 Education, Inc. (the "Applicant"), subject unto reservation unto City
28 and JEA of a non-exclusive all-utilities, facilities, and access
29 easement on, over, under, through, and across the closure area.

30 The Applicant has paid the closure application fees of \$2,091.00
31 and this sum has been deposited into the City's General Fund. This

1 closure request was reviewed and approved by the various city, state,
2 and utility agencies that might have an interest in the right-of-way
3 and there were no objections to the Applicant's request.

4 **Section 2. Purpose.** The Applicant has requested this
5 closure to connect its adjacent properties and create the additional
6 parking required under code as a result of renovating and utilizing
7 the former Lee & Cates building for special needs clients.

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

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

19
20 Form Approved:

21
22 /s/ Harry M. Wilson, IV

23 Office of General Counsel

24 Legislation Prepared By: Harry M. Wilson, IV

25 GC-#1689310-v1-Kona_Avenue_ROW_Closure.docx