

1 Introduced by the Council President at the request of the Mayor:  
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4 **ORDINANCE 2019-846**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR  
6 DISCLAIMING A JACKSONVILLE HEIGHTS UNOPENED  
7 AND UNIMPROVED RIGHT-OF-WAY ESTABLISHED IN  
8 PLAT BOOK 5, PAGE 93 OF THE PUBLIC RECORDS OF  
9 DUVAL COUNTY, IN COUNCIL DISTRICT 9, AT THE  
10 REQUEST OF CORNER LOT DEVELOPMENT GROUP, LLC,  
11 SUBJECT TO RESERVATION UNTO JEA OF A 15-FOOT  
12 EASEMENT OVER THE NORTHERLY 15 FEET OF THE  
13 CLOSED RIGHT-OF-WAY; PROVIDING FOR APPROVAL  
14 SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE  
15 DATE.  
16

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

18 **Section 1. Closure and Abandonment.** A Jacksonville  
19 Heights unopened and unimproved right-of-way established in Plat  
20 Book 5, Page 93 of the Public Records of Duval County, in Council  
21 District 9, a description of which is attached hereto as **Exhibit 1**  
22 and incorporated herein by this reference, is hereby closed and  
23 abandoned and/or disclaimed as a right-of-way at the request of  
24 Corner Lot Development Group, LLC (the "Applicant"); provided,  
25 however, there is reserved unto JEA a 15-foot easement on, over,  
26 across, and under the northerly 15 feet of the closed right-of-way  
27 for ingress and egress and for all utilities, including but not  
28 limited to water, sewer, and electric. This request is contingent  
29 upon the pending approval of the Florida Department of  
30 Transportation; otherwise, there are no city, state, or other  
31 agency objections to this closure request. Applicant has paid the

1 right-of-way closure application fee of \$2,091.00, and this amount  
2 has been deposited into the General Fund, PWRE011-34907.

3 **Section 2. Purpose.** The Applicant is requesting the  
4 closure of the right-of-way to accommodate the proposed plat of a  
5 single-family residential neighborhood for a single-family  
6 residential community containing 116 lots.

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

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20 Form Approved:

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22  /s/ James R. McCain, Jr.

23 Office of General Counsel

24 Legislation prepared by: James R. McCain, Jr.

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