

1 Introduced by the Council President at the request of the Mayor and  
2 amended by the Transportation, Energy and Utilities Committee:  
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5 **ORDINANCE 2024-799-E**

6 AN ORDINANCE CLOSING AND ABANDONING AND/OR  
7 DISCLAIMING AN OPENED AND IMPROVED PORTION OF  
8 MAITLAND AVENUE, FORMERLY KNOWN AS 10<sup>TH</sup> STREET,  
9 AS ESTABLISHED IN PLAT BOOK 4, PAGE 19 OF THE  
10 PLAT OF ARLINGTON HEIGHTS OF THE CURRENT PUBLIC  
11 RECORDS OF DUVAL COUNTY, FLORIDA, LOCATED IN  
12 COUNCIL DISTRICT 1, AT THE REQUEST OF ARLINGTON  
13 CHURCH OF CHRIST, JACKSONVILLE, FLORIDA, INC.  
14 SUBJECT TO RESERVATION UNTO THE CITY OF  
15 JACKSONVILLE AND JEA OF AN ALL UTILITIES,  
16 FACILITIES AND ACCESS EASEMENT OVER THE CLOSURE  
17 AREA; PROVIDING FOR APPROVAL SUBJECT TO  
18 CONDITIONS; PROVIDING AN EFFECTIVE DATE.  
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20 **BE IT ORDAINED** by the Council of the City of Jacksonville:

21 **Section 1. Closure and Abandonment.** An opened and improved  
22 portion of Maitland Avenue, formerly known as 10<sup>th</sup> Street, as  
23 established in Plat Book 4, Page 19 of the Plat of Arlington Heights  
24 of the Current Public Records of Duval County, Florida, located in  
25 Council District 1, a depiction and description of which is attached  
26 hereto as **Exhibit 1** and incorporated herein by this reference, is  
27 hereby closed and abandoned and/or disclaimed at the request of  
28 Arlington Church of Christ, Jacksonville, Florida, Inc. (the  
29 "Applicant"); provided, however, there is reserved unto the City of  
30 Jacksonville and JEA an all utilities, facilities and access easement  
31 on, over, under, through and across the closure area for ingress and

1 egress and for all utilities and facilities, including but not limited  
2 to, water, sewer, drainage and electric, so as to provide the City  
3 and JEA continued access to repair and maintain these utilities and  
4 facilities.

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

10 **Section 2. Purpose.** The Applicant owns real property on  
11 either side of the closure area (R.E. Nos. 141435-0000 and  
12 141462-0005) and has requested this closure to combine the lots into  
13 a single property and restrict traffic to the area.

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

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

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26 Form Approved:

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28           /s/ Mary E. Staffopoulos          

29 Office of General Counsel

30 Legislation Prepared By: Harry M. Wilson, IV

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