

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2021-780**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND UNIMPROVED PORTION OF
7 JACKSONVILLE HEIGHTS RIGHT-OF-WAY ESTABLISHED
8 IN THE MAP SHOWING LANDS OF JACKSONVILLE HEIGHTS
9 IMPROVEMENT CO., AS RECORDED IN PLAT BOOK 5,
10 PAGE 93 OF THE PUBLIC RECORDS OF DUVAL COUNTY,
11 FLORIDA, IN COUNCIL DISTRICT 12, AT THE REQUEST
12 OF KB HOME JACKSONVILLE LLC; PROVIDING FOR
13 APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN
14 EFFECTIVE DATE.
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16 **BE IT ORDAINED** by the Council of the City of Jacksonville:

17 **Section 1. Closure and Abandonment.** An opened and
18 unimproved portion of Jacksonville Heights right-of-way, established
19 in the Map Showing Lands of Jacksonville Heights Improvement Co., as
20 recorded in Plat Book 5, Page 93 of the public records of Duval
21 County, Florida, located in Council District 12, a description of
22 which is attached hereto as **Exhibit 1** and incorporated herein by this
23 reference, is hereby closed and abandoned and/or disclaimed as a
24 right-of-way at the request of KB Home Jacksonville LLC (the
25 "Applicant"). The Applicant paid the right-of-way closure
26 application fee of \$2,091.00, which has been deposited into the
27 General Fund. This closure request was reviewed and approved by the
28 various city, state, and utility agencies that might have an interest
29 in the right-of-way and there were no objections to the Applicant's
30 request.

31 **Section 2. Purpose.** The Applicant owns the parcel on

1 either side of the right-of-way (R.E. No. 016391-0110) and is
2 requesting the closure in order to develop a residential subdivision
3 to be known as "Copper Ridge", subject to the conditions set forth
4 herein.

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

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

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18 Form Approved:

19
20 /s/ Mary E. Staffopoulos

21 Office of General Counsel

22 Legislation prepared by: Mary E. Staffopoulos

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