

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

4 **ORDINANCE 2022-205-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION
7 OF THE BAHAMA AVENUE RIGHT-OF-WAY, ESTABLISHED
8 IN THE EVEREST HEIGHTS REPLAT, AS RECORDED IN
9 PLAT BOOK 12, PAGE 44 OF THE CURRENT PUBLIC
10 RECORDS OF DUVAL COUNTY, FLORIDA, IN COUNCIL
11 DISTRICT 10, AT THE REQUEST OF SHAW'S LAND
12 PROPERTIES, LLC; PROVIDING FOR APPROVAL SUBJECT
13 TO CONDITIONS; PROVIDING AN EFFECTIVE DATE.
14

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

16 **Section 1. Closure and Abandonment.** An unopened and
17 unimproved portion of the Bahama Avenue right-of-way established in
18 the Everest Heights Replat, as recorded in Plat Book 12, Page 44 of
19 the current public records of Duval County, Florida, located in
20 Council District 10, a description and depiction of which is attached
21 hereto as **Exhibit 1** and incorporated herein by this reference, is
22 hereby closed and abandoned and/or disclaimed as a right-of-way at
23 the request of Shaw's Land Properties, LLC (the "Applicant"). The
24 Applicant paid the right-of-way closure application fee of \$2,091.00,
25 which has been deposited into the General Fund. This closure request
26 was reviewed and approved by the various city, state, and utility
27 agencies that might have an interest in the right-of-way and there
28 were no objections to the Applicant's request.

29 **Section 2. Purpose.** The Applicant owns property adjacent
30 to the closure area at 0 Jean Place (R.E. No. 005349-0000) and is
31 requesting the closure to connect Applicant's properties on either

1 side of the closure area.

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

10 **Section 4. Effective Date.** This Ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.

13
14 Form Approved:

15
16 _____/s/ Mary E. Staffopoulos_____

17 Office of General Counsel

18 Legislation prepared by: Mary E. Staffopoulos

19 GC-#1487109-v1-Bahama_Ave_ROW_Closure_(Shaws_Land_Properties).docx