

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2019-324-E**

5 AN ORDINANCE AUTHORIZING THE MAYOR AND
6 CORPORATION SECRETARY TO EXECUTE AND DELIVER,
7 FOR AND ON BEHALF OF THE CITY, AN AERIAL
8 EASEMENT GRANTING TO MAINSTREET CV 76 S. LAURA
9 ST., LLC AN AERIAL EASEMENT ABOVE THE HOGAN
10 STREET RIGHT-OF-WAY, STARTING ON THE SECOND
11 FLOOR OF THE HYATT HOTEL AND REACHING UP TO
12 THE ROOF TOP, NEEDED BY THE HYATT HOTEL IN
13 DOWNTOWN JACKSONVILLE TO EXTEND ITS PREMISES
14 ABOVE THE HOGAN STREET RIGHT-OF-WAY; PROVIDING
15 FOR GRANT OF AERIAL EASEMENT SUBJECT TO
16 CONDITIONS; PROVIDING AN EFFECTIVE DATE.
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18 **BE IT ORDAINED** by the Council of the City of Jacksonville:

19 **Section 1. Execution of Aerial Easement authorized.** The
20 Mayor, or his designee, and the Corporation Secretary are hereby
21 authorized to execute and deliver, for and on behalf of the City:
22 an Aerial Easement, in substantially the same form set forth in
23 **Exhibit 1**, attached hereto, granting to Mainstreet CV 76 S. Laura
24 St. LLC (the "Grantee") an unobstructed aerial easement above the
25 Hogan Street right-of-way, starting on the second floor of the
26 Hyatt Hotel and reaching up to the roof top. The aerial easement is
27 needed for the Hyatt Hotel in downtown Jacksonville to extend its
28 premises above the Hogan Street right-of-way. There were no
29 objections to the granting of this aerial easement by any city,
30 state, or utility agencies.
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1 **Section 2. Hold Harmless Covenant.** The grant by
2 the City of the aerial easement area is subject to the execution
3 and delivery to the City by Grantee of a hold harmless covenant in
4 substantially the same form attached hereto as **Exhibit 2** and
5 incorporated herein by this reference. Accordingly, aerial easement
6 shall not be recorded in the Public Records until execution and
7 delivery to the City by Applicant of the required hold harmless
8 covenant.

9 **Section 3. Effective Date.** This ordinance shall become
10 effective upon signature by the Mayor or upon becoming effective
11 without the Mayor's signature.

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13 Form Approved:

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15 /s/ James R. McCain, Jr.

16 Office of General Counsel

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

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