

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2021-584**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND IMPROVED PORTION OF
7 THE MITCHELL AVENUE RIGHT-OF-WAY ESTABLISHED IN
8 THE MITCHELL PLACE PLAT, AS RECORDED IN PLAT
9 BOOK 17, PAGE 46 OF THE CURRENT PUBLIC RECORDS
10 OF DUVAL COUNTY, FLORIDA, IN COUNCIL DISTRICT 5,
11 AT THE REQUEST OF SKINNER JONES GOODIN -
12 MITCHELL PLACE LLC, SUBJECT TO RESERVATION UNTO
13 JEA OF AN ALL UTILITIES AND FACILITIES EASEMENT
14 OVER THE CLOSED PORTION OF THE RIGHT-OF-WAY;
15 PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS;
16 PROVIDING AN EFFECTIVE DATE.
17

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

19 **Section 1. Closure and Abandonment.** An opened and improved
20 portion of the Mitchell Avenue right-of-way established in the
21 Mitchell Place Plat, as recorded in Plat Book 17, Page 46 of the
22 current public records of Duval County, Florida, located in Council
23 District 5, a description of which is attached hereto as **Exhibit 1**
24 and incorporated herein by this reference, is hereby closed and
25 abandoned and/or disclaimed as a right-of-way at the request of
26 Skinner Jones Goodin - Mitchell Place LLC (the "Applicant"); provided
27 however, there is reserved unto JEA an all utilities and facilities
28 easement on, over, across, and under the closed right-of-way for
29 ingress and egress and for all utilities and facilities, including
30 but not limited to, water, sewer and electric, so as to provide JEA
31 continued access to repair and maintain these utilities and facilities

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

7 **Section 2. Purpose.** The Applicant is requesting the
8 closure to secure the area to prevent dumping of litter and waste
9 within the closed right-of-way and Applicant's adjacent property
10 (R.E. No. 082119-0000), subject to the conditions set forth herein.

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

19 **Section 4. Effective Date.** This Ordinance shall become
20 effective upon signature by the Mayor or upon becoming effective
21 without the Mayor's signature.

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23 Form Approved:

24
25 /s/ Mary E. Staffopoulos

26 Office of General Counsel

27 Legislation prepared by: Mary E. Staffopoulos

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