

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2024-947-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND IMPROVED PORTION OF
7 GURTLER ROAD RIGHT-OF-WAY, AS RECORDED IN DEED
8 BOOK 1215, PAGE 96 OF THE FORMER PUBLIC RECORDS
9 OF DUVAL COUNTY, FLORIDA, LOCATED IN COUNCIL
10 DISTRICT 12, AT THE REQUEST OF APPLICANT
11 QUIKTRIP CORPORATION; SUBJECT TO RESERVATION
12 UNTO CITY OF A NON-EXCLUSIVE ALL UTILITIES,
13 FACILITIES AND ACCESS EASEMENT OVER THE CLOSURE
14 AREA; PROVIDING FOR APPROVAL SUBJECT TO
15 CONDITIONS; PROVIDING AN EFFECTIVE DATE.
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17 **BE IT ORDAINED** by the Council of the City of Jacksonville:

18 **Section 1. Closure and Abandonment.** An opened and improved
19 portion of Gurtler Road Right-of-Way, as recorded in Deed Book 1215,
20 Page 96 of the former public records of Duval County, Florida, located
21 in Council District 12, a depiction and description of which is
22 attached hereto as **Exhibit 1** and incorporated herein by this
23 reference, is hereby closed and abandoned and/or disclaimed at the
24 request of Quiktrip Corporation (the "Applicant"); provided however,
25 there is reserved unto City a non-exclusive all utilities, facilities
26 and access easement on, over, under, through and across the closure
27 area for ingress and egress and for all utilities and facilities.

28 The Applicant has paid the closure application fee of \$2,091.00
29 and this sum has been deposited into the City's General Fund. This
30 closure request was reviewed and approved by the various city, state,
31 and utility agencies that might have an interest in the right-of-way

1 and there were no objections to the Applicant's request.

2 **Section 2. Purpose.** The Applicant owns the fee parcel
3 where the closure area is located (R.E. # 001852-0100) and has
4 requested this closure to construct a fueling station and convenience
5 store.

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

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20 /s/ Harry M. Wilson, IV

21 Office of General Counsel

22 Legislation Prepared By: Harry M. Wilson, IV

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