

HOLD HARMLESS COVENANT

This **Hold Harmless Covenant** is hereby granted this ____ day of _____, 2023, by Jax Edgewood Partners LLC, whose address is **1801 5th Ave. N. Ste 300**, Birmingham, Alabama 35203 (“Grantor”) in favor of the **CITY OF JACKSONVILLE**, a consolidated political subdivision and municipal corporation existing under the laws of the State of Florida, whose mailing address is 117 West Duval Street, Jacksonville, Florida 32202 (“City”).

IN CONSIDERATION for the closure and/or abandonment of City right-of-way or easement areas pursuant to **CITY ORDINANCE** _____, a copy of which is attached hereto and incorporated by reference (the “Ordinance”), located near **RE# 088298-0100** in Council District 9 and established via Ordinance 2022-263-E as recorded in the **Official Records Book 20293, Page 735**.

Grantor, its successors and assigns, holds harmless, indemnifies, and will defend **CITY OF JACKSONVILLE**, its members, officials, officers, employees, and agents against any claim, action, loss, damage, injury, liability, cost and expense of whatever kind or nature (including, but not by way of limitation, attorney fees and court costs) arising out of injury (whether mental or corporeal) to persons, including death, or damage to property, arising out of or incidental to the use of the abandoned right-of-way or easement areas, more particularly described in **Exhibit “A”**, attached hereto and incorporated herein by reference (the “Property”); including, but not limited to such injuries or damages resulting from flooding or erosion. This **Hold Harmless Covenant** shall run with the real property described in **Exhibit “A”**. The adjacent property owner(s) who acquire the Property as a result of the abandonment shall be responsible for maintaining the Property.

Furthermore, the Property shall remain totally unobstructed by any permanent improvements that may impede the use by the City or JEA of their reserved easement rights, if any, under the provisions of the reserved easement and/or the Ordinance. In the event that such easement rights are reserved by City or JEA: (a) the construction of driveways and the installation of fences, hedges, and landscaping is permissible but subject to removal or damage by the City or JEA at the expense of the Grantor, its successors and assigns, for any repairs to or replacement of the improvements; and (b) Grantor, its successors and assigns, shall indemnify, defend, and hold City and JEA harmless from, any and all loss, damage, action, claim, suit, judgment, cost, or expense for injury to persons (including death) or damage to property and improvements (including destruction), in any manner resulting from or arising out of the installation, replacement, maintenance or failure to maintain, or removal of any improvements placed within the easement area by Grantor, its successors or assigns, and the City’s or JEA’s exercise of their rights in the reserved easement.

**Signed and Sealed
in Our Presence:**

GRANTOR:

(Sign) _____

By: _____

(Print) _____

Name:

Title:

(Sign) _____

(Print) _____

**STATE OF FLORIDA
COUNTY OF DUVAL**

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____ 2023, by _____.

{NOTARY SEAL}

[Signature of Notary Public-State of Florida]
[Name of Notary Typed, Printed, or Stamped]

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

EXHIBIT "A"



VISION • EXPERIENCE • RESULTS

www.etm-inc.com

tel 904-642-8550 • fax 904-642-4165

14775 Old St. Augustine Road • Jacksonville, Florida 32258

September 23, 2022

Work Order No. 22-178.03

File No. 1281-04.03B

Easement Release

A portion of John M. Stevens Subdivision of part of the Chas. F. Sibbald Grant Sec 55 and Lot 4 Sec 5 T.2S.-R.26E, recorded in Plat Book 4, page 85, of the current Public Records of Duval County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the intersection of the Northerly right of way line of West 12th Street, a variable width right of way as presently established, with the Easterly right of way line of Edgewood Avenue North, a 100 foot right of way as presently established; thence South 88°35'46" East, along said Northerly right of way line, 580.17 feet to the Southeasterly corner of Lot 36 as depicted on said John M. Stevens Subdivision of Part of the Chas. F. Sibbald Grant Sec 55 and Lot 4 Sec 5 T.2S.-R.26E, said corner lying on the Westerly right of way line of Stevens Avenue, as closed per City of Jacksonville Ordinance 2022-263-E and the Point of Beginning.

From said Point of Beginning, thence North 01°53'03" East, departing said Northerly right of way line of West 12th Street, and along said Westerly right of way line of Stevens Avenue, 509.00 feet to the Southeasterly corner of those lands described and recorded in Official Records Book 18122, page 2014 of said current Public Records; thence North 89°53'54" East, along the Easterly prolongation of the Southerly line of last said lands, 25.02 feet to the centerline of said Stevens Avenue; thence South 01°04'03" West, along said centerline, 5.50 feet; thence South 88°55'57" East, departing said centerline, 24.92 feet to a point lying on the Easterly right of way line of said Stevens Avenue; thence South 01°53'03" West, along said Easterly right of way line, 504.30 feet to a point lying on said Northerly right of way line of West 12th Street; thence North 88°35'46" West, along said Northerly right of way line, 50.00 feet to the Point of Beginning.

Containing 0.58 acres, more or less.

APPROVED

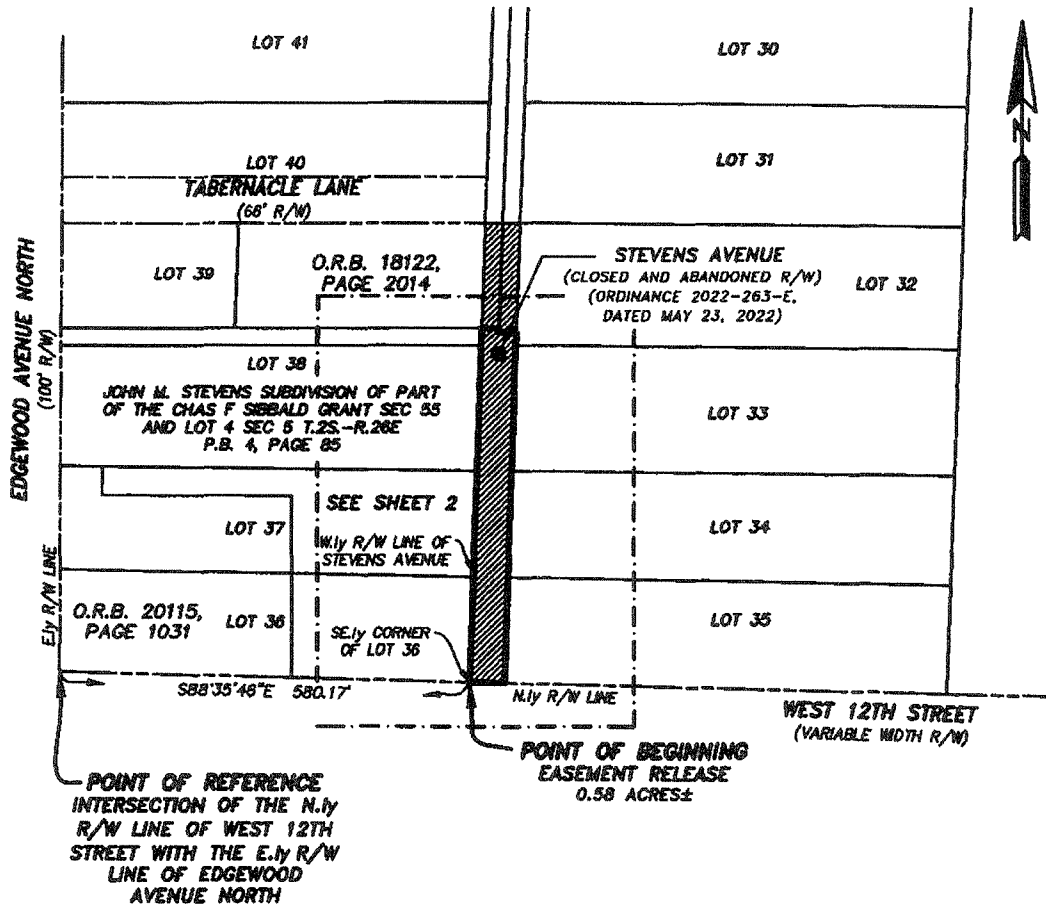
DESCRIPTION AGREES WITH MAP


CITY ENGINEERS OFFICE TOPO/SURVEY BRANCH

By SCC Date 10/18/22

SKETCH TO ACCOMPANY DESCRIPTION OF

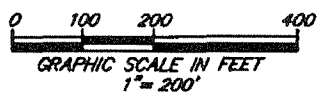
A PORTION OF JOHN M. STEVENS SUBDIVISION OF PART OF THE CHAS. F. SIBBALD GRANT SEC 55 AND LOT 4 SEC 5 T.2S.-R.26E, RECORDED IN PLAT BOOK 4, PAGE 85, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.



- LEGEND:**
 P.B. PLAT BOOK
 O.R.B. OFFICIAL RECORDS BOOK
 R/W RIGHT OF WAY
 SQ. FT. SQUARE FEET
 CLOSED AND ABANDONED RIGHT OF WAY

SHEET 1 OF 2


- GENERAL NOTES:**
 1) THIS IS NOT A SURVEY.
 2) BEARINGS BASED ON THE NORTHERLY RIGHT OF WAY LINE OF WEST 12TH STREET AS BEING SOUTH 88°35'46" EAST.



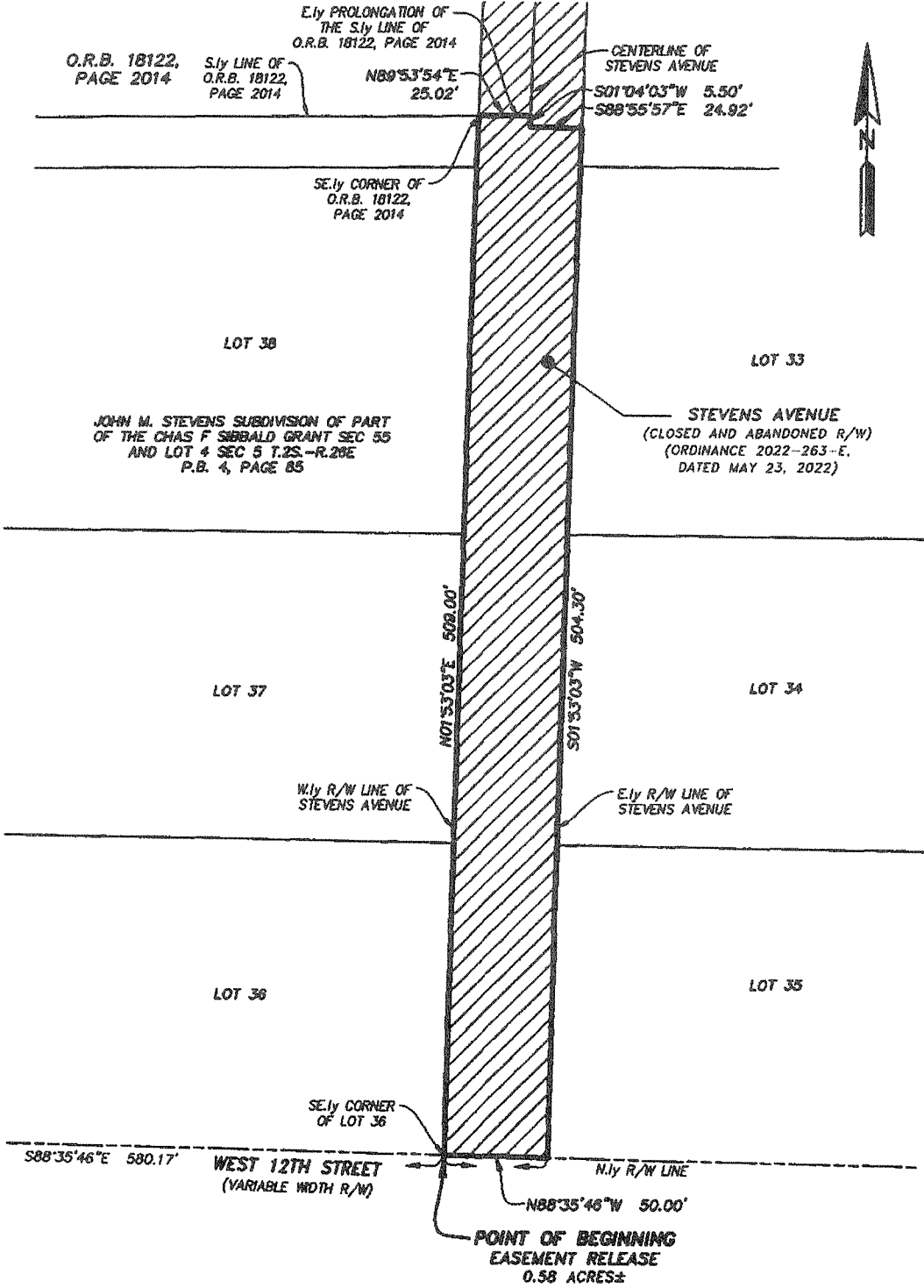
14775 Old St. Augustine Road, Jacksonville, FL 32258
 Tel: (904) 842-8550 Fax: (904) 842-4165
 Certificate of Authorization No.: LB 3824

SCALE: 1"=200'
 DATE: SEPTEMBER 23, 2022

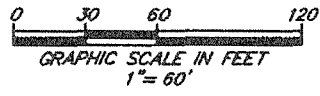
THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

 Digital Signature by: Bob L. Pittman, P.S.M.
BOB L. PITTMAN
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA PSM No. 4827

A PORTION OF JOHN M. STEVENS SUBDIVISION OF PART OF THE CHAS. F. SIBBALD GRANT SEC 55 AND LOT 4 SEC 5 T.2S.-R.26E, RECORDED IN PLAT BOOK 4, PAGE 85, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.



LEGEND:
 P.B. PLAT BOOK
 O.R.B. OFFICIAL RECORDS BOOK
 R/W RIGHT OF WAY
 SQ. FT. SQUARE FEET
 CLOSED AND ABANDONED RIGHT OF WAY



SHEET 2 OF 2
 SEE SHEET 1 FOR GENERAL NOTES.

PREPARED BY:
ETM SURVEYING & MAPPING, INC.
 14775 OLD ST. AUGUSTINE ROAD
 JACKSONVILLE, FL 32238 (904) 643-8550
 CERTIFICATE OF AUTHORIZATION NO. LB 3824



VISION • EXPERIENCE • RESULTS

www.etm-inc.com

tel 904-642-8550 • fax 904-642-4165

14775 Old St. Augustine Road • Jacksonville, Florida 32258

September 21, 2022

Work Order No. 22-178.03

File No. 128I-04.03A

Temporary Ditch Easement

A portion of John M. Stevens Subdivision of part of the Chas. F. Sibbald Grant Sec 55 and Lot 4 Sec 5 T.2S.-R.26E, recorded in Plat Book 4, page 85, of the current Public Records of Duval County, Florida, being more particularly described as follows:

For a Point of Reference, commence at the intersection of the Northerly right of way line of West 12th Street, a variable width right of way as presently established, with the Easterly right of way line of Edgewood Avenue North, a 100 foot right of way as presently established; thence South 88°35'46" East, along said Northerly right of way line, 1171.63 feet to the Point of Beginning.

From said Point of Beginning, thence North 00°31'05" East, departing said Northerly right of way line, 451.65 feet; thence North 44°12'26" West, 8.24 feet; thence North 88°55'57" West, 611.84 feet; thence Due North, 54.21 feet to a point lying on the Southerly line of those lands described and recorded in Official Records Book 18122, page 2014 of said current Public Records; thence North 89°53'54" East, along said Southerly line and its Easterly prolongation, 63.87 feet to the centerline of Stevens Avenue, as closed per City of Jacksonville Ordinance 2022-263-E; thence South 01°04'03" West, along said centerline, 5.50 feet; thence South 88°55'57" East, departing said centerline, 546.88 feet to the point of curvature of a curve concave Southwesterly having a radius of 60.00 feet; thence Southeasterly along the arc of said curve, through a central angle of 89°27'02", an arc length of 93.67 feet to the point of tangency of said curve, said arc being subtended by a chord bearing and distance of South 44°12'26" East, 84.44 feet; thence South 00°31'05" West, 448.33 feet to a point lying on said Northerly right of way line of West 12th Street; thence North 88°35'46" West, along said Northerly right of way line, 52.01 feet to the Point of Beginning.

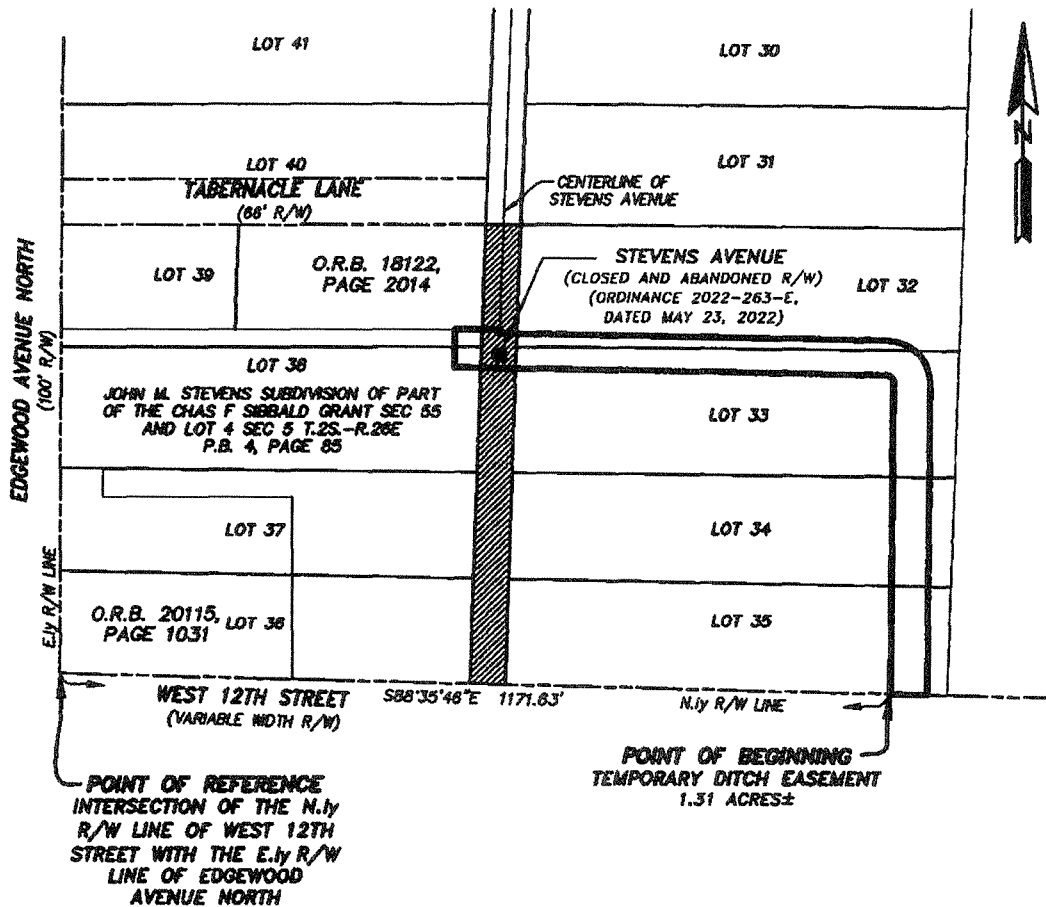
Containing 1.31 acres, more or less.


APPROVED
DESCRIPTION AGREES
WITH MAP
CITY ENGINEERS OFFICE
TOPO/SURVEY BRANCH

By SCC Date 10/10/22

SKETCH TO ACCOMPANY DESCRIPTION OF

A PORTION OF JOHN M. STEVENS SUBDIVISION OF PART OF THE CHAS. F. SIBBALD GRANT SEC 55 AND LOT 4 SEC 5 T.2S.-R.26E, RECORDED IN PLAT BOOK 4, PAGE 85, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED IN SEPARATE ATTACHMENT.

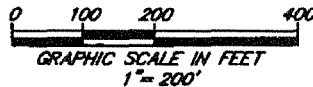


- LEGEND:**
 P.B. PLAT BOOK
 O.R.B. OFFICIAL RECORDS BOOK
 R/W RIGHT OF WAY
 SQ. FT. SQUARE FEET
 CLOSED AND ABANDONED RIGHT OF WAY

SHEET 1 OF 2

GENERAL NOTES:

- 1) THIS IS NOT A SURVEY.
- 2) BEARINGS BASED ON THE NORTHERLY RIGHT OF WAY LINE OF WEST 12TH STREET AS BEING SOUTH 88°35'46" EAST.



ETM
 Surveying & Mapping, Inc.
 VISION • EXPERIENCE • RESULTS

14775 Old St. Augustine Road, Jacksonville, FL 32258
 Tel: (904) 842-8550 Fax: (904) 842-4165
 Certificate of Authorization No.: LB 3824

SCALE: 1"=200'

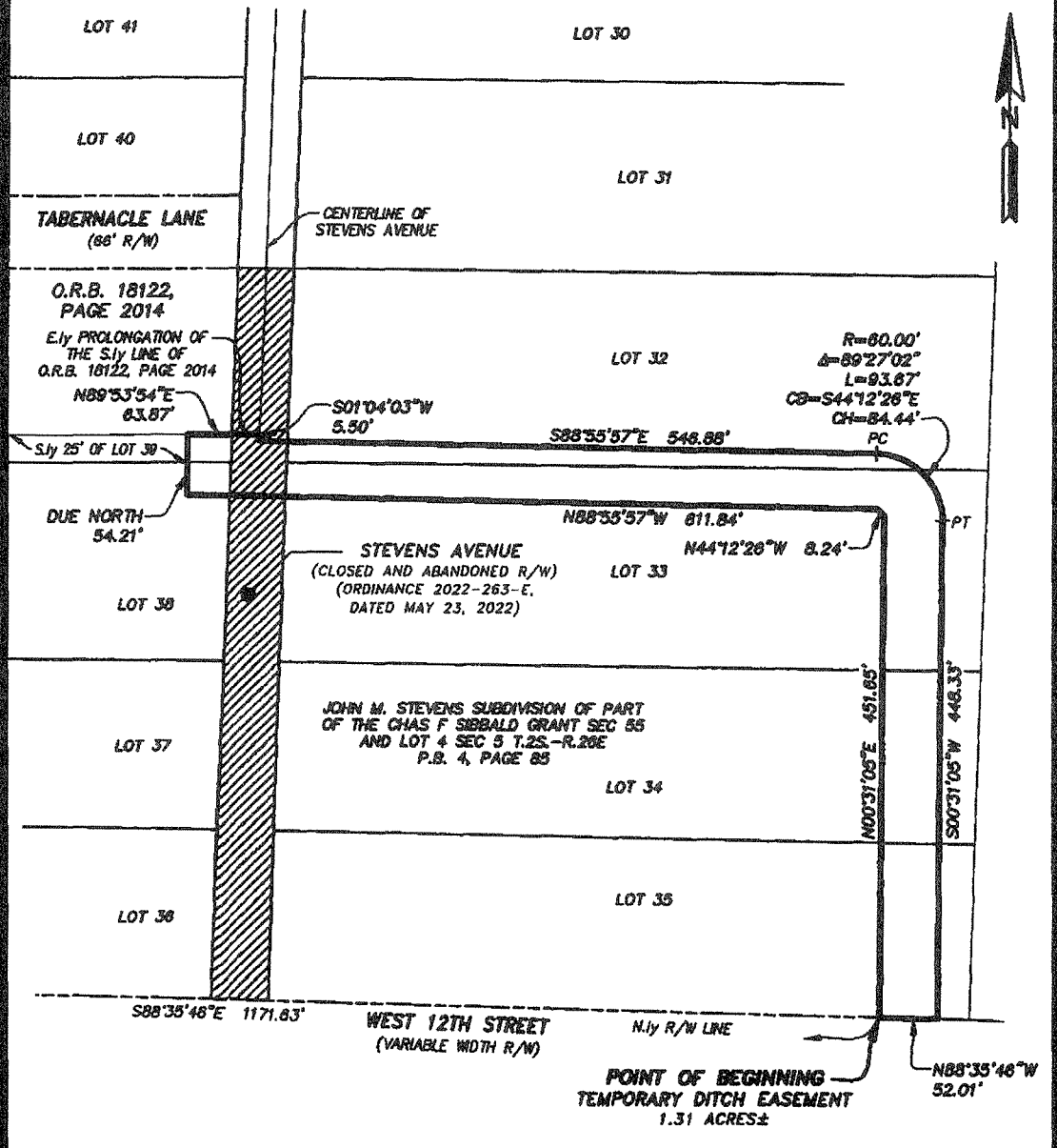
DATE: SEPTEMBER 21, 2022

BOB L. PITTMAN
 PROFESSIONAL SURVEYOR AND MAPPER
 STATE OF FLORIDA PSM No. 4827

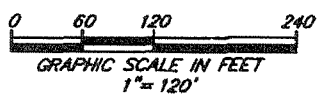


Digital Signature
 by: Bob L.
 Pittman, P.S.M.

A PORTION OF JOHN M. STEVENS SUBDIVISION OF PART OF THE CHAS. F. SIBBALD GRANT SEC 55 AND LOT 4 SEC 5 T.2S.-R.26E, RECORDED IN PLAT BOOK 4, PAGE 85, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA,



- LEGEND:
- P.B. PLAT BOOK
 - O.R.B. OFFICIAL RECORDS BOOK
 - R/W RIGHT OF WAY
 - SQ. FT. SQUARE FEET
 - CLOSED AND ABANDONED RIGHT OF WAY



SHEET 2 OF 2
SEE SHEET 1 FOR GENERAL NOTES.

PREPARED BY:
ETM SURVEYING & MAPPING, INC.
14778 OLD ST. AUGUSTINE ROAD
JACKSONVILLE, FL 32258 (904) 643-8550
CERTIFICATE OF AUTHORIZATION NO. LB 3824