

HOLD HARMLESS COVENANT

This **Hold Harmless Covenant** is hereby granted this ____ day of _____, 2024, by **JACKSONVILLE TRANSPORTATION AUTHORITY**, a body politic and corporate and an agency of the state of Florida, whose address is **100 LaVilla Center Drive, Jacksonville, Florida 32204** ("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 202** ____ - ____ -E, a copy of which is attached hereto and incorporated by reference (the "Ordinance"), located near **RE# 088968-0000** in **Council District 7** and as established in the **Plat of Brooklyn as recorded in Plat Book "AJ", Pages 722-724.**

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:
JACKSONVILLE TRANSPORTATION AUTHORITY**

(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 _____ 202__, by _____.

{NOTARY SEAL}

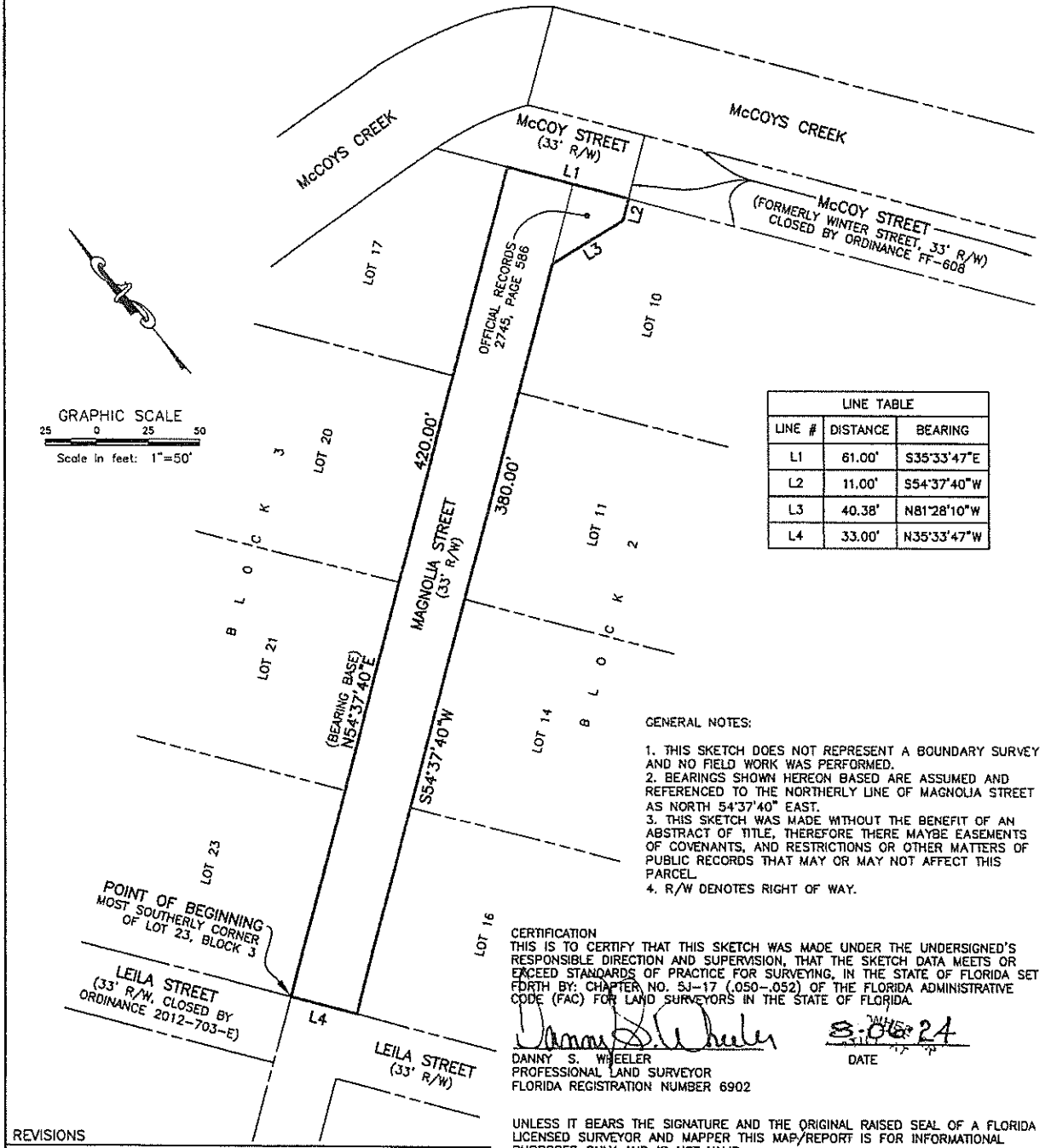
[Signature of Notary Public-State of Florida]
[Name of Notary Typed, Printed, or Stamped]

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

EXHIBIT "A"

MAP SHOWING SKETCH AND DESCRIPTION OF

A PORTION OF MAGNOLIA STREET, AS SHOWN ON MAP OF BROOKLYN, AS RECORDED IN DEED BOOK "AJ", PAGES 722-724 OF THE FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 FOR A POINT OF BEGINNING, COMMENCE AT THE MOST SOUTHERLY CORNER OF LOT 23, BLOCK 3, OF SAID MAP OF BROOKLYN; THENCE NORTH 54°37'40" EAST, ALONG THE NORTHERLY LINE OF SAID MAGNOLIA STREET, A DISTANCE OF 420.00 FEET TO ITS INTERSECTION WITH THE SOUTHWESTERLY LINE OF McCOY STREET AS SHOWN ON SAID MAP OF BROOKLYN; THENCE SOUTH 35°33'47" EAST, ALONG LAST SAID LINE, A DISTANCE OF 61.00 FEET TO THE MOST EASTERLY CORNER OF LANDS DESCRIBED AND RECORDED IN OFFICIAL RECORDS 2745, PAGE 586 OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY; THENCE SOUTH 54°37'40" WEST, ALONG THE SOUTHERLY LINE OF LAST SAID LANDS, A DISTANCE OF 11.00 FEET; THENCE NORTH 81°28'10" WEST, CONTINUING ALONG SAID SOUTHERLY LINE, A DISTANCE OF 40.38 FEET TO A POINT IN THE SOUTHERLY LINE OF SAID MAGNOLIA STREET; THENCE SOUTH 54°37'40" WEST, ALONG LAST SAID LINE, A DISTANCE OF 380.00 FEET TO THE POINT OF BEGINNING.
 THE ABOVE DESCRIBED LANDS CONTAINS 14,574 SQUARE FEET OR 0.33 ACRES, MORE OR LESS.



LINE TABLE		
LINE #	DISTANCE	BEARING
L1	61.00'	S35°33'47"E
L2	11.00'	S54°37'40"W
L3	40.38'	N81°28'10"W
L4	33.00'	N35°33'47"W

- GENERAL NOTES:
1. THIS SKETCH DOES NOT REPRESENT A BOUNDARY SURVEY AND NO FIELD WORK WAS PERFORMED.
 2. BEARINGS SHOWN HEREON BASED ARE ASSUMED AND REFERENCED TO THE NORTHERLY LINE OF MAGNOLIA STREET AS NORTH 54°37'40" EAST.
 3. THIS SKETCH WAS MADE WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE, THEREFORE THERE MAYBE EASEMENTS OF COVENANTS, AND RESTRICTIONS OR OTHER MATTERS OF PUBLIC RECORDS THAT MAY OR MAY NOT AFFECT THIS PARCEL.
 4. R/W DENOTES RIGHT OF WAY.

CERTIFICATION
 THIS IS TO CERTIFY THAT THIS SKETCH WAS MADE UNDER THE UNDERSIGNED'S RESPONSIBLE DIRECTION AND SUPERVISION, THAT THE SKETCH DATA MEETS OR EXCEED STANDARDS OF PRACTICE FOR SURVEYING, IN THE STATE OF FLORIDA SET FORTH BY: CHAPTER NO. 5J-17 (.050-.052) OF THE FLORIDA ADMINISTRATIVE CODE (FAC) FOR LAND SURVEYORS IN THE STATE OF FLORIDA.

DANNY S. WHEELER
 PROFESSIONAL LAND SURVEYOR
 FLORIDA REGISTRATION NUMBER 6902

DATE 8-06-24

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

REVISIONS	

SURVEY DATA:	
DATA DISK.	DATE 8/2/2024
SURVEY BOOK	SCALE 1"=50'
DRAWN BY SCC	PROJECT NO.
LAST DATE IN FIELD	N/A

Jacksonville
Where Florida Begins.

CITY OF JACKSONVILLE
DEPARTMENT OF PUBLIC WORKS

214 N. HOGAN STREET, ENGINEERING DIVISION 10th FLOOR,
JACKSONVILLE, FL. 32202 (904)255-8756

SHEET NO.	1
OF	1
DRAWING NO.	
DRAWING FILE	