

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2022-263**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION
7 OF THE STEVENS AVENUE RIGHT-OF-WAY, ESTABLISHED
8 IN THE JOHN M. STEVENS SUBDIVISION PLAT, AS
9 RECORDED IN PLAT BOOK 4, PAGE 85 OF THE CURRENT
10 PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, IN
11 COUNCIL DISTRICT 9, AT THE REQUEST OF OCEANSWIM
12 LLC, SUBJECT TO RESERVATION UNTO THE CITY OF
13 JACKSONVILLE OF A DRAINAGE EASEMENT; PROVIDING
14 FOR APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN
15 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 unopened and
19 unimproved portion of the Stevens Avenue right-of-way, established
20 in the John M. Stevens Subdivision Plat, as recorded in Plat Book 4,
21 Page 85 of the current public records of Duval County, Florida,
22 located in Council District 9, a depiction and description of which
23 is attached hereto as **Exhibit 1** and incorporated herein by this
24 reference, is hereby closed and abandoned and/or disclaimed as a
25 right-of-way at the request of OceanSwim LLC (the "Applicant");
26 provided however, there is reserved unto the City of Jacksonville a
27 drainage easement on, over, under, through and across the right-of-
28 way closure area. The Applicant paid the right-of-way closure
29 application fee of \$2,091.00 and this amount has been deposited into
30 the General Fund. This closure request was reviewed and approved by
31 the various city, state, and utility agencies that might have an

1 interest in the right-of-way and there were no objections to the
2 Applicant's request.

3 **Section 2. Purpose.** The Applicant owns property adjacent
4 to the closure area at 2305 North Edgewood Avenue (R.E. No. 088299-
5 0005) and is requesting the closure to construct a 295,000 square
6 foot enclosed light industrial commerce center that will target
7 tenants seeking between 2,500 and 10,000 square feet of enclosed
8 space.

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

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

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21 Form Approved:

22
23 _____
24 Office of General Counsel

25 Legislation prepared by: Mary E. Staffopoulos

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