

1 Introduced by the Council President at the request of the Mayor:

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4 **ORDINANCE 2025-605-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND IMPROVED RIGHT-OF-WAY,
7 WESTERN AVENUE, AS RECORDED IN PLAT BOOK 6, PAGE
8 16, DAHLS ADDITION TO GARDEN CITY, OF THE
9 CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA,
10 LOCATED IN COUNCIL DISTRICT 8, AT THE REQUEST OF
11 DAVID D. HOOD AND D.R. HORTON, INC.; PROVIDING
12 FOR APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN
13 EFFECTIVE DATE.
14

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

16 **Section 1. Closure and Abandonment.** An opened and improved
17 right-of-way, Western Avenue, as recorded in Plat Book 6, Page 16,
18 Dahls Addition to Garden City, of the current public records of Duval
19 County, Florida, located in Council District 8, a depiction and
20 description of which is attached hereto as **Exhibit 1** and incorporated
21 herein by this reference, is hereby closed and abandoned and/or
22 disclaimed at the request of David D. Hood and D.R. Horton, Inc.
23 (collectively, the "Applicant").

24 The Applicant has paid the closure application fee of \$2,091.00
25 and this sum has been deposited into the City's General Fund. This
26 closure request was reviewed and approved by the various city, state,
27 and utility agencies that might have an interest in the right-of-way
28 and there were no objections to the Applicant's request.

29 **Section 2. Purpose.** D.R. Horton, Inc. (See R.E.#: 019531-
30 0120) and David D. Hood (See R.E.#: 019466-0020) own the real property
31 where the closure area is located and has requested this closure in

1 preparation for Hansen Creek Phase II.

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

10 **Section 4. Effective Date.** This Ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.

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14 Form Approved:

15
16 Harry M. Wilson, IV

17 Office of General Counsel

18 Legislation Prepared By: Harry M. Wilson, IV

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