

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Transportation, Energy and Utilities Committee:

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5 **ORDINANCE 2020-227-E**

6 AN ORDINANCE CLOSING AND ABANDONING AND/OR
7 DISCLAIMING A DRAINAGE AND UTILITIES EASEMENT
8 ESTABLISHED IN THE MANDARIN MEADOWS UNIT 2
9 PLAT RECORDED IN PLAT BOOK 29, PAGE 67 OF THE
10 PUBLIC RECORDS OF DUVAL COUNTY, IN COUNCIL
11 DISTRICT 6, AT THE REQUEST OF VC MANDARIN
12 SENIOR HOUSING, LTD.; PROVIDING FOR APPROVAL
13 SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE
14 DATE.

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

17 **Section 1. Closure and Abandonment.** A drainage and
18 utilities easement established in the Mandarin Meadows Unit 2 Plat
19 recorded in Plat Book 29, Page 67 of the Public Records of Duval
20 County, in Council District 6, a description of which is attached
21 hereto as **Exhibit 1** and incorporated herein by this reference, is
22 hereby closed and abandoned and/or disclaimed as an easement at the
23 request of VC Mandarin Senior Housing, Ltd. (the "Applicant").
24 There are no city, state, or utilities agencies objections to this
25 abandonment request. Applicant has paid the easement abandonment
26 with encroachment application fee of \$516.00, and this amount has
27 been deposited into the General Fund, PWRE011-34907 or
28 00111.152001.349070.000000.00000000.000000.

29 **Section 2. Purpose.** The Applicant constructed an
30 assisted living facility over the easement without knowing of the

1 existence of the easement. The Applicant is requesting the
2 abandonment of the easement in order to establish clear title to
3 the property.

4 **Section 3. Hold Harmless Covenant.** The closure and
5 abandonment by the City of its interests in the drainage and
6 utilities easement is subject to the execution and delivery to the
7 City by Applicant ("Grantor") of a hold harmless covenant in
8 substantially the same form attached hereto as **Exhibit 2** and
9 incorporated herein by this reference. Accordingly, the closure and
10 abandonment of the easement shall not be recorded in the Public
11 Records until execution and delivery to the City by Grantor of the
12 required hold harmless covenant.

13 **Section 4. Effective Date.** This ordinance shall become
14 effective upon signature by the Mayor or upon becoming effective
15 without the Mayor's signature.

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17 Form Approved:

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19 /s/ Paige H. Johnston

20 Office of General Counsel

21 Legislation prepared by: James R. McCain, Jr.

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