

## **HOLD HARMLESS COVENANT**

This **Hold Harmless Covenant** is hereby granted this \_\_\_\_ day of \_\_\_\_\_, 2025, by **Transport Direct LLC**, whose address is **1541 Kelby Road, Kissimmee, Florida 34744** ("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 2025-\_\_\_\_\_**, a copy of which is attached hereto and incorporated by reference (the "Ordinance"), located near **RE# 048113-0000** in **Council District 10** and established in the **Map of Grand Park** plat as recorded in Official Public Records of Duval County, Florida at **Plat Book 2, Page 59 and 60**.

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 \_\_\_\_\_, 2025, by \_\_\_\_\_.

{NOTARY SEAL}

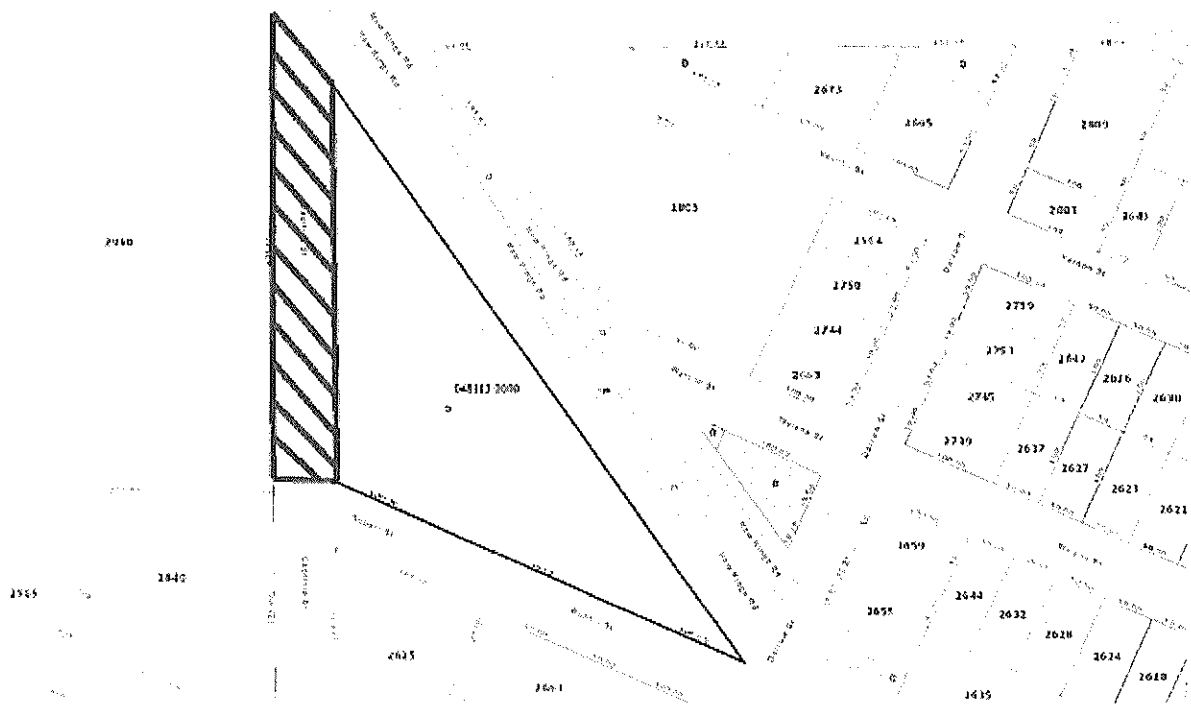
\_\_\_\_\_  
[Signature of Notary Public-State of Florida]

\_\_\_\_\_  
[Name of Notary Typed, Printed, or Stamped]

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

# EXHIBIT "A"



\*\*The City of Jacksonville provides no warranties, express or implied, concerning the accuracy, completeness or reliability or suitability of this location map for any particular use.

RE 048113-0000 For location purposes.

THAT PORTION OF CAPITOLA STREET (FORMERLY AVENUE M, A 60 FOOT RIGHT OF WAY) BEING BOUNDED ON THE SOUTH BY THE NORTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF BLOCK 84, AS SHOWN ON PLAT OF GRAND PARK, AS RECORDED IN PLAT BOOK 2, PAGES 59 AND 60 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND BOUNDED ON THE NORTH BY THE SOUTHWESTERLY RIGHT OF WAY LINE OF NEW KINGS ROAD (STATE ROAD NO. 15, A VARIABLE WIDTH RIGHT OF WAY PER STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT OF WAY MAP, SECTION 7208, PROJECT NO. 143, LAST REVISION DATE: 8-16-1985).

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

By SCC ate 2/13/23