

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2021-814**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING THE DRAINAGE EASEMENT RECORDED IN
7 OFFICIAL RECORDS BOOK 1145, PAGE 498 OF THE
8 CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA,
9 LOCATED IN COUNCIL DISTRICT 10, AT THE REQUEST
10 OF ROBERT'S DIESEL SERVICE, INC.; PROVIDING FOR
11 APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN
12 EFFECTIVE DATE.
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14 **BE IT ORDAINED** by the Council of the City of Jacksonville:

15 **Section 1. Closure and Abandonment.** The drainage easement
16 recorded in Official Records Book 1145, Page 498 of the current public
17 records of Duval County, Florida, located in Council District 10, a
18 description of which is attached hereto as **Exhibit 1** and incorporated
19 herein by this reference, is hereby closed and abandoned and/or
20 disclaimed as a drainage easement at the request of Robert's Diesel
21 Service, Inc. (the "Applicant"). The Applicant paid the easement
22 closure application fee of \$1,066.00, which has been deposited into
23 the General Fund. This closure request was reviewed and approved by
24 the various city, state, and utility agencies that might have an
25 interest in the drainage easement and there were no objections to the
26 Applicant's request.

27 **Section 2. Purpose.** The Applicant owns the parcel
28 adjacent to this drainage easement (R.E. No. 048970-0000) and is
29 requesting the closure in order to use the closed easement area for
30 storage and maintenance of school buses. The subject drainage
31 easement is not utilized and there is no City infrastructure in the

1 easement area.

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

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

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15 Form Approved:

16
17 /s/ Mary E. Staffopoulos

18 Office of General Counsel

19 Legislation prepared by: Mary E. Staffopoulos

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