

1 Introduced by the Council President at the request of the Mayor:
2
3

4 **ORDINANCE 2024-942**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND IMPROVED PORTION OF
7 BEACHWAY ROAD AND WOODCOCK DRIVE RIGHTS-OF-WAY,
8 AS RECORDED IN PLAT BOOK 6, PAGE 7, AND PLAT
9 BOOK 31, PAGES 4,5 AND 5A OF F. RICHARD GRANT,
10 AND OFFICIAL RECORDS BOOK 2207, PAGE 123,
11 OFFICIAL RECORDS BOOK 2638, PAGE 651, AND
12 OFFICIAL RECORDS BOOK 2074, PAGE 342 OF THE
13 FORMER PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA,
14 LOCATED IN COUNCIL DISTRICT 5, AT THE REQUEST OF
15 CHRIS BAREFOOT, OWNER OF MIDTOWN CENTRE OFFICE,
16 LLC; SUBJECT TO RESERVATION UNTO CITY AND JEA
17 OF A NON-EXCLUSIVE ALL UTILITIES, FACILITIES AND
18 ACCESS EASEMENT OVER THE CLOSURE AREA; PROVIDING
19 FOR APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN
20 EFFECTIVE DATE.
21

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

23 **Section 1. Closure and Abandonment.** An opened and improved
24 portion of the Beachway Road and Woodcock Drive Rights-of-Way, as
25 recorded in Plat Book 6, Page 7, and Plat Book 31, Pages 4,5, and 5A
26 of F. Richard Grant, and Official Records Book 2207, Page 123,
27 Official Records Book 2368, Page 651, and Official Records Book 2704,
28 Page 342 of the former public records of Duval County, Florida,
29 located in Council District 5, a depiction and description of which
30 is attached hereto as **Exhibit 1** and incorporated herein by this
31 reference, is hereby closed and abandoned and/or disclaimed at the

1 request of Chris Barefoot, owner of Midtown Centre Office, LLC (the
2 "Applicant"); provided however, there is reserved unto City and JEA
3 a non-exclusive all utilities, facilities and access easement on,
4 over, under, through and across the closure area for ingress and
5 egress and for all utilities and facilities, so as to provide City
6 and JEA with continued access to repair and maintain utilities and
7 facilities in the area.

8 The Applicant has paid 2 closure application fees totaling
9 \$4,182.00 and this sum has been deposited into the City's General
10 Fund. This closure request was reviewed and approved by the various
11 city, state, and utility agencies that might have an interest in the
12 right-of-way and there were no objections to the Applicant's request.

13 **Section 2. Purpose.** The Applicant is the owner of Midtown
14 Centre Office, LLC, the fee simple owner of various parcels of real
15 property on which the closure area is located (see i.e. RE # 136611-
16 0000 for location purposes) and has requested this closure to
17 redevelop the area into multi-family structures. The applicant will
18 be responsible for maintaining the drainage system in the closure
19 area.

20 **Section 3. Hold Harmless Covenant.** The closure and
21 abandonment by the City of its interests in the right-of-way is
22 subject to Applicant's execution and delivery to the City of a Hold
23 Harmless Covenant, in substantially the same form attached hereto as
24 **Exhibit 2** and incorporated herein by this reference. Accordingly, the
25 closure and abandonment of the right-of-way shall not be recorded in
26 the public records until execution and delivery to the City by the
27 Applicant of the required Hold Harmless Covenant.

28 **Section 4. Effective Date.** This Ordinance shall become
29 effective upon signature by the Mayor or upon becoming effective
30 without the Mayor's signature.

1 Form Approved:

2

3 /s/Harry M. Wilson, IV

4 Office of General Counsel

5 Legislation Prepared By: Harry M. Wilson, IV

6 GC-#1658989-v1-Beachway_and_Woodcock_ROW_Closure.docx