

1 Introduced by the Council President at the request of the Mayor:  
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4 **ORDINANCE 2020-227**

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

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

28 **Section 2. Purpose.** The Applicant constructed an  
29 assisted living facility over the easement without knowing of the  
30 existence of the easement. The Applicant is requesting the  
31 abandonment of the easement in order to establish clear title to

1 the property.

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

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

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16 Form Approved:

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18           /S/          James R. McCain, Jr.

19 Office of General Counsel

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

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