

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

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5 **ORDINANCE 2021-781-E**

6 AN ORDINANCE CLOSING AND ABANDONING AND/OR  
7 DISCLAIMING THAT CERTAIN DRAINAGE EASEMENT  
8 LOCATED AT 0 COLLINS ROAD (R.E. NO. 016391-  
9 0110), IN COUNCIL DISTRICT 12, RECORDED IN MAP  
10 BOOK D, PAGE 5 OF THE PUBLIC RECORDS OF DUVAL  
11 COUNTY, FLORIDA, AT THE REQUEST OF KB HOME  
12 JACKSONVILLE LLC; PROVIDING FOR APPROVAL SUBJECT  
13 TO CONDITIONS; PROVIDING AN EFFECTIVE DATE.

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

16 **Section 1. Closure and Abandonment.** The drainage easement  
17 recorded in Map Book D, Page 5 of the current public records of Duval  
18 County, Florida, located at 0 Collins Road in Council District 12, a  
19 description of which is attached hereto as **Exhibit 1** and incorporated  
20 herein by this reference, is hereby closed and abandoned and/or  
21 disclaimed as a drainage easement at the request of KB Home  
22 Jacksonville LLC (the "Applicant"). The subject easement was  
23 originally acquired by the State of Florida from three separate  
24 property owners and then transferred to the City by Map Book. The  
25 Applicant paid the easement closure application fee of \$3,198.00,  
26 which has been deposited into the General Fund. This closure request  
27 was reviewed and approved by the various city, state, and utility  
28 agencies that might have an interest in the drainage easement and  
29 there were no objections to the Applicant's request.

30 **Section 2. Purpose.** The Applicant owns the underlying

1 parcel that is subject to this drainage easement (R.E. No. 016391-  
2 0110) and is requesting the closure in order to develop a residential  
3 subdivision to be known as "Copper Ridge", subject to the conditions  
4 set forth herein.

5       **Section 3.       Hold Harmless Covenant.**    The    closure    and  
6 abandonment by the City of its interests in the subject drainage  
7 easement is contingent upon Applicant's execution and delivery to the  
8 City of a Hold Harmless Covenant, in substantially the same form  
9 attached hereto as **Revised Exhibit 2**, labeled as "Revised Exhibit 2,  
10 Rev Convnt, November 15, 2021 - TEU" and incorporated herein by this  
11 reference. Accordingly, the closure and abandonment of the aforesaid  
12 drainage easement shall not be recorded in the official public records  
13 until execution and delivery to the City by the Applicant of the  
14 required Hold Harmless Covenant.

15       **Section 4.       Effective Date.**    This Ordinance shall become  
16 effective upon signature by the Mayor or upon becoming effective  
17 without the Mayor's signature.

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19 Form Approved:

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21           /s/ Paige H. Johnston          

22 Office of General Counsel

23 Legislation prepared by: Mary E. Staffopoulos

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