

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 2021-780-E**

6 AN ORDINANCE CLOSING AND ABANDONING AND/OR
7 DISCLAIMING AN OPENED AND UNIMPROVED PORTION OF
8 JACKSONVILLE HEIGHTS RIGHT-OF-WAY ESTABLISHED
9 IN THE MAP SHOWING LANDS OF JACKSONVILLE HEIGHTS
10 IMPROVEMENT CO., AS RECORDED IN PLAT BOOK 5,
11 PAGE 93 OF THE PUBLIC RECORDS OF DUVAL COUNTY,
12 FLORIDA, IN COUNCIL DISTRICT 12, AT THE REQUEST
13 OF KB HOME JACKSONVILLE LLC; PROVIDING FOR
14 APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN
15 EFFECTIVE DATE.

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

18 **Section 1. Closure and Abandonment.** An opened and
19 unimproved portion of Jacksonville Heights right-of-way, established
20 in the Map Showing Lands of Jacksonville Heights Improvement Co., as
21 recorded in Plat Book 5, Page 93 of the public records of Duval
22 County, Florida, located in Council District 12, a description of
23 which is attached hereto as **Exhibit 1** and incorporated herein by this
24 reference, is hereby closed and abandoned and/or disclaimed as a
25 right-of-way at the request of KB Home Jacksonville LLC (the
26 "Applicant"). The Applicant paid the right-of-way closure
27 application fee of \$2,091.00, which has been deposited into the
28 General Fund. This closure request was reviewed and approved by the
29 various city, state, and utility agencies that might have an interest
30 in the right-of-way and there were no objections to the Applicant's

1 request.

2 **Section 2. Purpose.** The Applicant owns the parcel on
3 either side of the right-of-way (R.E. No. 016391-0110) and is
4 requesting the closure in order to develop a residential subdivision
5 to be known as "Copper Ridge", subject to the conditions set forth
6 herein.

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

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

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21 Form Approved:

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23 /s/ Paige H. Johnston

24 Office of General Counsel

25 Legislation prepared by: Mary E. Staffopoulos

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