

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2022-648**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND IMPROVED PORTION OF
7 THE MCKINLEY STREET RIGHT-OF-WAY, ESTABLISHED
8 IN THE J.H. KEEN'S SUBDIVISION PLAT, AS
9 RECORDED IN PLAT BOOK 3, PAGE 81 OF THE
10 CURRENT PUBLIC RECORDS OF DUVAL COUNTY,
11 FLORIDA, LOCATED IN COUNCIL DISTRICT 9, AT THE
12 REQUEST OF 1650 W 2ND ST LLC; PROVIDING FOR
13 APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN
14 EFFECTIVE DATE.

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

17 **Section 1. Closure and Abandonment.** An opened and
18 improved portion of the McKinley Street right-of-way established in
19 the J.H. Keen's Subdivision Plat, as recorded in Plat Book 3, Page
20 81 of the current public records of Duval County, Florida, located
21 in Council District 9, a description and depiction of which is
22 attached hereto as **Exhibit 1** and incorporated herein by this
23 reference, is hereby closed and abandoned and/or disclaimed as a
24 right-of-way at the request of 1650 W 2nd St LLC (the "Applicant").

25 The Applicant paid the right-of-way closure application fee of
26 \$2,091.00 and the closure and abandonment with encroachment fee of
27 \$516.00, both of which have been deposited into the General Fund.
28 This closure request was reviewed and approved by the various city,
29 state, and utility agencies that might have an interest in the
30 right-of-way and there were no objections to the Applicant's
31 request.

1 **Section 2. Purpose.** The Applicant owns property adjacent
2 to the closure area at 1650 West 2nd Street (R.E. No. 076547-0000)
3 and is requesting the closure to continue using the closure area
4 for parking and waste management.

5 **Section 3. Hold Harmless Covenant.** The closure and
6 abandonment by the City of its interests in the right-of-way is
7 subject to Applicant's execution and delivery to the City of a Hold
8 Harmless Covenant, in substantially the same form attached hereto
9 as **Exhibit 2** and incorporated herein by this reference.
10 Accordingly, the closure and abandonment of the right-of-way shall
11 not be recorded in the public records until execution and delivery
12 to the City by the Applicant of the required Hold Harmless
13 Covenant.

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

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18 Form Approved:

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20 /s/ Mary E. Staffopoulos

21 Office of General Counsel

22 Legislation prepared by: Mary E. Staffopoulos

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