Introduced by the Council President at the request of the Mayor:

ORDINANCE 2022-648-E

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

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BE IT ORDAINED by the Council of the City of Jacksonville: 16 Closure 17 Section 1. and Abandonment. An opened and improved portion of the McKinley Street right-of-way established in 18 19 the J.H. Keen's Subdivision Plat, as recorded in Plat Book 3, Page 81 of the current public records of Duval County, Florida, located 20 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 right-of-way at the request of 1650 W 2nd St LLC (the "Applicant"). 24

The Applicant paid the right-of-way closure application fee of \$2,091.00 and the closure and abandonment with encroachment fee of \$516.00, both of which have been deposited into the General Fund. This closure request was reviewed and approved by the various city, state, and utility agencies that might have an interest in the right-of-way and there were no objections to the Applicant's request. Section 2. Purpose. The Applicant owns property adjacent
to the closure area at 1650 West 2nd Street (R.E. No. 076547-0000)
and is requesting the closure to continue using the closure area
for parking and waste management.

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

Section 4. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming effective 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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