

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2023-176-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION
7 OF THE STEVENS AVENUE RIGHT-OF-WAY, ESTABLISHED
8 IN THE JOHN M. STEVENS SUBDIVISION PLAT, AS
9 RECORDED IN PLAT BOOK 4, PAGE 85 OF THE CURRENT
10 PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, IN
11 COUNCIL DISTRICT 9, AT THE REQUEST OF JAX
12 EDGEWOOD PARTNERS, LLC, SUBJECT TO RESERVATION
13 UNTO THE CITY OF JACKSONVILLE OF AN ALL
14 UTILITIES AND FACILITIES EASEMENT OVER THE
15 ENTIRE CLOSURE AREA AND RESERVATION UNTO JEA OF
16 AN ALL UTILITIES AND FACILITIES EASEMENT OVER
17 THE SOUTHERLY 60 FEET OF THE CLOSURE AREA;
18 PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS;
19 PROVIDING AN EFFECTIVE DATE.
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21 **BE IT ORDAINED** by the Council of the City of Jacksonville:

22 **Section 1. Closure and Abandonment.** An unopened and
23 unimproved portion of the Stevens Avenue right-of-way established in
24 the John M. Stevens Subdivision Plat, as recorded in Plat Book 4,
25 Page 85 of the current public records of Duval County, Florida,
26 located in Council District 9, a description and depiction of which
27 is attached hereto as **Exhibit 1** and incorporated herein by this
28 reference, is hereby closed and abandoned and/or disclaimed as a
29 right-of-way at the request of JAX Edgewood Partners, LLC (the
30 "Applicant"); provided however, there is reserved unto the City of
31 Jacksonville an all utilities and facilities easement on, over, under,

1 through and across the entire closed right-of-way area for ingress
2 and egress and for all utilities and facilities so as to provide the
3 City of Jacksonville continued access to repair and maintain any and
4 all City of Jacksonville operated and maintained utilities and
5 facilities located within the closure area. There is further reserved
6 unto JEA an all utilities and facilities easement on, over, under,
7 through and across the southerly 60 feet of the closed right-of-way
8 for ingress and egress and for all utilities and facilities, including
9 but not limited to, water, sewer and electric, so as to provide JEA
10 continued access to repair and maintain these utilities and
11 facilities.

12 The Applicant paid the right-of-way closure application fee of
13 \$2,091.00 and this amount has been deposited into the General Fund.
14 This closure request was reviewed and approved by the various city,
15 state, and utility agencies that might have an interest in the right-
16 of-way and there were no objections to the Applicant's request.

17 **Section 2. Purpose.** The Applicant owns property adjacent
18 to the closure area (R.E. No. 088298-0100) and is requesting the
19 closure to increase the setback for the construction of a light
20 industrial commerce center that will offer approximately 295,000
21 square feet for lease, subject to the conditions set forth herein.

22 **Section 3. Hold Harmless Covenant.** The closure and
23 abandonment by the City of its interests in the right-of-way is
24 subject to Applicant's execution and delivery to the City of a Hold
25 Harmless Covenant, in substantially the same form attached hereto as
26 **Exhibit 2** and incorporated herein by this reference. Accordingly,
27 the closure and abandonment of the right-of-way shall not be recorded
28 in the public records until execution and delivery to the City by the
29 Applicant of the required Hold Harmless Covenant.

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

1 without the Mayor's signature.

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3 Form Approved:

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5 /s/ Mary E. Staffopoulos

6 Office of General Counsel

7 Legislation prepared by: Mary E. Staffopoulos

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