

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2023-178-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING SEVEN UNOPENED, UNIMPROVED AND
7 UNNAMED RIGHTS-OF-WAY OF THE UNRECORDED PLAT OF
8 DINSMORE COMPANY'S OFFICIAL MAP OF DINSMORE AND
9 DINSMORE FARMS, PREPARED AUGUST 1933, UNDER
10 DIRECTION OF ROBERT M. ANGAS, CIVIL ENGINEER,
11 ALL IN DUVAL COUNTY, FLORIDA, IN COUNCIL
12 DISTRICT 8, AT THE REQUEST OF PLUMMER JV, LLC,
13 SUBJECT TO RESERVATION UNTO JEA OF AN ALL
14 UTILITIES, FACILITIES AND ACCESS EASEMENT OVER
15 A PORTION OF THE CLOSURE AREA AS MORE
16 SPECIFICALLY DESCRIBED HEREIN; PROVIDING FOR
17 APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN
18 EFFECTIVE DATE.
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20 **BE IT ORDAINED** by the Council of the City of Jacksonville:

21 **Section 1. Closure and Abandonment.** The seven unopened,
22 unimproved and unnamed rights-of-way of the unrecorded Plat of
23 Dinsmore Company's Official Map of Dinsmore and Dinsmore Farms,
24 prepared August 1933 Under Direction of Robert M. Angas, Civil
25 Engineer, all in Duval County, Florida, in Council District 8, a
26 depiction and description of which is attached hereto as **Exhibit 1**
27 and incorporated herein by this reference, are hereby closed and
28 abandoned and/or disclaimed as rights-of-way at the request of Plummer
29 JV, LLC (the "Applicant"); provided however, there is reserved unto
30 JEA an all utilities, facilities and access easement on, over, under,
31 through and across a portion of the closed rights-of-way areas, as

1 described and depicted on the Map Showing Sketch and Legal Description
2 of Proposed JEA Easements attached hereto as **Exhibit 2** and
3 incorporated herein by this reference, for ingress and egress and for
4 all utilities and facilities, including, but not limited to, water,
5 sewer and electric, so as to provide JEA continued access to repair
6 and maintain these utilities and facilities.

7 The Applicant paid the rights-of-way closure application fees
8 in the total amount of \$14,637.00 and this sum has been deposited
9 into the General Fund. This closure request was reviewed and approved
10 by the various city, state, and utility agencies that might have an
11 interest in the rights-of-way and there were no objections to the
12 Applicant's request.

13 **Section 2. Purpose.** The Applicant owns property adjacent
14 to the closure area (R.E. No. 003839-0010) and has requested the
15 closure for construction of a residential development to be known as
16 "Plummer Darby".

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

25 **Section 4. Effective Date.** This Ordinance shall become
26 effective upon signature by the Mayor or upon becoming effective
27 without the Mayor's signature.

1 Form Approved:

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3 /s/ Mary E. Staffopoulos

4 Office of General Counsel

5 Legislation prepared by: Mary E. Staffopoulos

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