

HOLD HARMLESS COVENANT

This **Hold Harmless Covenant** is hereby granted this ____ day of _____, 2023, by John H. Moye, whose address is **3738 Southside Blvd. Ste. 101**, Jacksonville, Florida 32216 (“Grantor”) in favor of the **CITY OF JACKSONVILLE**, a consolidated political subdivision and municipal corporation existing under the laws of the State of Florida, whose mailing address is 117 West Duval Street, Jacksonville, Florida 32202 (“City”).

IN CONSIDERATION for the closure and/or abandonment of City right-of-way or easement areas pursuant to **CITY ORDINANCE 2023-** , a copy of which is attached hereto and incorporated by reference (the “Ordinance”), located near **RE# 125012-0000** in Council District 4 and established in the Official Public Records of Duval County, Florida at **Plat Book 24 Page 25**.

Grantor, its successors and assigns, holds harmless, indemnifies, and will defend **CITY OF JACKSONVILLE**, its members, officials, officers, employees, and agents against any claim, action, loss, damage, injury, liability, cost and expense of whatever kind or nature (including, but not by way of limitation, attorney fees and court costs) arising out of injury (whether mental or corporeal) to persons, including death, or damage to property, arising out of or incidental to the use of the abandoned right-of-way or easement areas, more particularly described in **Exhibit “A”**, attached hereto and incorporated herein by reference (the “Property”); including, but not limited to such injuries or damages resulting from flooding or erosion. This **Hold Harmless Covenant** shall run with the real property described in **Exhibit “A”**. The adjacent property owner(s) who acquire the Property as a result of the abandonment shall be responsible for maintaining the Property.

Furthermore, the Property shall remain totally unobstructed by any permanent improvements that may impede the use by the City or JEA of their reserved easement rights, if any, under the provisions of the reserved easement and/or the Ordinance. In the event that such easement rights are reserved by City or JEA: (a) the construction of driveways and the installation of fences, hedges, and landscaping is permissible but subject to removal or damage by the City or JEA at the expense of the Grantor, its successors and assigns, for any repairs to or replacement of the improvements; and (b) Grantor, its successors and assigns, shall indemnify, defend, and hold City and JEA harmless from, any and all loss, damage, action, claim, suit, judgment, cost, or expense for injury to persons (including death) or damage to property and improvements (including destruction), in any manner resulting from or arising out of the installation, replacement, maintenance or failure to maintain, or removal of any improvements placed within the easement area by Grantor, its successors or assigns, and the City’s or JEA’s exercise of their rights in the reserved easement.

**Signed and Sealed
in Our Presence:**

(Sign) _____
(Print) _____
(Sign) _____
(Print) _____

GRANTOR:

By: _____
Name: _____
Title: _____

**STATE OF FLORIDA
COUNTY OF DUVAL**

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this ____ day of _____ 2023, by _____.

{NOTARY SEAL}

[Signature of Notary Public-State of Florida]
[Name of Notary Typed, Printed, or Stamped]

Personally Known _____ OR Produced Identification _____
Type of Identification Produced _____

MAP & LEGAL DESCRIPTION OF:

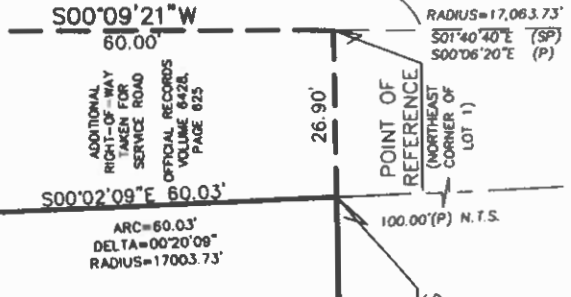
(PROPOSED CLOSING OF THE WEST 210.00 FEET OF ANDERS BOULEVARD)
 A PORTION OF ANDERS BOULEVARD (A 60.00 FOOT RIGHT-OF-WAY) AS SHOWN ON PLAT OF SOUTHSIDE ESTATES UNIT NO. 24, AS RECORDED IN PLAT BOOK 24, PAGE 25 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTH-EAST CORNER OF LOT 1, SOUTHSIDE ESTATES UNIT NO. 30, WHICH LIES AT THE INTERSECTION OF THE WEST LINE OF STATE ROAD NO. 115 (AS FORMERLY ESTABLISHED) WITH THE SOUTH RIGHT-OF-WAY LINE OF AFORESAID ANDERS BOULEVARD; THENCE SOUTH 89°31'10" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 26.90 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°31'10" WEST, A DISTANCE OF 183.10 FEET TO THE WEST END OF SAID ANDERS BOULEVARD; THENCE SOUTH 00°06'20" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 60.00 FEET; THENCE NORTH 89°31'10" EAST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 180.37 FEET TO AN INTERSECTION WITH THE WEST LINE OF A SERVICE ROAD TAKEN FOR ADDITIONAL RIGHT-OF-WAY, AS RECORDED IN OFFICIAL RECORDS VOLUME 6428, PAGE 625 OF THE AFORESAID PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, SAID POINT LYING ON A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 17063.73 FEET; THENCE SOUTH ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 60.03 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 00°20'09" EAST, AND A CHORD DISTANCE OF 60.03 FEET TO THE POINT OF BEGINNING.

REAL ESTATE #124904-0100
 OFFICIAL RECORDS BOOK 10143, PAGE 2268
 TRACT 2
 SOUTHSIDE ESTATES, UNIT NO. 24
 PLAT BOOK 24, PAGE 25

N89°34'34"E(SP)
 N89°31'10"E(P) 210.00' OVERALL
 180.37' TO SERVICE ROAD

SOUTHSIDE BOULEVARD (SERVICE ROAD)
 STATE ROAD NO. 115
 VARIABLE RIGHT-OF-WAY
 (PER RIGHT-OF-WAY MAP SECTION 72040-2551, DATED 7-1-86)

FORMER RIGHT-OF-WAY OF SOUTHSIDE BOULEVARD BEFORE RIGHT-OF-WAY TAKEN



ANDERS BOULEVARD
 TO BE CLOSED & VACATED
 FORMER 60' RIGHT-OF-WAY
 SOUTHSIDE ESTATES, UNIT NO. 24
 PLAT BOOK 24, PAGE 25

N00°09'44"E(SP)
 N00°06'20"E(P) 60.00'

DURDEN
 SURVEYING AND MAPPING, INC.
 1000 11th Avenue South
 Jacksonville, Florida 32205
 (904) 833-8822 (FAX) 833-2855
 LICENSED SURVEYORS REG. STATE

[Signature]
 DATE: 11/16/23
 TITLE: SURVEYOR

WE HEREBY CERTIFY THAT THIS SURVEY METS THE STANDARDS OF PRACTICE AND SET FORTH BY LAWMENT THE FLORIDA BOARD OF LAND SURVEYING AND CARTOGRAPHY AND THAT THE SURVEY IS A TRUE AND CORRECT COPY OF THE ORIGINAL RECORDS.

LOT 1
 REAL ESTATE #125012-0000
 OFFICIAL RECORDS BOOK 20222, PAGE 258

APPROVED
 DESCRIPTION AGREES WITH MAP
 CITY ENGINEERS OFFICE
 TOPO/SURVEY BRANCH
 Date: 11/16/23
 BY: [Signature]

NOTES:
 THIS IS A MAP AND DOES NOT PURPORT TO BE A BOUNDARY SURVEY.
 BEARINGS BASED ON FLORIDA STATE PLANE COORDINATES, EAST ZONE AND THE WEST RIGHT-OF-WAY LINE OF SOUTHSIDE BOULEVARD AS BEING S 01°40'40" E
 NO BUILDING RESTRICTION LINE BY PLAT
 N.T.S. DENOTES NOT TO SCALE
 COY. STATE PLANE COORDINATES SHOWN HEREON AS TRUS 12 21 2011
 AND ARE BASED ON THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, U.S. FEET, NORTH AMERICAN DATUM (N.A.D.) OF 1983
 (P) DENOTES PLAT BEARING/DISTANCE
 (O) DENOTES ODD BEARING/DISTANCE
 THIS SURVEY MAY BE FOUND IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.