

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2023-758**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND UNIMPROVED PORTION OF
7 THE CRAIG DRIVE RIGHT-OF-WAY, ESTABLISHED IN THE
8 PLAT OF ATLANTIC BOULEVARD ESTATES SECTION
9 EIGHT, AS RECORDED IN PLAT BOOK 18, PAGE 46 OF
10 THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY,
11 FLORIDA, IN COUNCIL DISTRICT 2, AT THE REQUEST
12 OF HOLLY KING, SUBJECT TO RESERVATION UNTO THE
13 CITY OF JACKSONVILLE OF AN ALL UTILITIES,
14 FACILITIES AND ACCESS EASEMENT AND RESERVATION
15 UNTO THE CITY OF JACKSONVILLE OF A DRAINAGE
16 EASEMENT; PROVIDING FOR APPROVAL SUBJECT TO
17 CONDITIONS; PROVIDING AN EFFECTIVE DATE.
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19 **BE IT ORDAINED** by the Council of the City of Jacksonville:

20 **Section 1. Closure and Abandonment.** An opened and
21 unimproved portion of the Craig Drive right-of-way, established in
22 the Plat of Atlantic Boulevard Estates Section Eight, as recorded in
23 Plat Book 18, Page 46 of the current public records of Duval County,
24 Florida, located in Council District 2, a depiction and description
25 of which is attached hereto as **Exhibit 1** and incorporated herein by
26 this reference, is hereby closed and abandoned and/or disclaimed as
27 a right-of-way at the request of Holly King (the "Applicant");
28 provided however, there is reserved unto the City of Jacksonville an
29 all utilities, facilities and access easement on, over, under, through
30 and across the closed right-of-way for ingress and egress and for all
31 utilities and facilities, including but not limited to, water, sewer

1 and electric, so as to provide City of Jacksonville continued access
2 to repair and maintain these utilities and facilities, and there is
3 further reserved unto the City of Jacksonville a perpetual
4 unobstructed drainage easement on, over, under, through and across
5 the right-of-way closure area. The Applicant paid the right-of-way
6 closure application fee of \$2,091.00 and this amount has been
7 deposited into the General Fund. This closure request was reviewed
8 and approved by the various city, state, and utility agencies that
9 might have an interest in the right-of-way and there were no
10 objections to the Applicant's request.

11 **Section 2. Purpose.** Holly King owns property adjacent to
12 the closure area at 436 Jefferson Road (R.E. No. 163143-0000) and is
13 requesting the closure in order to expand her residential yard and
14 for additional parking, subject to the conditions set forth herein.

15 **Section 3. Hold Harmless Covenant.** The closure and
16 abandonment by the City of its interests in the right-of-way is
17 subject to Applicant's execution and delivery to the City of a Hold
18 Harmless Covenant, in substantially the same form attached hereto as
19 **Exhibit 2** and incorporated herein by this reference. Accordingly,
20 the closure and abandonment of the right-of-way shall not be recorded
21 in the public records until execution and delivery to the City by the
22 Applicant of the required Hold Harmless Covenant.

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

1 Form Approved:

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3 /s/ Joelle J. Dillard

4 Office of General Counsel

5 Legislation prepared by: Joelle J. Dillard

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