

1 Introduced by the Council President at the request of the Mayor and
2 amended by the Transportation, Energy and Utilities Committee:

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5 **ORDINANCE 2023-674-E**

6 AN ORDINANCE CLOSING AND ABANDONING AND/OR
7 DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION
8 OF THE ASLAND ROAD RIGHT-OF-WAY, ESTABLISHED IN
9 THE PLAT OF GARDEN CITY, AS RECORDED IN PLAT
10 BOOK 5, PAGE 81 OF THE CURRENT PUBLIC RECORDS OF
11 DUVAL COUNTY, FLORIDA, IN COUNCIL DISTRICT 8, AT
12 THE REQUEST OF TONI DANIELS LEE; PROVIDING FOR
13 APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN
14 EFFECTIVE DATE.

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16 **BE IT ORDAINED** by the Council of the City of Jacksonville:

17 **Section 1. Closure and Abandonment.** An unopened and
18 unimproved portion of the Asland Road right-of-way, established in
19 the Plat of Garden City, as recorded in Plat Book 5, page 81 of the
20 current public records of Duval County, Florida, located in Council
21 District 8, a depiction and description of which is attached hereto
22 as **Exhibit 1**, and incorporated herein by this reference, is hereby
23 closed and abandoned and/or disclaimed as a right-of-way at the
24 request of Toni Daniels Lee (the "Applicant");

25 The Applicant paid the right-of-way closure application fee of
26 \$2,091.00 and this sum has been deposited into the City's General
27 Fund account. This closure request was reviewed and approved by the
28 various city, state, and utility agencies that might have an interest
29 in the right-of-way and there were no objections to the Applicant's
30 request.

31 **Section 2. Purpose.** The Applicant owns property adjacent

1 to the closure area at 0 Asland Road (R.E. No. 019908-0005). The
2 Applicant has requested the closure in order to construct a home and
3 install a fence.

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

12 **Section 4. Effective Date.** This Ordinance shall become
13 effective upon signature by the Mayor or upon becoming effective
14 without the Mayor's signature.

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16 Form Approved:

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18 /s/ Mary E. Staffopoulos

19 Office of General Counsel

20 Legislation Prepared By: Harry M. Wilson, IV

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