

1 Introduced by the Council President at the request of the Mayor:  
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4 **ORDINANCE 2020-53**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR  
6 DISCLAIMING A PORTION OF THE DOBELL ROAD  
7 RIGHT-OF-WAY, AN UNOPENED AND UNIMPROVED  
8 RIGHT-OF-WAY ESTABLISHED IN THE OAK PARK  
9 HEIGHTS PLAT RECORDED IN PLAT BOOK 23, PAGE 70  
10 OF THE PUBLIC RECORDS OF DUVAL COUNTY, IN  
11 COUNCIL DISTRICT 4, AT THE REQUEST OF ISABELLA  
12 HAYNES ("APPLICANT"), SUBJECT TO RESERVATION  
13 UNTO CITY AND JEA OF AN ALL UTILITIES EASEMENT  
14 OVER THE CLOSED PORTION OF THE RIGHT-OF-WAY  
15 FOR INGRESS AND EGRESS AND FOR ALL UTILITIES,  
16 AND RESERVATION OF AN ACCESS EASEMENT UNTO  
17 APPLICANT OVER THE PORTION OF THE CLOSURE  
18 BLOCKING HER PROPERTY SO THAT APPLICANT'S  
19 PROPERTY WILL NOT BE LANDLOCKED; PROVIDING FOR  
20 APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN  
21 EFFECTIVE DATE.  
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23 **BE IT ORDAINED** by the Council of the City of Jacksonville:

24 **Section 1. Closure and Abandonment.** A portion of the  
25 Dobell Road right-of-way, an unopened and unimproved right-of-way  
26 established in the Oak Park Heights plat recorded in Plat Book 23,  
27 Page 70 of the Public Records of Duval County, in Council District  
28 4, a description of which is attached hereto as **Exhibit 1** and  
29 incorporated herein by this reference, is hereby closed and  
30 abandoned and/or disclaimed as a right-of-way at the request of  
31 Isabella Haynes (the "Applicant"); provided however, there is

1 reserved unto the City and JEA an All Utilities Easement on, over,  
2 across, and under the closed right of way for ingress and egress  
3 and for all utilities, including but not limited to water, sewer,  
4 electric, and drainage, so as to provide City and JEA continued  
5 access to repair and maintain facilities in the future. Provided  
6 further, there is reserved unto Applicant an access easement over  
7 the portion of the closure blocking her property (**Exhibit 2**,  
8 neighbor's closure area) so that Applicant's property (**Exhibit 3**)  
9 will not be landlocked. There are no city, state, or other agency  
10 objections to this closure request. Applicant has paid the right-  
11 of-way closure application fee of \$2,091.00, and this amount has  
12 been deposited into the General Fund, PWRE011-34907.

13       **Section 2. Purpose.**       The Applicant is requesting the  
14 closure of the right-of-way in order to use the property as an  
15 extension of her residential property.

16       **Section 3. Hold Harmless Covenant.**       The closure and  
17 abandonment by the City of its interests in the right-of-way is  
18 subject to the execution and delivery to the City by Applicant  
19 ("Grantor") of a hold harmless covenant in substantially the same  
20 form attached hereto as **Exhibit 4** and incorporated herein by this  
21 reference. Accordingly, the closure and abandonment of the right-  
22 of-way shall not be recorded in the Public Records until execution  
23 and delivery to the City by Grantor of the required hold harmless  
24 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/ James R. McCain, Jr.

4 Office of General Counsel

5 Legislation prepared by: James R. McCain, Jr.

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