

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

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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