

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2020-54-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING A JACKSONVILLE HEIGHTS UNOPENED
7 AND UNIMPROVED RIGHT-OF-WAY ESTABLISHED IN
8 PLAT BOOK 5, PAGE 93 OF THE PUBLIC RECORDS OF
9 DUVAL COUNTY, IN COUNCIL DISTRICT 9, AT THE
10 REQUEST OF ROBERT KURT RUSSELL; PROVIDING FOR
11 APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN
12 EFFECTIVE DATE.
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14 **BE IT ORDAINED** by the Council of the City of Jacksonville:

15 **Section 1. Closure and Abandonment.** A Jacksonville
16 Heights unopened and unimproved right-of-way established in Plat
17 Book 5, Page 93 of the Public Records of Duval County, in Council
18 District 9, a description of which is attached hereto as **Exhibit 1**
19 and incorporated herein by this reference, is hereby closed and
20 abandoned and/or disclaimed as a right-of-way at the request of
21 Robert Kurt Russell (the "Applicant"). There are no city, state, or
22 other agency objections to this closure request. Applicant has paid
23 the right-of-way closure application fee of \$2,091.00, and this
24 amount has been deposited into the General Fund, PWRE011-34907.

25 **Section 2. Purpose.** The Applicant is requesting the
26 closure of the right-of-way to accommodate a proposed auto
27 dealership.

28 **Section 3. Hold Harmless Covenant.** The closure and
29 abandonment by the City of its interests in the right-of-way is
30 subject to the execution and delivery to the City by Applicant
31 ("Grantor") of a hold harmless covenant in substantially the same

1 form attached hereto as **Exhibit 2** and incorporated herein by this
2 reference. Accordingly, the closure and abandonment of the right-
3 of-way shall not be recorded in the Public Records until execution
4 and delivery to the City by Grantor of the required hold harmless
5 covenant.

6 **Section 4. Effective Date.** This ordinance shall become
7 effective upon signature by the Mayor or upon becoming effective
8 without the Mayor's signature.

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10 Form Approved:

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12 /s/ James R. McCain, Jr.

13 Office of General Counsel

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

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