

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2020-581**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING A PORTION OF PHYLLIS STREET, A
7 PLATTED, OPENED AND IMPROVED RIGHT-OF-WAY IN
8 RIVERSIDE GARDENS, AS RECORDED AND ESTABLISHED
9 IN PLAT BOOK 3, PAGE 67, DATED MARCH 23, 1910,
10 IN THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA,
11 IN COUNCIL DISTRICT 9, AT THE REQUEST OF STEVEN
12 N. BACALIS (THE "APPLICANT") TO CONSOLIDATE,
13 ENCLOSE AND GATE HIS ABUTTING BUSINESS
14 PROPERTIES KNOWN AS 4757 PHYLLIS ST LLC, 440
15 EDGEWOOD LLC, AND 4735 PHYLLIS STREET LLC (THE
16 "ABUTTING PROPERTIES"), SUBJECT TO RESERVATION
17 UNTO THE CITY OF JACKSONVILLE ("CITY") AND JEA
18 OF EASEMENTS OVER THE RIGHT-OF-WAY FOR INGRESS
19 AND EGRESS AND FOR ALL UTILITIES; PROVIDING FOR
20 CITY OVERSIGHT BY THE REAL ESTATE DIVISION OF
21 THE DEPARTMENT OF PUBLIC WORKS; PROVIDING AN
22 EFFECTIVE DATE.
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24 **BE IT ORDAINED** by the Council of the City of Jacksonville:

25 **Section 1. Closure and Abandonment.** A portion of Phyllis
26 Street, a platted, opened and improved right-of-way in Riverside
27 Gardens, as recorded and established in Plat Book 3, Page 67, dated
28 March 23, 1910, in the Public Records of Duval County, Florida (the
29 "Plat"), and located in Council District 9, a description of which
30 is attached hereto as **Exhibit 1** and incorporated herein by this
31 reference, is hereby closed and abandoned and/or disclaimed as a

1 right-of-way at the request of Steven N. Bacalis (the "Applicant");
2 provided, however, there is hereby reserved unto the City of
3 Jacksonville and JEA perpetual unobstructed easements on, over,
4 across, under and through the closed portion of the right-of-way for
5 ingress and egress and for all utilities, including, but not limited
6 to, water, sewer, electric and drainage.

7 **Section 2. Purpose.** The Applicant is requesting the
8 closure to consolidate, enclose and gate the Abutting Properties,
9 subject to the conditions set forth herein. All of the adjacent
10 property and underlying right-of-way is owned by the Applicant
11 inclusive of the section of the Phyllis Street right-of-way lying to
12 the east of the portion to be abandoned pursuant to this legislation
13 which was previously abandoned. The Applicant has paid a \$2,091.00
14 closure application processing fee. This closure request was reviewed
15 and approved by the various city, state, municipal and utility
16 agencies that might have an interest in the right-of-way and there
17 were no objections to the Applicant's request.

18 **Section 3. Oversight.** The Real Estate Division of the
19 Department of Public Works shall oversee the project described herein.

20 **Section 4. Effective Date.** This Ordinance shall become
21 effective upon signature by the Mayor or upon becoming effective
22 without the Mayor's signature.

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24 Form Approved:

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26 /s/ Mary E. Staffopoulos

27 Office of General Counsel

28 Legislation prepared by: Mary E. Staffopoulos

29 GC-#1389146-v4-09-08-20_MBRC-20_PWRE_Phyllis_Street_ROW_Closure_