ORDINANCE 2021-177

AN ORDINANCE CLOSING AND ABANDONING AND/OR DISCLAIMING UNOPENED AND UNIMPROVED RIGHT-OF-WAY ESTABLISHED IN THE UNRECORDED DINSMORE FARMS SUBDIVISION, ALL LYING IN SECTION 1, TOWNSHIP 1, RANGE 25 EAST, IN COUNCIL DISTRICT 8, AT THE REQUEST OF KB HOME JACKSONVILLE LLC; PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS; PROVIDING FOR CITY OVERSIGHT BY THE REAL ESTATE DIVISION OF THE DEPARTMENT OF PUBLIC WORKS; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Closure and Abandonment. The unopened and unimproved right-of-way established in the unrecorded Dinsmore Farms Subdivision, all lying in Section 1, Township 1, Range 25 East, and located in Council District 8, a description of which is attached hereto as Exhibit 1 and incorporated herein by this reference, is hereby closed and abandoned and/or disclaimed as a right-of-way at the request of KB Home Jacksonville LLC (the "Applicant").

Section 2. Purpose. The Applicant owns the entirety of the parcel within which this right-of-way is contained (R.E. # 003794-0500) and is requesting the closure to redevelop the surrounding area for single family residential homes, subject to the conditions set forth herein. The Applicant has paid a \$2,091.00 closure application processing fee. This closure request was reviewed and approved by the various city, state, municipal and utility agencies that might have an interest in the right-of-way and there were no objections to

the Applicant's request.

abandonment by the City of its interests in the right-of-way is subject to Applicant's execution and delivery to the City of the Hold Harmless Covenant, in substantially the same form attached hereto as **Exhibit 2** and incorporated herein by this reference. Accordingly, the closure and abandonment of the right-of-way shall not be recorded in the Public Records until execution and delivery to the City by the Applicant of the required Hold Harmless Covenant.

Section 4. Oversight. The Real Estate Division of the Department of Public Works shall oversee the project described herein.

Section 5. Effective Date. This Ordinance shall become effective upon signature by the Mayor or upon becoming effective without the Mayor's signature.

16 Form Approved:

/s/ Mary E. Staffopoulos

Office of General Counsel

Legislation prepared by: Mary E. Staffopoulos

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