

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2021-236**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND IMPROVED PORTION OF
7 THE CHURCH STREET RIGHT-OF-WAY ESTABLISHED IN
8 LAVILLA HARTS MAP OF THE FORMER PUBLIC RECORDS
9 OF DUVAL COUNTY, FLORIDA, IN COUNCIL DISTRICT 7,
10 AT THE REQUEST OF VOLUNTEERS OF AMERICA OF
11 FLORIDA, INC., SUBJECT TO RESERVATION UNTO THE
12 CITY AND JEA OF AN ALL UTILITIES AND FACILITIES
13 EASEMENT OVER THE CLOSED PORTION OF THE RIGHT-
14 OF-WAY; PROVIDING FOR APPROVAL SUBJECT TO
15 CONDITIONS; PROVIDING AN EFFECTIVE DATE.
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17 **BE IT ORDAINED** by the Council of the City of Jacksonville:

18 **Section 1. Closure and Abandonment.** An opened and improved
19 portion of the Church Street right-of-way established in Lavilla
20 Harts Map of the former public records of Duval County, Florida,
21 located in Council District 7, a description of which is attached
22 hereto as **Exhibit 1** and incorporated herein by this reference, is
23 hereby closed and abandoned and/or disclaimed as a right-of-way at
24 the request of Volunteers of America of Florida, Inc. (the
25 "Applicant"); provided however, there is reserved unto the City and
26 JEA an all utilities and facilities easement on, over, across, and
27 under the closed right-of-way for ingress and egress and for all
28 utilities and facilities, including but not limited to, water, sewer,
29 electric and drainage, so as to provide the City and JEA continued
30 access to repair and maintain these utilities and facilities in the
31 future. The Applicant paid the right-of-way closure application fee

1 of \$2,091.00 and this amount has been deposited into the General
2 Fund. This closure request was reviewed and approved by the various
3 city, state, and utility agencies that might have an interest in the
4 right-of-way and there were no objections to the Applicant's request.

5 **Section 2. Purpose.** The Applicant is requesting the
6 closure to improve security and the overall aesthetic of the
7 Applicant's property located at 716 West Church Street (R.E. # 074692-
8 0010), subject to the conditions set forth herein.

9 **Section 3. Hold Harmless Covenant.** The closure and
10 abandonment by the City of its interests in the right-of-way is
11 subject to Applicant's execution and delivery to the City of the Hold
12 Harmless Covenant, in substantially the same form attached hereto as
13 **Exhibit 2** and incorporated herein by this reference. Accordingly,
14 the closure and abandonment of the right-of-way shall not be recorded
15 in the Public Records until execution and delivery to the City by the
16 Applicant of the required Hold Harmless Covenant.

17 **Section 4. Effective Date.** This Ordinance shall become
18 effective upon signature by the Mayor or upon becoming effective
19 without the Mayor's signature.

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21 Form Approved:

22
23 /s/ Mary E. Staffopoulos

24 Office of General Counsel

25 Legislation prepared by: Mary E. Staffopoulos

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