

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2021-177-E**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING UNOPENED AND UNIMPROVED RIGHT-OF-
7 WAY ESTABLISHED IN THE UNRECORDED DINSMORE
8 FARMS SUBDIVISION, ALL LYING IN SECTION 1,
9 TOWNSHIP 1, RANGE 25 EAST, IN COUNCIL DISTRICT
10 8, AT THE REQUEST OF KB HOME JACKSONVILLE LLC;
11 PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS;
12 PROVIDING FOR CITY OVERSIGHT BY THE REAL
13 ESTATE DIVISION OF THE DEPARTMENT OF PUBLIC
14 WORKS; PROVIDING AN EFFECTIVE DATE.
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16 **BE IT ORDAINED** by the Council of the City of Jacksonville:

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

25 **Section 2. Purpose.** The Applicant owns the entirety of
26 the parcel within which this right-of-way is contained (R.E. #
27 003794-0500) and is requesting the closure to redevelop the
28 surrounding area for single family residential homes, subject to
29 the conditions set forth herein. The Applicant has paid a \$2,091.00
30 closure application processing fee. This closure request was

1 reviewed and approved by the various city, state, municipal and
2 utility agencies that might have an interest in the right-of-way
3 and there were no objections to the Applicant's request.

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

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

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

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20 Form Approved:

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22 /s/ Mary E. Staffopoulos

23 Office of General Counsel

24 Legislation prepared by: Mary E. Staffopoulos

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