

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2021-315**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN OPENED AND UNIMPROVED PORTION
7 OF THE MANSON LANE RIGHT-OF-WAY ESTABLISHED IN
8 THE WARRINGTON'S SUBDIVISION PLAT, AS RECORDED
9 IN PLAT BOOK 5, PAGE 32 OF THE CURRENT PUBLIC
10 RECORDS OF DUVAL COUNTY, FLORIDA, IN COUNCIL
11 DISTRICT 8, AT THE REQUEST OF MICHAEL SALAZAR,
12 SUBJECT TO RESERVATION UNTO THE CITY AND JEA
13 OF AN ALL UTILITIES AND FACILITIES EASEMENT
14 OVER THE CLOSED PORTION OF THE RIGHT-OF-WAY;
15 PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS;
16 PROVIDING AN EFFECTIVE DATE.
17

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

19 **Section 1. Closure and Abandonment.** An opened and
20 unimproved portion of the Manson Lane right-of-way established in
21 the Warrington's Subdivision Plat, as recorded in Plat Book 5, Page
22 32 of the current public records of Duval County, Florida, located
23 in Council District 8, a description of which is attached hereto as
24 **Exhibit 1** and incorporated herein by this reference, is hereby
25 closed and abandoned and/or disclaimed as a right-of-way at the
26 request of Michael Salazar (the "Applicant"); provided however,
27 there is reserved unto the City and JEA an all utilities and
28 facilities easement on, over, across, and under the closed right-
29 of-way for ingress and egress and for all utilities and facilities,
30 including but not limited to, water, sewer, electric and drainage,
31 so as to provide the City and JEA continued access to repair and

1 maintain these utilities and facilities in the future. The
2 Applicant paid the right-of-way closure application fee of
3 \$2,091.00, which has been deposited into the General Fund. This
4 closure request was reviewed and approved by the various city,
5 state, and utility agencies that might have an interest in the
6 right-of-way and there were no objections to the Applicant's
7 request.

8 **Section 2. Purpose.** The Applicant is requesting the
9 closure to prevent unwanted pass-through traffic over the Manson
10 Lane right-of-way from Denny Road to Old Plank Road, subject to the
11 conditions set forth herein. All property owners along the subject
12 portion of the right-of-way are in favor of preventing the unwanted
13 traffic through this area.

14 **Section 3. Hold Harmless Covenant.** The closure and
15 abandonment by the City of its interests in the subject portion of
16 the right-of-way is contingent upon Applicant's execution and
17 delivery to the City of the Hold Harmless Covenant, in
18 substantially the same form attached hereto as **Exhibit 2** and
19 incorporated herein by this reference. Accordingly, the closure
20 and abandonment of the aforesaid right-of-way shall not be recorded
21 in the official public records until execution and delivery to the
22 City by the Applicant of the required Hold Harmless Covenant.

23 **Section 4. Effective Date.** This Ordinance shall become
24 effective upon signature by the Mayor or upon becoming effective
25 without the Mayor's signature.

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27 Form Approved:

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29 /s/ Mary E. Staffopoulos

30 Office of General Counsel

31 Legislation prepared by: Mary E. Staffopoulos

