

**HOLD HARMLESS COVENANT**

This **Hold Harmless Covenant** is hereby granted this \_\_\_\_ day of \_\_\_\_\_, 2021, by **WHITEHOUSE ASSEMBLY OF GOD, INC.**, a Florida not-for-profit corporation (formerly known as The Kings House Assembly of God, Inc.), whose address is 135 S. Chafee Road, Jacksonville, Florida 32256 (“Grantor”) in favor of the **CITY OF JACKSONVILLE**, a consolidated political subdivision and municipal corporation existing under the laws of the State of Florida, whose mailing address is 117 West Duval Street, Jacksonville, Florida 32202 (“City”).

**IN CONSIDERATION** for the closure and/or abandonment of City right-of-way or easement areas pursuant to **CITY ORDINANCE** \_\_\_\_\_, a copy of which is attached hereto and incorporated by reference (the “Ordinance”), located near **RE# 006708-0000** in Council District 12 and established in the Plat of White City Subdivision, as recorded in Plat Book 5, Page 71 of the Current Public Records of Duval County, Florida.

Grantor, its successors and assigns, holds harmless, indemnifies, and will defend **CITY OF JACKSONVILLE**, its members, officials, officers, employees, and agents against any claim, action, loss, damage, injury, liability, cost and expense of whatever kind or nature (including, but not by way of limitation, attorney fees and court costs) arising out of injury (whether mental or corporeal) to persons, including death, or damage to property, arising out of or incidental to the use of the abandoned right-of-way or easement areas, more particularly described in **Exhibit “A”**, attached hereto and incorporated herein by reference (the “Property”); including, but not limited to, such injuries or damages resulting from flooding or erosion. This **Hold Harmless Covenant** shall run with the real property described in **Exhibit “A”**. The adjacent property owner(s) who acquire the Property as a result of the abandonment shall be responsible for maintaining the Property.

Furthermore, the Property shall remain totally unobstructed by any permanent improvements that may impede the use by the City or JEA of their reserved easement rights, if any, under the provisions of the reserved easement and/or the Ordinance. In the event that such easement rights are reserved by City or JEA: (a) the construction of driveways and the installation of fences, hedges, and landscaping is permissible but subject to removal or damage by the City or JEA at the expense of the Grantor, its successors and assigns, for any repairs to or replacement of the improvements; and (b) Grantor, its successors and assigns, shall indemnify, defend, and hold City and JEA harmless from, any and all loss, damage, action, claim, suit, judgment, cost, or expense for injury to persons (including death) or damage to property and improvements (including destruction), in any manner resulting from or arising out of the installation, replacement, maintenance or failure to maintain, or removal of any improvements placed within the easement area by Grantor, its successors or assigns, and the City’s or JEA’s exercise of their rights in the reserved easement.

**Signed and Sealed  
in Our Presence:**

(Sign) \_\_\_\_\_

(Print) \_\_\_\_\_

(Sign) \_\_\_\_\_

(Print) \_\_\_\_\_

**GRANTOR:**  
**WHITEHOUSE ASSEMBLY OF GOD, INC.**,  
*a Florida not-for-profit corporation (formerly known as  
The Kings House Assembly of God, Inc.)*

By: \_\_\_\_\_  
Name  
Title

**STATE OF FLORIDA  
COUNTY OF DUVAL**

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_ day of \_\_\_\_\_ 2021, by \_\_\_\_\_ as \_\_\_\_\_ of **Whitehouse Assembly of God, Inc.**, formerly known as The Kings House Assembly of God, Inc.

{NOTARY SEAL}

\_\_\_\_\_  
[Signature of Notary Public-State of Florida]  
[Name of Notary Typed, Printed, or Stamped]

Personally Known \_\_\_\_\_ OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

**Exhibit "A"**

**Street Map**



A PORTION OF MILL AVENUE, LYING BETWEEN BLOCKS 24 AND 25 AS SHOWN ON THE PLAT OF WHITE CITY SUBDIVISION AS RECORDED IN PLAT BOOK 5, PAGE 71 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA

**APPROVED**  
DESCRIPTION AGREES  
WITH MAP  
CITY ENGINEERS OFFICE  
TOPOGRAHY BRANCH  
By *[Signature]* Date **5-5-21**