

**CITY COUNCIL RESEARCH DIVISION
LEGISLATIVE SUMMARY**



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Bill Type and Number: Ordinance 2021-0779

Introducer/Sponsor(s): Council President at the request of the Mayor

Date of Introduction: October 26, 2021

Committee(s) of Reference: TEU

Date of Analysis: October 26, 2021

Type of Action: Ordinance - Closure and Abandonment of right-of-way

Bill Summary: This bill closes and abandons an unopened and unimproved portion of the 4th Street right-of-way, established in the Plat of Broward Heights, as recorded in Plat Book 6, Page 46 of the current public records of Duval County, Florida, located in Council District 7. This closure request was reviewed and approved by the various city, state, and utility agencies that might have an interest in the right-of-way and there were no objections to the Applicant's request. The Applicant paid the right-of-way closure application fee of \$2,091.00.

Background Information: The purpose of this legislation is to permit the closure request of the applicant, Kristopher Bessent to title 236 Orange Dale Avenue (R.E. 108037-0000), which he recently inherited. Upon review of the title to the property, the applicant learned that the garage attached to the single-family home was constructed in the right-of-way. The Applicant is requesting the closure in order to clear title to his property, subject to the conditions set forth in the Hold Harmless Covenant.

The closure and abandonment by the City of its interests in the right-of-way is subject to the Applicant's execution and delivery to the City by the Applicant of the required Hold Harmless Covenant. 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.

Policy Impact Area: Closure and Abandonment

Fiscal Impact: Applicant paid the closure application fee; there is no cost to the city

Analyst: Lehman