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ORDINANCE 2024-

ORDINANCE CLOSING AND ABANDONING AND/OR DISCLAIMING THREE UNOPENED, UNIMPROVED AND RIGHTS-OF-WAY, UNNAMED INCLUDING TWO RIGHTS-OF-WAY ESTABLISHED IN THE PLAT JACKSONVILLE FARMS, AS RECORDED IN PLAT BOOK 4, PAGE 2 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, AND ONE RIGHT-OF-WAY ESTABLISHED IN THE MAP SHOWING LANDS JACKSONVILLE HEIGHTS IMPROVEMENT CO., RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, ALL LOCATED IN COUNCIL DISTRICT 12, AT THE REQUEST OF BOYD TIMBER, INC.; PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Closure and Abandonment. The three unopened, unimproved and unnamed rights-of-way, including two rights-of-way established in the Plat of Jacksonville Farms, as recorded in Plat Book 4, Page 2 of the current public records of Duval County, Florida and one right-of-way established in the Map Showing Lands of Jacksonville Heights Improvement Co., as recorded in Plat Book 5, Page 93 of the current public records of Duval County, Florida, all located in Council District 12, a depiction and description of which is attached hereto as Exhibit 1 and incorporated herein by this reference, are hereby closed and abandoned and/or disclaimed as

rights-of-way at the request of William Boyd on behalf of Boyd Timber, Inc. (the "Applicant").

The Applicant paid a total right-of-way closure application fee of \$6,273.00, which has been deposited into the General Fund. 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.

Section 2. Purpose. The Applicant owns property adjacent to or upon which the closure areas are located (R.E. No. 001940-0000) and is requesting the closure in order to develop a residential subdivision to be known as "Eagle Glen."

Section 3. Closure Subject to Conditions. The closure and abandonment by the City of its interests in the rights-of-way is subject to the following conditions.

- (1) That Applicant execute and deliver to the City the Hold Harmless Covenants, in substantially the same form attached hereto as **Exhibit 2** and incorporated herein by this reference.
- (2) That any and all property taxes owed on the property located at 1056 S. Halsema Road, Jacksonville, FL 32221 (R.E. No. 001931-0010) be paid in full or otherwise addressed to the City's satisfaction.

The closure and abandonment shall not be recorded in the official public records unless or until the aforementioned conditions are met as confirmed by the Chief of the Real Estate Division, Department of Public Works.

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

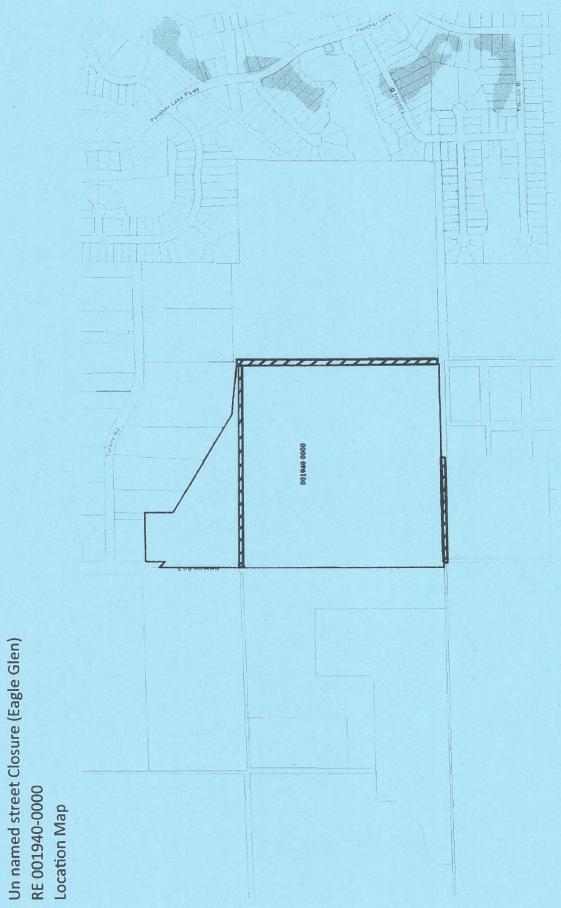
1 Form Approved:
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4 Office of General Counsel

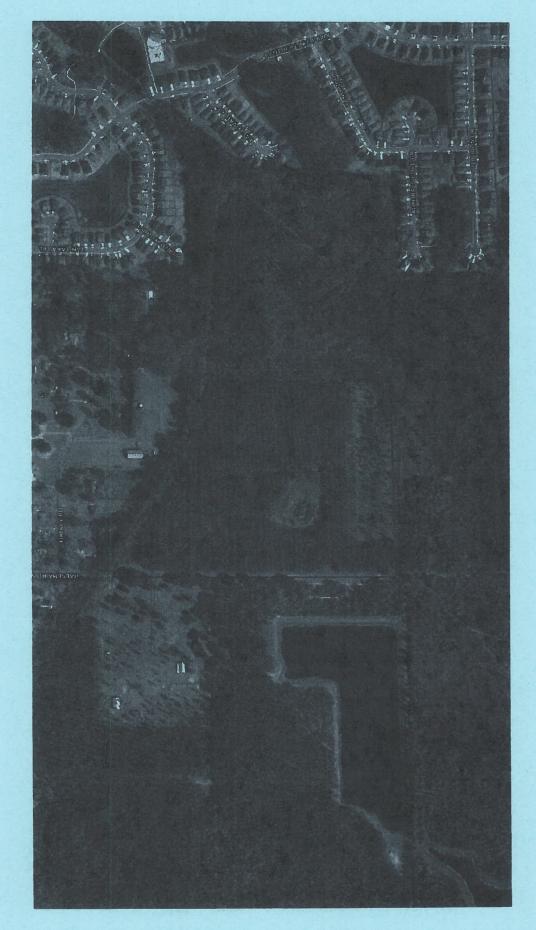
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Legislation Prepared By: Mary E. Staffopoulos

GC-#1655192-v2-Jax_Heights-Farms_ROW_Closure_(Boyd_Timber)(2024).docx





Un named street Closure (Eagle Glen) RE 001940-0000 Aerial Map

LEGAL DESCRIPTION

50TH STREET, A 30 FOOT RIGHT OF WAY, AS SHOWN ON THE PLAT OF JACKSONVILLE FARMS PLAT NO. 2, AS RECORDED IN PLAT BOOK 4, PAGE 2, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LYING IN THE EAST ONE-HALF OF EAST ONE-HALF OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 24 EAST, SAID DUVAL COUNTY

TOGETHER WITH THE WEST 681 FEET OF 54TH STREET, A 15 FOOT RIGHT OF WAY, AS SHOWN ON THE PLAT OF JACKSONVILLE FARMS PLAT NO. 2, AS RECORDED IN PLAT BOOK 4, PAGE 2, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LYING IN THE EAST ONE-HALF OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 24 EAST, SAID DUVAL COUNTY

TOGETHER WITH UNNAMED ROAD - 30 FOOT RIGHT OF WAY LYING IN SECTIONS 25 AND 26, TOWNSHIP 2 SOUTH, RANGE 24 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBE AS FOLLOWS:

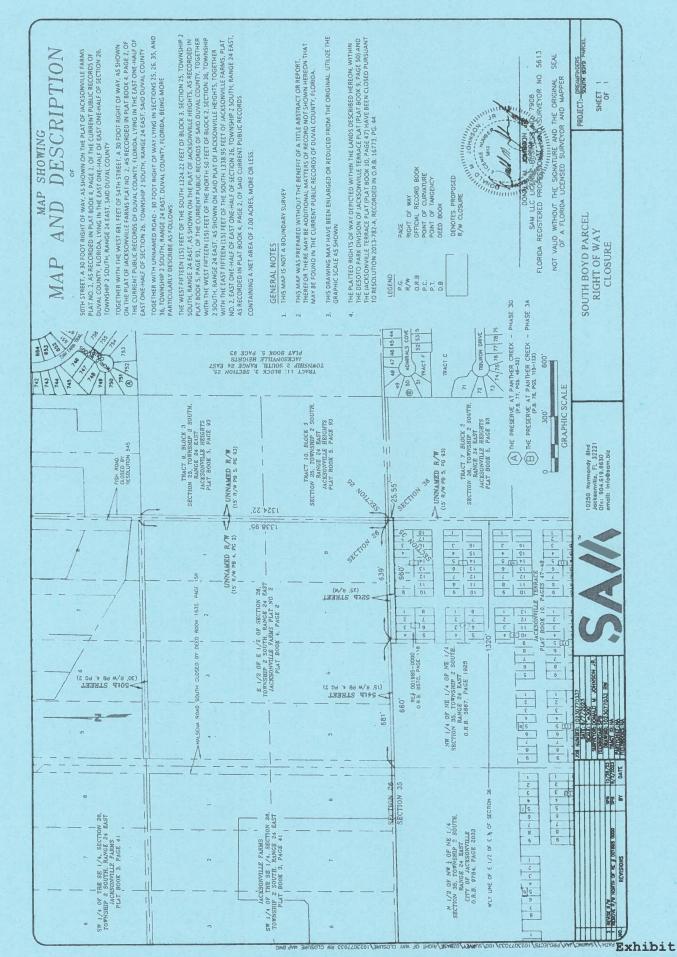
THE WEST FIFTEEN (15) FEET OF THE SOUTH 1324.22 FEET OF BLOCK 3, SECTION 25, TOWNSHIP 2 SOUTH, RANGE 24 EAST, AS SHOWN ON THE PLAT OF JACKSONVILLE HEIGHTS, AS RECORDED IN PLAT BOOK 5, PAGE 93, OF THE CURRENT PUBLIC RECORDS OF SAID DUVAL COUNTY, LESS AND EXCEPT THE SOUTH 15 FEET THEREOF, TOGETHER WITH THE EAST FIFTEEN (15) FEET OF THE SOUTH 1324.22 FEET OF JACKSONVILLE FARMS, PLAT NO. 2, EAST ONE-HALF OF EAST ONE-HALF OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 24 EAST, AS RECORDED IN PLAT BOOK 4, PAGE 2, OF SAID CURRENT PUBLIC RECORDS, LESS AND EXCEPT THE SOUTH 15 FEET THEREOF.

CONTAINING A NET AREA OF 2.00 ACRES, MORE OR LESS.

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HOLD HARMLESS COVENANT

address is 4366 Roma Boulevard, Jacksonville, Florida	day of, 2024, by Boyd Timber Inc. , whose 32210 ("Grantor") in favor of the CITY OF JACKSONVILLE , ation existing under the laws of the State of Florida, whose mailing 32202 ("City").
ORDINANCE, a copy of which is	nment of City right-of-way or easement areas pursuant to CITY statached hereto and incorporated by reference (the "Ordinance"), and established in the Official Public Records of Duval County,
members, officials, officers, employees, and agents ag expense of whatever kind or nature (including, but not linjury (whether mental or corporeal) to persons, including use of the abandoned right-of-way or easement areas, incorporated herein by reference (the "Property"); including or erosion. This Hold Harmless Covenant shall	indemnifies, and will defend CITY OF JACKSONVILLE, its ainst any claim, action, loss, damage, injury, liability, cost and by way of limitation, attorney fees and court costs) arising out of ing death, or damage to property, arising out of or incidental to the more particularly described in Exhibit "A", attached hereto and iding, but not limited to such injuries or damages resulting from run with the real property described in Exhibit "A". The adjacent the abandonment shall be responsible for maintaining the Property.
the City or JEA of their reserved easement rights, if any, use In the event that such easement rights are reserved by Cifences, hedges, and landscaping is permissible but subject Grantor, its successors and assigns, for any repairs to or and assigns, shall indemnify, defend, and hold City and judgment, cost, or expense for injury to persons (includestruction), in any manner resulting from or arising out of	cted by any permanent improvements that may impede the use by under the provisions of the reserved easement and/or the Ordinance. ty or JEA: (a) the construction of driveways and the installation of ect to removal or damage by the City or JEA at the expense of the replacement of the improvements; and (b) Grantor, its successors JEA harmless from, any and all loss, damage, action, claim, suit, ding death) or damage to property and improvements (including of the installation, replacement, maintenance or failure to maintain, ment area by Grantor, its successors or assigns, and the City's or
Signed and Sealed in Our Presence:	GRANTOR:
(Sign)	By:
	Name:
(Print)	Title:
(Sign)	
(Print)	
STATE OF FLORIDA COUNTY OF DUVAL	
The foregoing instrument was acknowledged before me by m202, by	eans of \square physical presence or \square online notarization, this day of
{NOTARY SEAL}	[Signature of Notary Public-State of Florida] [Name of Notary Typed, Printed, or Stamped]
Personally Known OR Produced Identification	

EXHIBIT "A"

LEGAL DESCRIPTION

50TH STREET, A 30 FOOT RIGHT OF WAY, AS SHOWN ON THE PLAT OF JACKSONVILLE FARMS PLAT NO. 2, AS RECORDED IN PLAT BOOK 4, PAGE 2, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LYING IN THE EAST ONE-HALF OF EAST ONE-HALF OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 24 EAST, SAID DUVAL COUNTY

TOGETHER WITH THE WEST 681 FEET OF 54TH STREET, A 15 FOOT RIGHT OF WAY, AS SHOWN ON THE PLAT OF JACKSONVILLE FARMS PLAT NO. 2, AS RECORDED IN PLAT BOOK 4, PAGE 2, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LYING IN THE EAST ONE-HALF OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 24 EAST, SAID DUVAL COUNTY

TOGETHER WITH UNNAMED ROAD - 30 FOOT RIGHT OF WAY LYING IN SECTIONS 25 AND 26, TOWNSHIP 2 SOUTH, RANGE 24 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBE AS FOLLOWS:

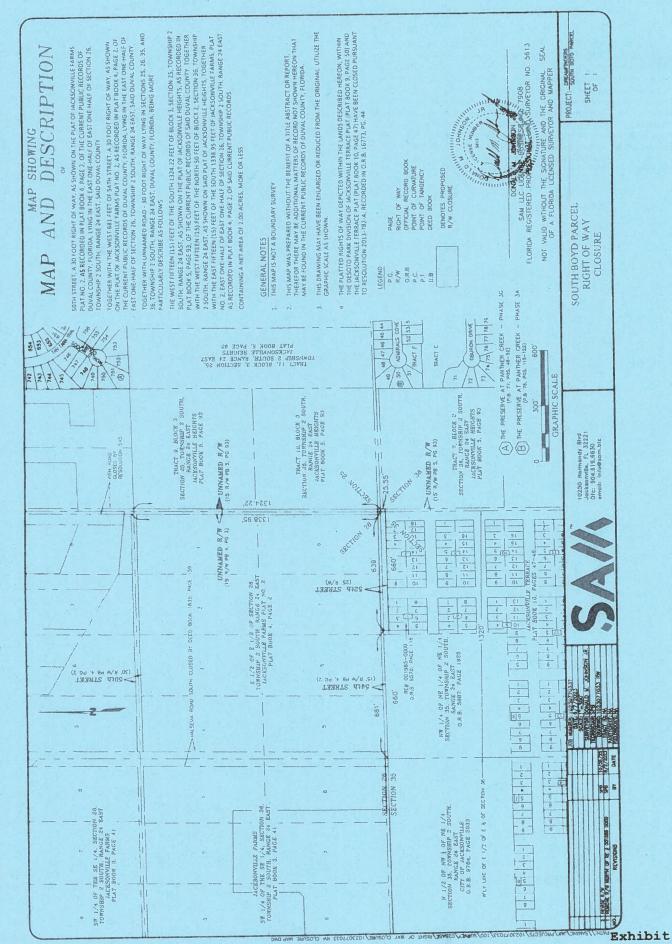
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CONTAINING A NET AREA OF 2.00 ACRES, MORE OR LESS.

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HOLD HARMLESS COVENANT

is 5367 Ortega Boulevard, Jacksonville, Florida 3221	day of, 2024, by Boyco Inc. , whose address 0 ("Grantor") in favor of the CITY OF JACKSONVILLE , a pration existing under the laws of the State of Florida, whose Florida 32202 ("City").		
ORDINANCE , a copy of which is	nment of City right-of-way or easement areas pursuant to CITY attached hereto and incorporated by reference (the "Ordinance"), and established in the Official Public Records of Duval County, •		
members, officials, officers, employees, and agents ag expense of whatever kind or nature (including, but not injury (whether mental or corporeal) to persons, including use of the abandoned right-of-way or easement areas, incorporated herein by reference (the "Property"); inclu- flooding or erosion. This Hold Harmless Covenant shall	indemnifies, and will defend CITY OF JACKSONVILLE, its ainst any claim, action, loss, damage, injury, liability, cost and by way of limitation, attorney fees and court costs) arising out of ing death, or damage to property, arising out of or incidental to the more particularly described in Exhibit "A", attached hereto and ading, but not limited to such injuries or damages resulting from run with the real property described in Exhibit "A". The adjacent 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:	GRANTOR:		
(Sign)	By:		
	Name:		
(Print)	Title:		
(Sign)			
(Print)			
STATE OF FLORIDA COUNTY OF DUVAL The foregoing instrument was acknowledged before me by m	neans of □ physical presence or □ online notarization, this day of		
202, by			
{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"

LEGAL DESCRIPTION

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TOGETHER WITH THE WEST 681 FEET OF 54TH STREET, A 15 FOOT RIGHT OF WAY, AS SHOWN ON THE PLAT OF JACKSONVILLE FARMS PLAT NO. 2, AS RECORDED IN PLAT BOOK 4, PAGE 2, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LYING IN THE EAST ONE-HALF OF SECTION 26, TOWNSHIP 2 SOUTH, RANGE 24 EAST, SAID DUVAL COUNTY

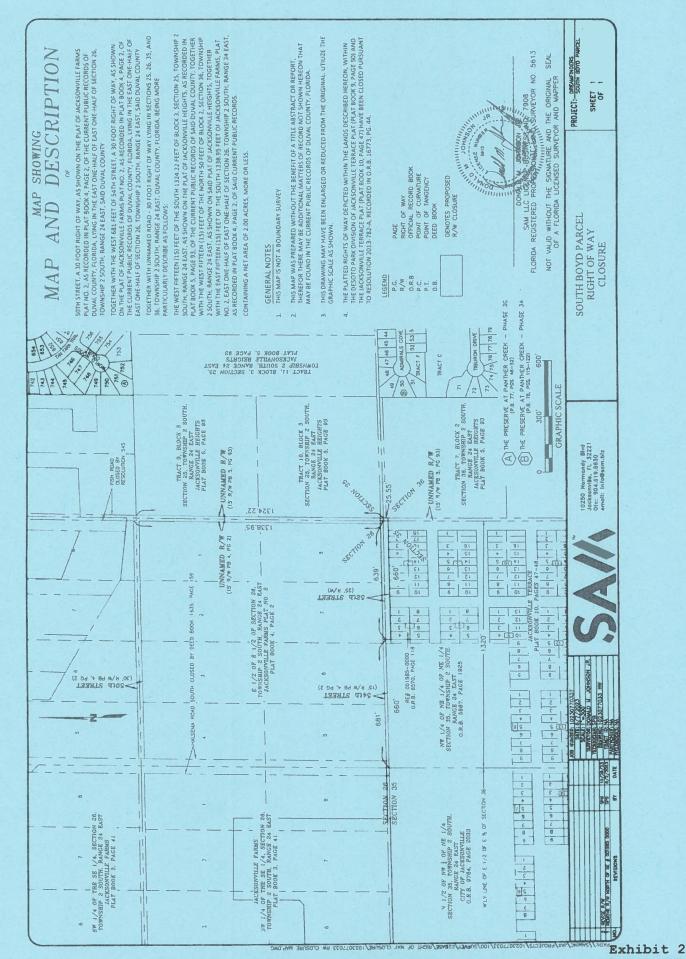
TOGETHER WITH UNNAMED ROAD - 30 FOOT RIGHT OF WAY LYING IN SECTIONS 25 AND 26, TOWNSHIP 2 SOUTH, RANGE 24 EAST, DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBE AS FOLLOWS:

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CONTAINING A NET AREA OF 2.00 ACRES, MORE OR LESS.

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BUSINESS IMPACT ESTIMATE

Pursuant to Section 166.041(4), F.S., the City is required to prepare a Business Impact Estimate for ordinances that are <u>NOT</u> exempt from this requirement. A list of ordinance exemptions are provided below. Please check all exemption boxes that apply to this ordinance. If an exemption is applicable, a Business Impact Estimate <u>IS NOT</u> required.

X	The proposed ordinance is required for compliance with Federal or State law or regulation (Section 336.09, Florida Statutes);
	The proposed ordinance relates to the issuance or refinancing of debt;
	The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
	The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
	The proposed ordinance is an emergency ordinance;
	The ordinance relates to procurement; or
	The proposed ordinance is enacted to implement the following: a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits; b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts; c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

If none of the boxes above are checked, then a Business Impact Estimate <u>IS REQUIRED</u> to be prepared by the using agency/office/department and submitted in the MBRC filing packet along with the memorandum request, legislative fact sheet, etc. A Business Impact Estimate form can be found at: https://www.coj.net/departments/finance/budget/mayor-s-budget-review-committee

Business Impact Estimate

This form must be posted on the City of Jacksonville's website by the time notice of the proposed ordinance is published.

ORDINANCE 2024-881

AN ORDINANCE CLOSING AND ABANDONING AND/OR DISCLAIMING THREE UNOPENED, UNIMPROVED AND UNNAMED RIGHTS-OF-WAY, INCLUDING TWO RIGHTS OF WAY ESTABLISHED IN THE PLAT OF JACKSONVILLE FARMS, AS RECORDED IN PLAT BOOK 4, PAGE 2 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, AND ONE RIGHT-OF-WAY ESTABLISHED IN THE MAP SHOWING LANDS OF JACKSONVILLE HEIGHTS IMPROVEMENT CO., AS RECORDED IN PLAT BOOK 5, PAGE 93 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, ALL LOCATED IN COUNCIL DISTRICT 12, AT THE REQUEST OF BOYD TIMBER, INC.; PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE DATE.

1. Summary of the proposed ordinance (must include a statement of the public	
purpose, such as serving the public health, safety, morals, and welfare): N/A	

- 2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of Jacksonville, if any:
 - (a) An estimate of direct compliance costs that businesses may reasonably incur;
 - (b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
 - (c) An estimate of the City of Jacksonville's regulatory costs, including estimated revenues from any new charges or fees to cover such costs. N/A

3.	Good faith estimate	of the number of businesses likely to be impacted by the
	proposed ordinance	: N/A

Additional information	the governing b	ody deems us	seful (if any):	None.

Page 2 of 2 OGC Rev. 10/11/2023 (LH)