

1 Introduced by the Council President at the request of the Mayor:
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3

4 **ORDINANCE 2025-**

5 AN ORDINANCE CLOSING AND ABANDONING AND/OR
6 DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION
7 OF THE CAPITOLA STREET RIGHT-OF-WAY, AS RECORDED
8 IN PLAT BOOK 2, PAGES 59 AND 60, IN THE MAP OF
9 GRAND PARK PLAT, OF THE CURRENT PUBLIC RECORDS
10 OF DUVAL COUNTY, FLORIDA, LOCATED IN COUNCIL
11 DISTRICT 10, AT THE REQUEST OF TRANSPORT DIRECT
12 LLC, SUBJECT UNTO RESERVATION TO CITY AND JEA OF
13 A NON-EXCLUSIVE ALL-UTILITIES, FACILITIES, AND
14 ACCESS EASEMENT ON, OVER, UNDER, THROUGH, AND
15 ACROSS THE CLOSURE AREA; PROVIDING FOR APPROVAL
16 SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE
17 DATE.
18

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

20 **Section 1. Closure and Abandonment.** An unopened and
21 unimproved portion of Capitola Street Right-of-Way as recorded in
22 Plat Book 2, Pages 59 and 60, in the Map of Grand Park Plat, of the
23 current public records of Duval County, Florida, located in Council
24 District 10, a depiction and description of which is attached hereto
25 as **Exhibit 1**, and incorporated herein by this reference, is hereby
26 closed and abandoned and/or disclaimed at the request of Transport
27 Direct LLC (the "Applicant"), subject unto reservation unto City and
28 JEA of a non-exclusive all-utilities, facilities, and access easement
29 on, over, under, through, and across the closure area.

30 The Applicant has paid the closure application fees of \$2,091.00
31 and this sum has been deposited into the City's General Fund. This

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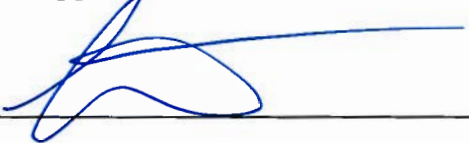
1 closure request was reviewed and approved by the various city, state,
2 and utility agencies that might have an interest in the right-of-way
3 and there were no objections to the Applicant's request.

4 **Section 2. Purpose.** The Applicant owns the fee parcel
5 where the closure area is located (R.E. No. 048113-0000) and has
6 requested this closure to fence in the closure area to expand the
7 transportation yard of their commercial property.

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

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

19
20 Form Approved:

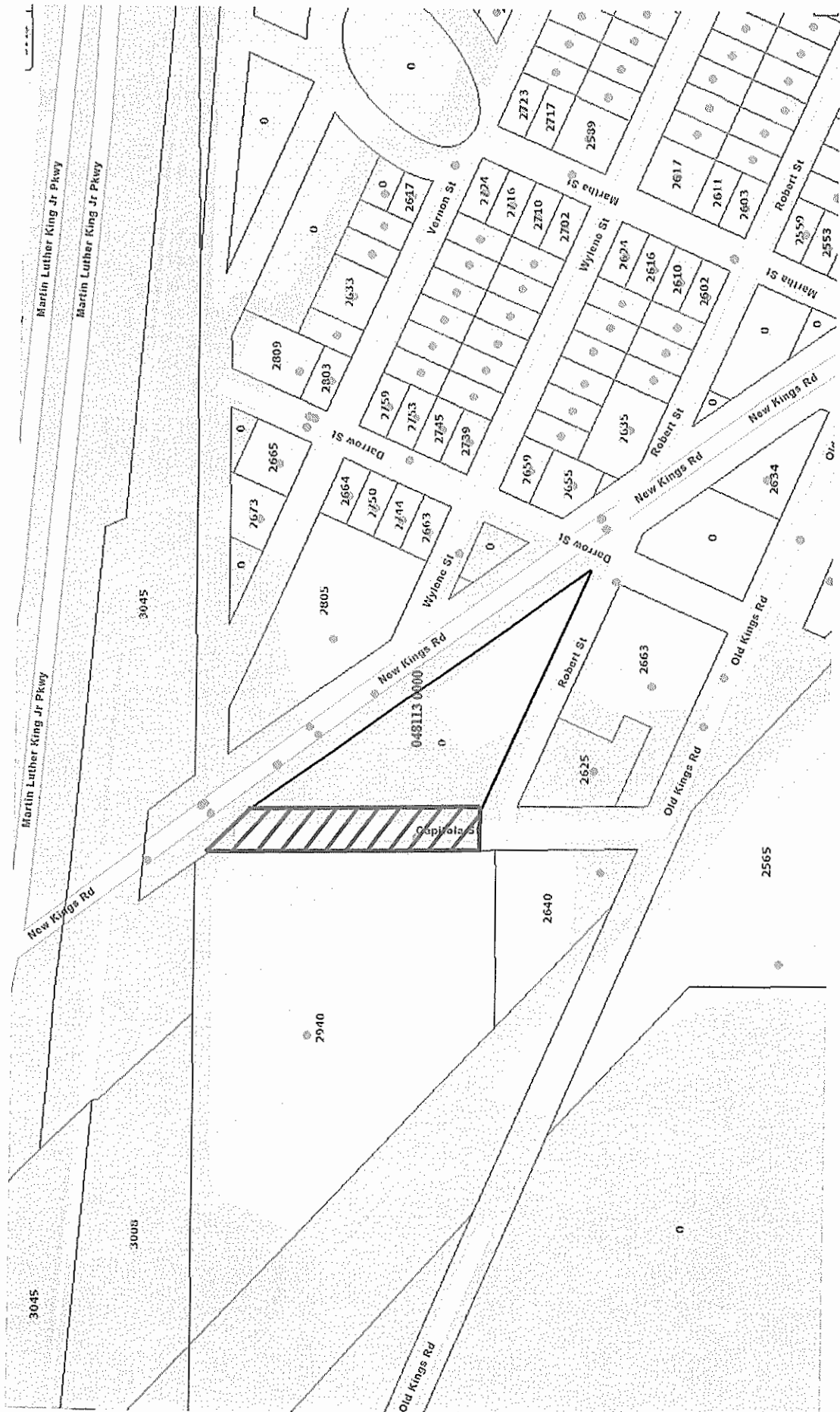
21 
22 _____

23 Office of General Counsel

24 Legislation Prepared By: Harry M. Wilson, IV

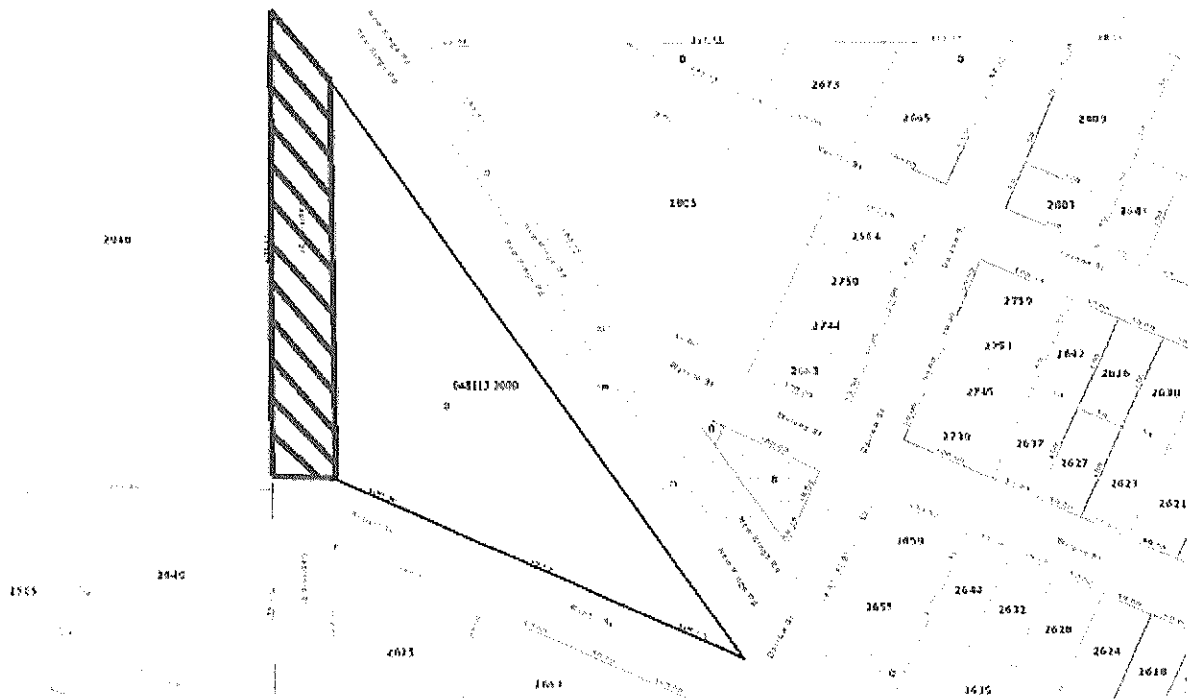
25 GC-#1705208-v1-Capitola_Street_ROW_Closure.docx

Capitola Street Closure
RE 048113-0000
Location Map



Capitola Street Closure
RE 048113-0000
Aerial Map





**The City of Jacksonville provides no warranties, express or implied, concerning the accuracy, completeness or reliability or suitability of this location map for any particular use.

RE 048113-0000 For location purposes.

THAT PORTION OF CAPITOLA STREET (FORMERLY AVENUE M, A 60 FOOT RIGHT OF WAY) BEING BOUNDED ON THE SOUTH BY THE NORTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF BLOCK 84, AS SHOWN ON PLAT OF GRAND PARK, AS RECORDED IN PLAT BOOK 2, PAGES 59 AND 60 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA AND BOUNDED ON THE NORTH BY THE SOUTHWESTERLY RIGHT OF WAY LINE OF NEW KINGS ROAD (STATE ROAD NO. 15, A VARIABLE WIDTH RIGHT OF WAY PER STATE OF FLORIDA STATE ROAD DEPARTMENT RIGHT OF WAY MAP, SECTION 7208, PROJECT NO. 143, LAST REVISION DATE: 8-16-1985).

APPROVED
DESCRIPTION AGREES
WITH MAP
CITY ENGINEERS OFFICE
TOPO/SURVEY BRANCH

By SCC ate 2/13/23

HOLD HARMLESS COVENANT

This **Hold Harmless Covenant** is hereby granted this ____ day of _____, 2025, by **Transport Direct LLC**, whose address is **1541 Kelby Road, Kissimmee, Florida 34744** ("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 2025-_____**, a copy of which is attached hereto and incorporated by reference (the "Ordinance"), located near **RE# 048113-0000** in **Council District 10** and established in the **Map of Grand Park** plat as recorded in Official Public Records of Duval County, Florida at **Plat Book 2, Page 59 and 60**.

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:**

GRANTOR:

(Sign) _____

By: _____

(Print) _____

Name:

Title:

(Sign) _____

(Print) _____

**STATE OF FLORIDA
COUNTY OF DUVAL**

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this ____ day of _____, 2025, 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 _____

RE 048113-0000 For location purposes.

APPROVED
DESCRIPTION AGREES
WITH MAP
CITY ENGINEERS OFFICE
TOPO/SURVEY BRANCH

By SCC at 2/13/23

LEGISLATIVE FACT SHEET

DATE: 07/29/25 BT or RC No: _____
(Administration & City Council Bills)

SPONSOR: Public Works/Real Estate in Councilmember Ju' Coby Pittman's District 10
(Department/Division/Agency/Council Member)

Contact for all inquiries and presentations: Renee Hunter

Provide Name: Renee Hunter, Chief, Real Estate Division

Contact Number: 904-255-8234

Email Address: reneeh@coj.net

PURPOSE: White Paper (Explain Why this legislation is necessary? Provide; Who, What, When, Where, How and the Impact.) Council Research will complete this form for Council introduced legislation and the Administration is responsible for all other legislation.

(Minimum of 350 words - Maximum of 1 page.)

Please provide authorization for the Public Works Real Estate Division to request the legislation necessary for the City Council to approve the closure and abandonment of an unopened and unimproved portion of the Capitola Street right of way, as recorded in Plat Book 2, Page 59 and 60, in the Map of Grand Park plat, of the Current Public Records of Duval County, Florida. See maps attached and RE# 048113-0000 for location purposes.

The Applicant, Transport Direct LLC., seeks to fence in the closure area to expand the transportation yard of their commercial property. The applicant has paid the \$2,091.00 closure application fee. No City, State, or other agency has objected to this closure request.

An all-utilities, facilities, and access easement will be reserved over the closure area in favor of the City of Jacksonville and JEA.

APPROPRIATION: Total Amount Appropriated: _____ as follows:

List the source name and provide Object and Subobject Numbers for each category listed below:

(Name of Fund as it will appear in title of legislation)

Name of Federal Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____

Name of State Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____

Name of City of Jacksonville Funding Source(s):	From: _____	Amount: _____
	To: _____	Amount: _____

Name of In-Kind Contribution(s):	From: _____	Amount: _____
	To: _____	Amount: _____

Name & Number of Bond Account(s):	From: _____	Amount: _____
	To: _____	Amount: _____

PLAIN LANGUAGE OF APPROPRIATION / FINANCIAL IMPACT / OTHER:

Explain: Where are the funds coming from, going to, how will the funds be used? Does the funding require a match? Is the funding for a specific time frame? Will there be an ongoing maintenance? ... and staffing obligation? Per Chapters 122 & 106 regarding funding of anticipated post-construction operation costs.

(Minimum of 350 words - Maximum of 1 page.)

The applicant has paid the \$2,091.00 closure application fee which has been deposited in the General Fund 00111.152001.349070.000000.00000000.000000.

ACTION ITEMS: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No	
Emergency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Justification of Emergency: If yes, explanation must include detailed nature of emergency. <div></div>
Federal or State Mandate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision. <div></div>
Fiscal Year Carryover?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Note: If yes, note must include explanation of all-year subfund carryover language. <div></div>
CIP Amendment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Attachment: If yes, attach appropriate CIP form(s). Include justification for mid-year amendment. Attachment & Explanation: If yes, attach the Contract / Agreement and name of Department (and contact name) that will provide oversight. Indicate if negotiations are on-going and with whom. Has OGC reviewed / drafted? <div>OGC has approved the hold harmless covenant template.</div>
Contract / Agreement Approval?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Related RC/BT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Attachment: If yes, attach appropriate RC/BT form(s). Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper. <div></div>
Waiver of Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Exception?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Code Reference: If yes, identify code in box below and provide detailed explanation (including impacts) within white paper. <div></div>
Related Enacted Ordinances?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Code Reference: If yes, identify related code section(s) and ordinance reference number in the box below and provide detailed explanation and any changes necessary within white paper. <div></div>

ACTION ITEMS CONTINUED: Purpose / Check List. If "Yes" please provide detail by attaching justification, and code provisions for each.

ACTION ITEMS:

	Yes	No	
Continuation of Grant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Explanation: How will the funds be used? Does the funding require a match? Is the funding for a specific time frame and/or multi-year? If multi-year, note year of grant? Are there long-term implications for the General Fund?</p> <div style="border: 1px solid black; height: 40px; width: 100%;"></div>
Surplus Property Certification?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Attachment: If yes, attach appropriate form(s).</p>
Reporting Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Explanation: List agencies (including City Council / Auditor) to receive reports and frequency of reports, including when reports are due. Provide Department (include contact name and telephone number) responsible for generating reports.</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div>

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 NOT 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 IS NOT required.

- ☒ The proposed ordinance is required for compliance with Federal or State law or regulation (Florida Statute 336.09);
- ☐ 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 IS REQUIRED 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>

Division Chief: Renee Hunter
(signature)
Prepared By: Sandy Bond
(signature)

Date: 7/29/25

Date: 7/29/25

ADMINISTRATIVE TRANSMITTAL

To: MBRC, c/o the Budget Office, St. James Suite 325

Thru: Nina Sickler, P.E., Director Public Works

(Name, Job Title, Department)

Phone: 255-8748

E-mail: NSickler@coj.net

From: Renee Hunter, Chief, Real Estate

Initiating Department Representative (Name, Job Title, Department)

Phone: 255-8234

E-mail: ReneeH@coj.net

Primary Contact: Renee Hunter, Chief, Real Estate

(Name, Job Title, Department)

Phone: 255-8234

E-mail: ReneeH@coj.net

CC: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor

Phone: 255-5000

E-mail: BNorris@coj.net

COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL

To: John Sawyer, Office of General Counsel, St. James Suite 480
Phone: 904-255-5074 E-mail: JSawyer@coj.net

From: _____
Initiating Council Member / Independent Agency / Constitutional Officer
Phone: _____ E-mail: _____

Primary Contact _____
(Name, Job Title, Department)
Phone: _____ E-mail: _____

CC: Brittany Norris, Director of Intergovernmental Affairs, Office of the Mayor
Phone: 255-5000 E-mail: BNorris@coj.net

Legislation from Independent Agencies requires a resolution from the Independent Agency Board approving the legislation.

Independent Agency Action Item:

Yes

No

Boards Action / Resolution?

☐☐

Attachment: If yes, attach appropriate documentation. If no, when is board action scheduled?

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED