

AUG 20 '25 PM 12:10

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

**ORDINANCE 2025-**

AN ORDINANCE CLOSING AND ABANDONING AND/OR  
DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION  
OF VANDEVIERE AVENUE, AS SHOWN ON THE PLAT OF  
CHASE HEIGHTS AS RECORDED IN PLAT BOOK 10, PAGE  
41, OF THE CURRENT PUBLIC RECORDS OF DUVAL  
COUNTY, FLORIDA, LOCATED IN COUNCIL DISTRICT 9,  
AT THE REQUEST OF EB FREIGHT LLC; 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.** An unopened and  
unimproved portion of Vandeviere Avenue, as shown on the Plat of  
Chase Heights as recorded in Plat Book 10, Page 41, of the current  
public records of Duval County, Florida, located in Council District  
9, a depiction and description of which is attached hereto as **Exhibit**  
**1** and incorporated herein by this reference, is hereby closed and  
abandoned and/or disclaimed at the request of EB Freight LLC (the  
"Applicant").

The Applicant has paid the closure application fees of \$2,091.00  
and this sum has been deposited into the City's 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 the fee parcel  
where the closure area is located (R.E. No. 007390-0100) and has  
requested this closure for the purpose of storing equipment for its

1 trucking company, to fence in the area, install a gate and place  
2 crushed asphalt on the ground.

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

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

14  
15 Form Approved:

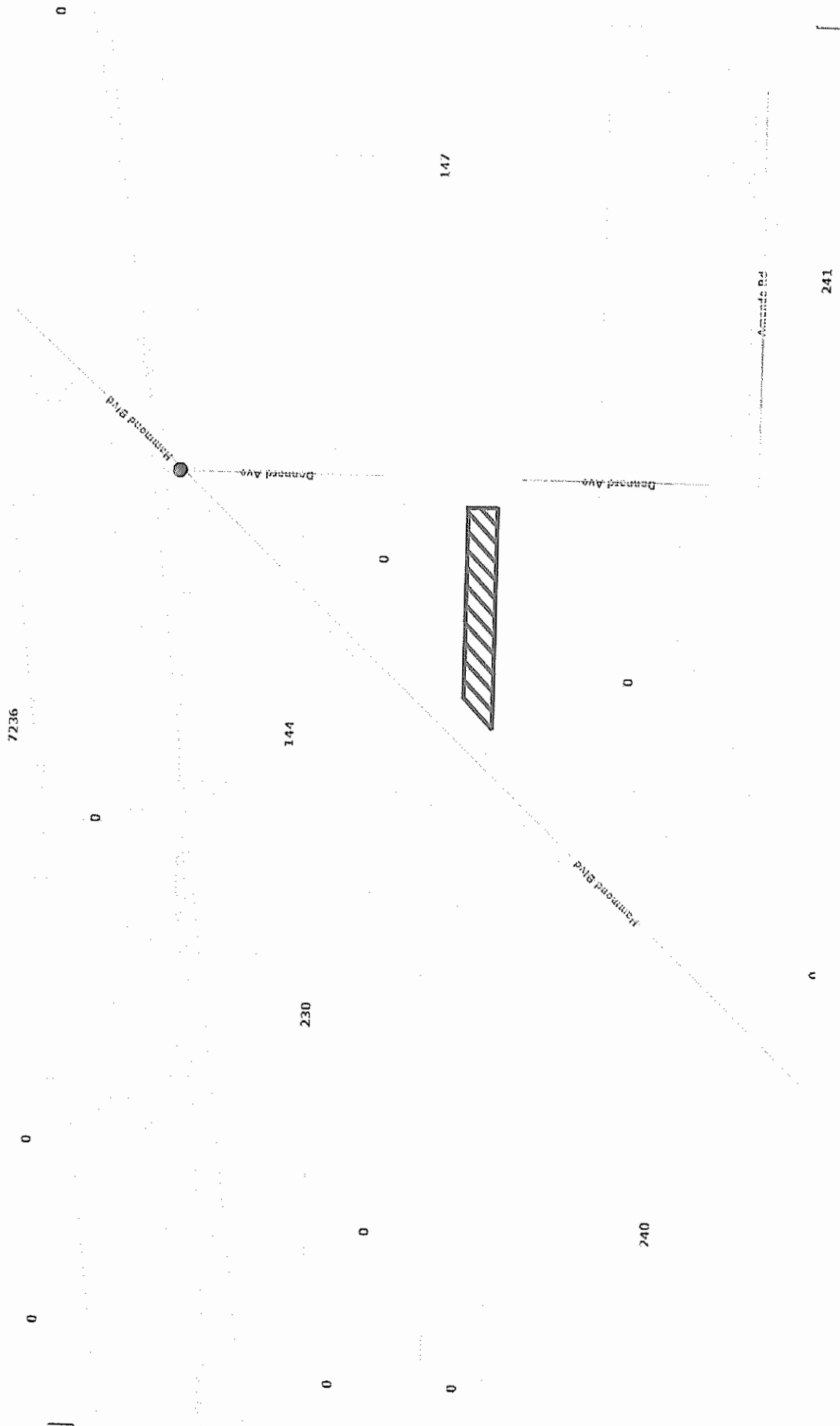
16   
17

18 Office of General Counsel

19 Legislation Prepared By: Harry M. Wilson, IV

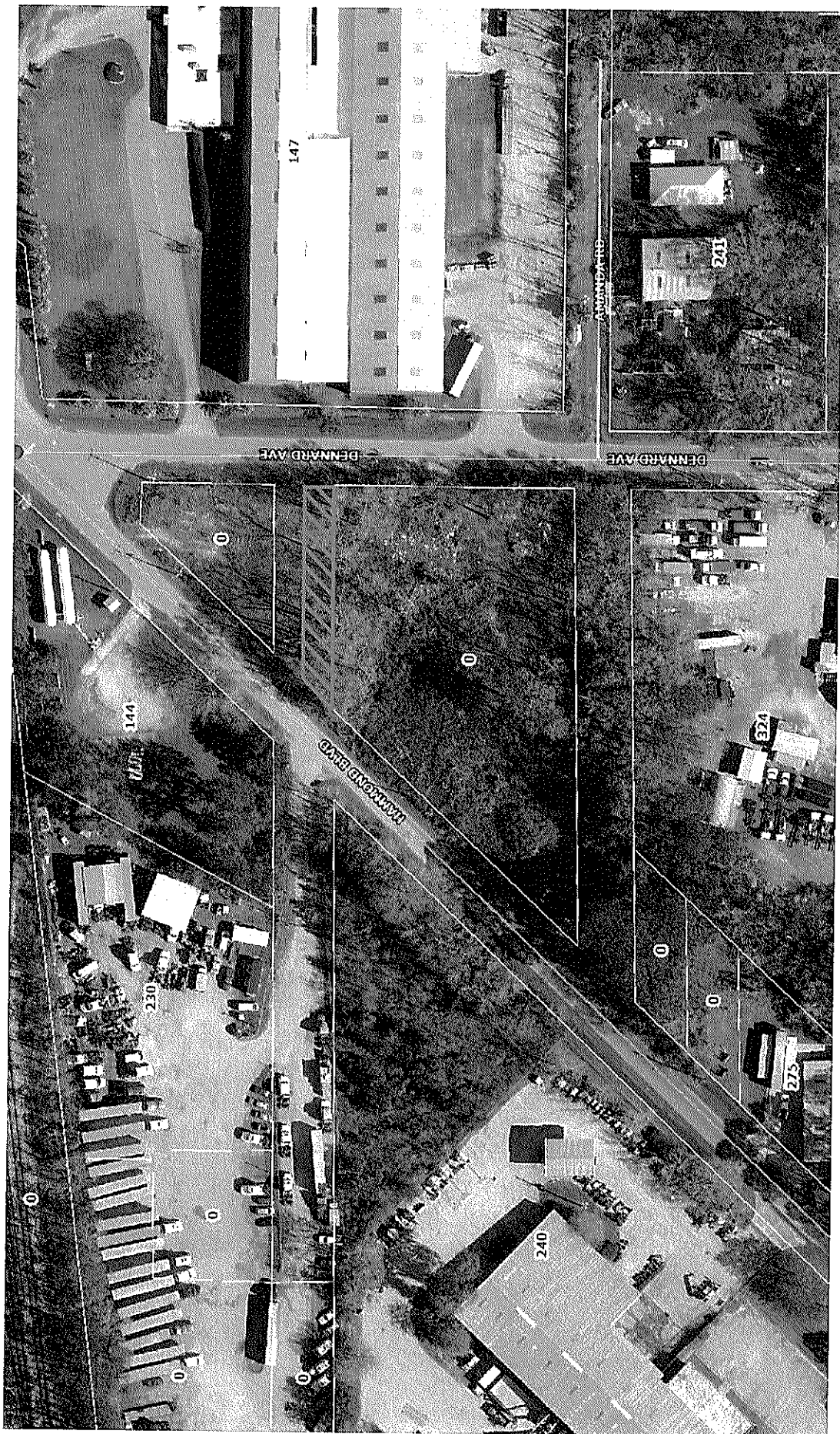
20 GC-#1705243-v1-Vandeviere\_Ave\_ROW\_Closure.docx

Vandeviere Ave. Closure  
RE 007390 0100  
Location Map





Vandeviere Ave. Closure  
RE 007390 0100  
Aerial Map



# MAP OF

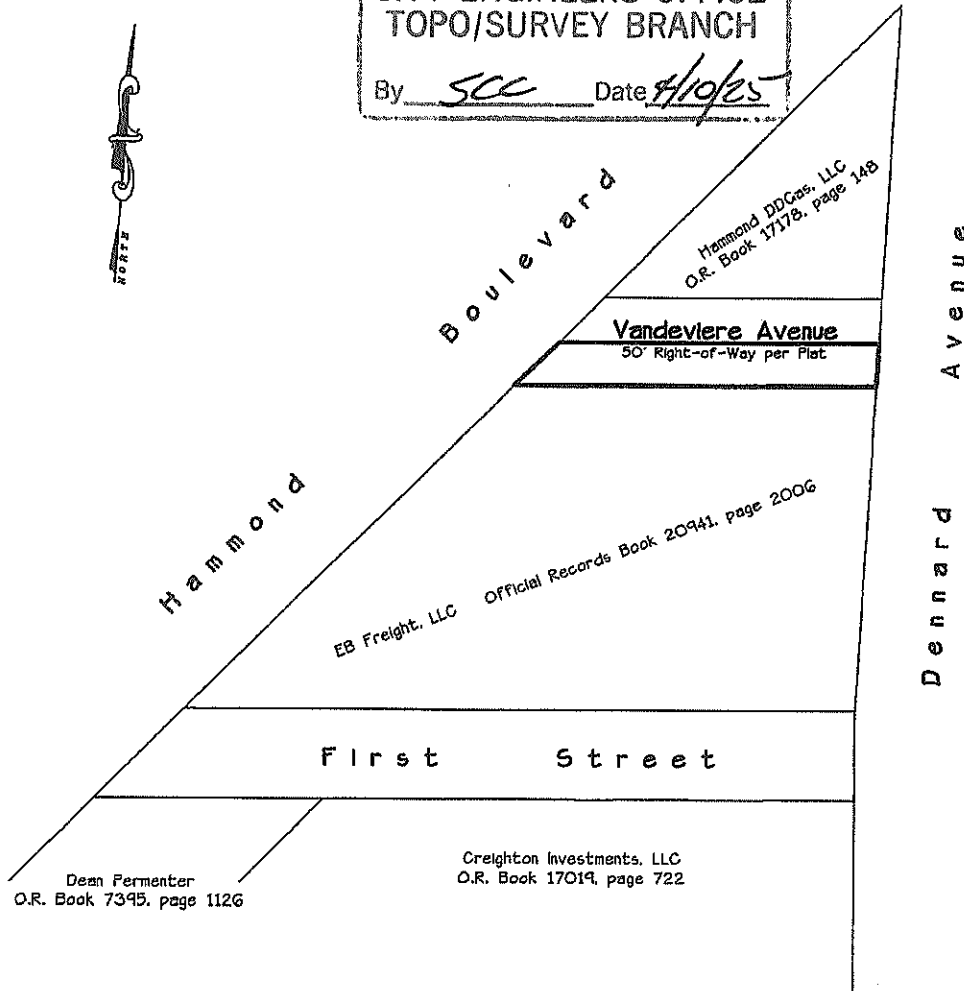
The South 1/2 of Vandeviere Avenue as shown on the plat of Chase Heights, recorded in Plat Book 10, page 41 of the public records of Duval County, Florida, being bounded on the east by the west right-of-way line of Dennard Avenue and bounded on the west by the southeasterly right-of-way line of Hammond Boulevard.

For: EB Freight, LLC

Scale 1" = 100'

April 9, 2025

**APPROVED**  
DESCRIPTION AGREES  
WITH MAP  
CITY ENGINEERS OFFICE  
TOPO/SURVEY BRANCH  
By SCC Date 4/10/25



I hereby certify that the closing of this street will not cause any parcel of record to be land locked.

Not valid without the signature and the original roiled seal of a Florida licensed surveyor and mapper.

*Harold T. Eiland*

Harold T. Eiland  
License No. LS 2518  
EILAND & ASSOCIATES, INC.  
Professional Surveyors & Mappers  
Certificate of Authorization No. LB 1381  
615 BLANDING BOULEVARD  
ORANGE PARK, FLORIDA 32073

Note:  
This map was prepared for descriptive purposes only and does not represent an actual survey.

Flid. Book N/A

Job No. 45180-B

## **HOLD HARMLESS COVENANT**

This **Hold Harmless Covenant** is hereby granted this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by **EB FREIGHT LLC**, whose address is **854 Worth Rd. St. Johns, Florida 32559** ("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# 007390-0100** in **Council District 9** and established in the **plat of Chase Heights** as recorded in the Official Public Records of Duval County, Florida at **Plat Book 10 Page 41**.

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: \_\_\_\_\_

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

Title: \_\_\_\_\_

(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 \_\_\_\_\_

# MAP OF

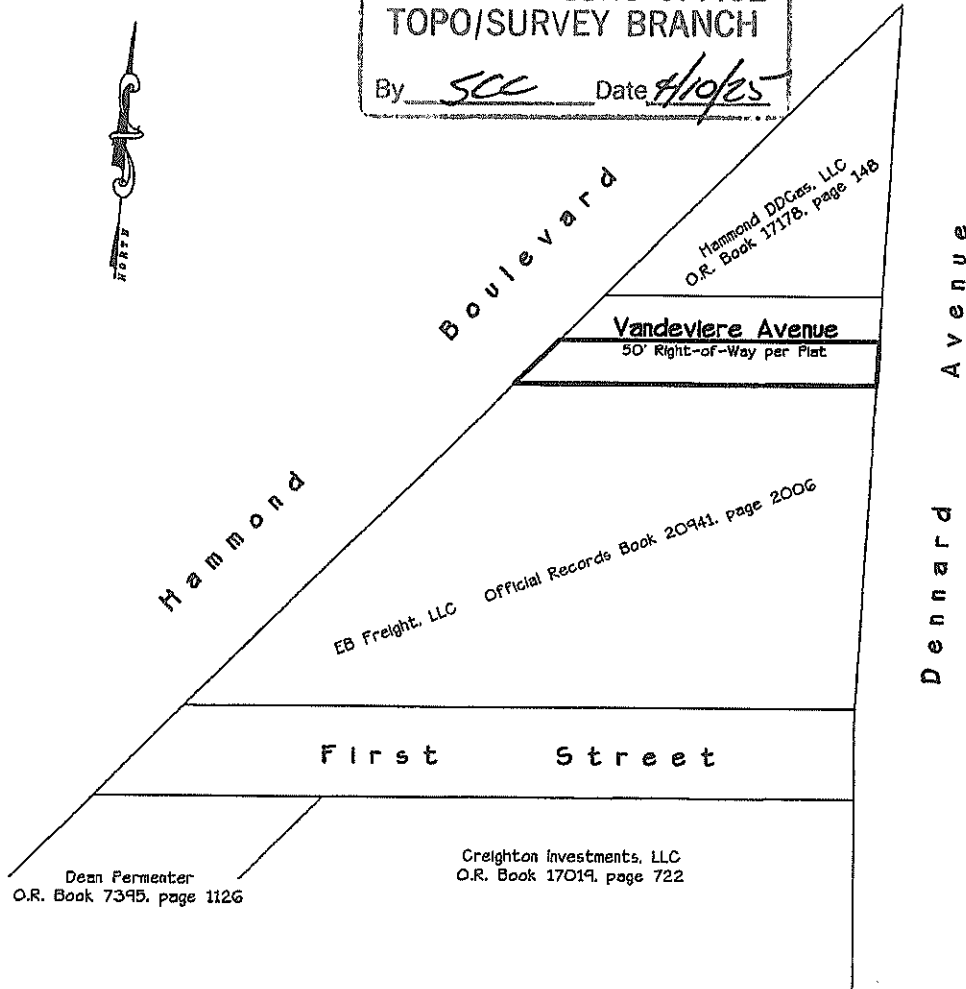
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For: EB Freight, LLC

Scale 1" = 100'

April 9, 2025

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WITH MAP  
CITY ENGINEERS OFFICE  
TOPO/SURVEY BRANCH  
By SCC Date 4/10/25



I hereby certify that the closing of this street will not cause any parcel of record to be land locked.

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

*Harold T. Eiland*

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Certificate of Authorization No. LB 1301  
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Note:  
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Fld. Book N/A

Job No. 45180-B

## LEGISLATIVE FACT SHEET

DATE: 05/06/25

BT or RC No: \_\_\_\_\_  
(Administration & City Council Bills)

SPONSOR: Public Works/Real Estate in Councilmember Tyrone Clark-Murray's District 9  
(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 Vandeviere Ave., as shown on the plat of Chase Heights as recorded in Plat Book 10, page 41 of the Public Records of Duval County, Florida. See maps attached and RE# 007390-0100 for location purposes.

The Applicant, EB Freight LLC, has requested the closure for the purpose of storing equipment for its trucking company, to fence in the area, install a gate, and place crushed asphalt on the ground. The applicant has paid the \$2,091.00 closure application fee. No City, State, or other agency has objected to this closure request.

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 00111.152001.349070.000000.00000000.00000.

**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.
Contract / Agreement Approval?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	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? OGC has approved the hold harmless covenant template. <div></div>
Related RC/BT?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Attachment: If yes, attach appropriate RC/BT form(s).
Waiver of Code?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Code Reference: If yes, identify code section(s) in box below and provide detailed explanation (including impacts) within white paper. <div></div>
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"/>

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?

Surplus Property Certification?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Reporting Requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Attachment: If yes, attach appropriate form(s).

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.

**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)

Date: 5/6/2025

Prepared By: [Signature]  
(signature)

Date: 5/6/2025

**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:

Boards Action / Resolution? ☐ Yes ☐ No

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

**FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED**