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ORDINANCE 2025-

AN ORDINANCE CLOSING AND ABANDONING AND/OR DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION OF THE EAST STREET RIGHT-OF-WAY AS RECORDED IN PLAT BOOK 12, PAGE 68, TROUT RIVER GARDENS, OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, LOCATED IN COUNCIL DISTRICT 8, AT THE REQUEST OF CW-TROUT RIVER, LLC; PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE DATE.

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

Closure and Abandonment. Section 1. An unopened and unimproved portion of the East Street Right-of-Way as recorded in Plat Book 12, Page 68, Trout River Gardens, of the current public records of Duval County, Florida, located in Council District 8, 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 CW-Trout River, LLC (the "Applicant").

The Applicant has paid the closure application fee 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.

The Applicant owns the fee parcel Section 2. Purpose. where the closure area is located (R.E.#: 021160-0500) and has requested this closure to allow for a single-family subdivision to be called Trout River.

Section 3. Hold Harmless Covenant. The closure and abandonment by the City of its interests in the right-of-way is subject to Applicant's execution and delivery to the City of a Hold Harmless Covenant, in substantially the same form attached hereto as Exhibit 2 and incorporated herein by this reference. 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.

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

Form Approved:

17 Office of General Counsel

Legislation Prepared By: Harry M. Wilson, IV

GC-#1698535-v1-East_Street_ROW_Closure_(CW_Trout_River).docx

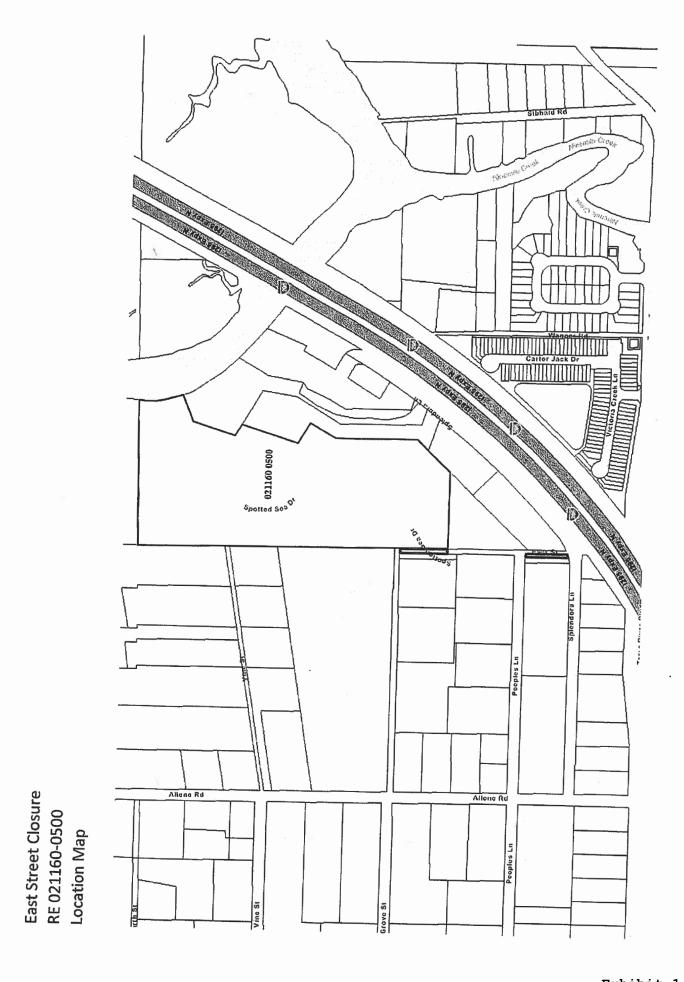
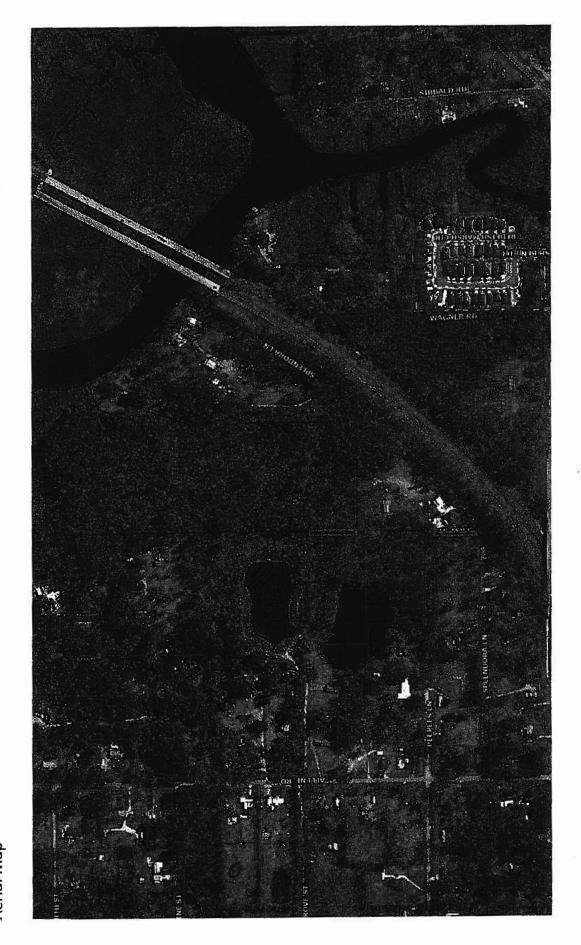
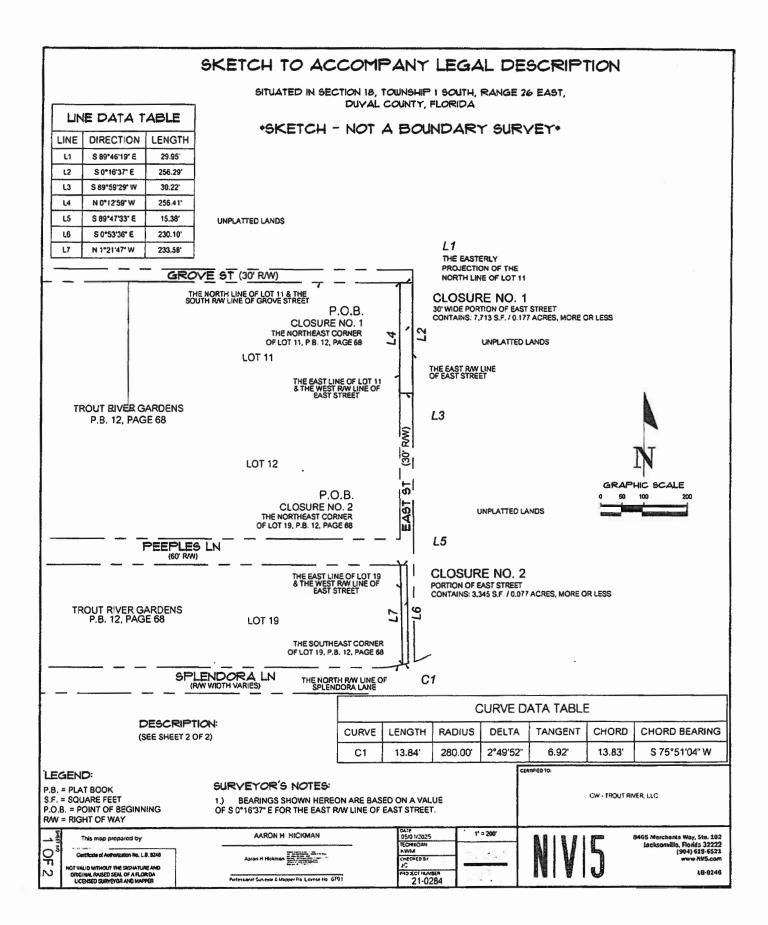


Exhibit 1 Page 1 of 4



East Street Closure RE 021160-0500 Aerial Map



DESCRIPTIONS:

CLOSURE NO. 1

A PORTION OF OF TROUT RIVER GARDENS, AS RECORDED IN PLAT BOOK 12, PAGE 68 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 11 OF SAID TROUT RIVER GARDENS, SAID POINT LYING ON THE WEST RIGHT OF WAY LINE OF EAST STREET, HAVING A RIGHT OF WAY WIDTH OF 30 FEET, AS SHOWN ON THE PLAT OF SAID TROUT RIVER GARDENS, THENCE DEPARTING SAID WEST RIGHT OF WAY LINE, SOUTH 89°46°19" EAST, ALONG THE EASTERLY PROJECTION OF THE NORTH LINE OF SAID LOT 11, A DISTANCE OF 29.95 FEET TO THE EAST RIGHT OF WAY LINE OF SAID EAST STREET; THENCE SOUTH 0°16°37" EAST, ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 256.29 FEET; THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, SOUTH 89°59'29" WEST, A DISTANCE OF 30.22 FEET TO THE WEST RIGHT OF WAY LINE OF SAID EAST STREET, SAID POINT ALSO LYING ON THE EAST LINE OF SAID LOT 11; THENCE NORTH 0°12'59" WEST, ALONG SAID WEST RIGHT OF WAY LINE AND ALONG THE EAST LINE OF SAID LOT 11. A DISTANCE OF 256.41 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAIN: 7,713 SQUARE FEET / 0.177 ACRES.

CLOSURE NO. 2

ADDRAVED

A PORTION OF OF TROUT RIVER GARDENS, AS RECORDED IN PLAT BOOK 12, PAGE 68 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 19 OF SAID TROUT RIVER GARDENS, SAID POINT LYING ON THE WEST RIGHT OF WAY LINE OF EAST STREET, HAVING A RIGHT OF WAY WIDTH OF 30 FEET, AS SHOWN ON THE PLAT OF SAID TROUT RIVER GARDENS, THENCE DEPARTING SAID EAST RIGHT OF WAY LINE, SOUTH 89°47'33" EAST, ALONG AN EASTERLY PROJECTION OF THE NORTH LINE OF SAID LOT 19, A DISTANCE OF 15.38 FEET; THENCE SOUTH 0°53'36" EAST, A DISTANCE OF 230.10 FEET TO THE NORTH RIGHT OF WAY LINE OF SPLENDORA LANE (HAVING A RIGHT OF WAY WIDTH THAT VARIES), SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 280.00 FEET AND BEING SUBTENDED BY A CHORD HAVING A BEARING AND DISTANCE OF SOUTH 75"51'04" WEST, 13.83 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTH RIGHT OF WAY LINE, THROUGH A CENTRAL ANGLE OF 2'49'52", AN ARC LENGTH OF 13.84 FEET TO THE SOUTHEAST CORNER OF SAID LOT 19, SAID POINT LYING ON THE WEST RIGHT OF WAY LINE OF SAID EAST STREET; THENCE NORTH 1'21'47" WEST, ALONG SAID WEST RIGHT OF WAY LINE AND ALONG THE EAST LINE OF SAID LOT 19, A DISTANCE OF 233.58 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED LANDS CONTAIN: 3,345 SQUARE FEET / 0.077 ACRES, MORE OR LESS.

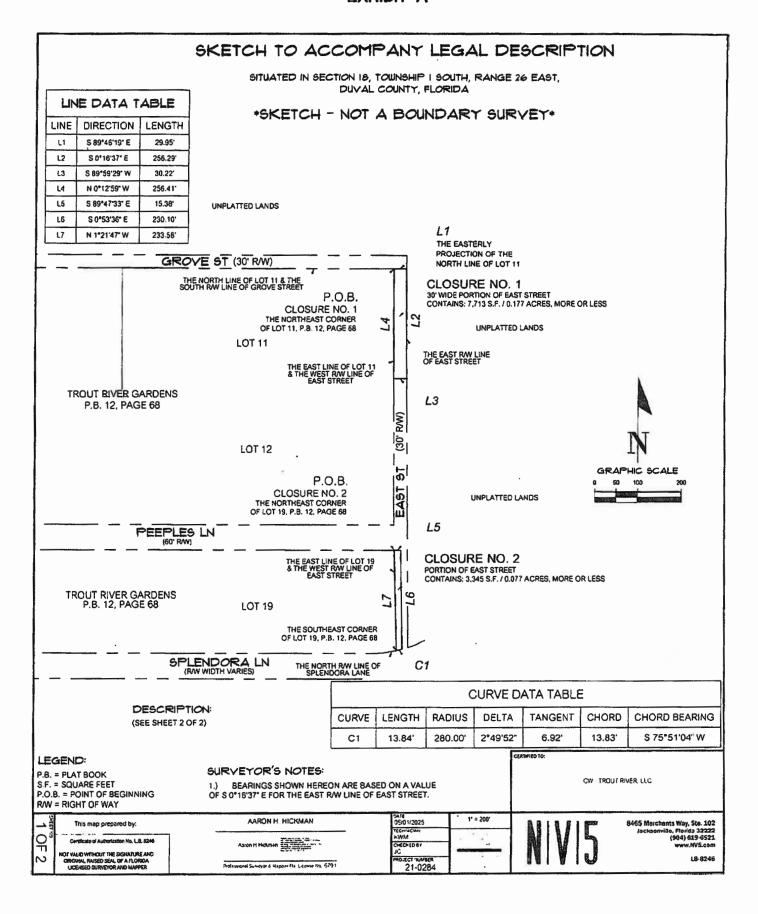
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						CW	TROUT RIVER LLC
2	This inap prepared by		AARON H HICKMAN	05/01/2025 TECHIRCIAN	BEI	8 8 1 1	8465 Morchants Way, Ste. 102
oF 2	Continues of Authorization No. I.B. 6245 NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER		SE SHEET ONE OF TWO	CHECKEO BY JC PROJECT HUNDER 21-0284	N	VID	Jacksonville, Floida 32222 (904) 619-6521 www.NV5.com LB-8246

EXHIBIT 2

HOLD HARMLESS COVENANT

This Hold Harmless Covenant is hereby grant whose address is 7855 S. River Parkway JACKSONVILLE, a consolidated political sufficient, whose mailing address is 117 West Durida, whose mailing address is 117 West Durida.	Ste. 222, Tempe, AZ 8528 abdivision and municipal corpo	4 ("Grantor") in favor of the CITY OF ration existing under the laws of the State of
IN CONSIDERATION for the closure and/o ORDINANCE 2025, a copy of which near RE# 021160-0500 in Council District 8 Public Records of Duval County, Florida at Planta Research Provided Prov	h is attached hereto and incorporand established in the Plat of T	rated by reference (the "Ordinance"), located
Grantor, its successors and assigns, holds had members, officials, officers, employees, and expense of whatever kind or nature (including injury (whether mental or corporeal) to personause of the abandoned right-of-way or easemed incorporated herein by reference (the "Propert flooding or erosion. This Hold Harmless Cover property owner(s) who acquire the Property as a	agents against any claim, action, but not by way of limitation, s, including death, or damage to a treas, more particularly desty"); including, but not limited enant shall run with the real property.	on, loss, damage, injury, liability, cost and attorney fees and court costs) arising out of property, arising out of or incidental to the cribed in Exhibit "A" , attached hereto and to such injuries or damages resulting from perty described in Exhibit "A" . The adjacent
Furthermore, the Property shall remain totally the City or JEA of their reserved easement right. In the event that such easement rights are reserfences, hedges, and landscaping is permissible Grantor, its successors and assigns, for any repand assigns, shall indemnify, defend, and hold judgment, cost, or expense for injury to persodestruction), in any manner resulting from or are removal of any improvements placed within JEA's exercise of their rights in the reserved easement reserved.	s, if any, under the provisions of ved by City or JEA: (a) the constitution of the constitution of the constitution of the incited and JEA harmless from, a cons (including death) or damagising out of the installation, replant the easement area by Grantor	the reserved easement and/or the Ordinance. struction of driveways and the installation of age by the City or JEA at the expense of the approvements; and (b) Grantor, its successors any and all loss, damage, action, claim, suit, to property and improvements (including acement, maintenance or failure to maintain,
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 2025, by		
(NOTARY SEAL)	[Signature of Notary Pu	ublic-State of Florida]
Personally Known OR Produced Identificat		

EXHIBIT "A"



DESCRIPTIONS:

CLOSURE NO. 1

A PORTION OF OF TROUT RIVER GARDENS, AS RECORDED IN PLAT BOOK 12, PAGE 68 OF THE PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THE ABOVE DESCRIBED LANDS CONTAIN: 7,713 SQUARE FEET / 0.177 ACRES.

CLOSURE NO. 2

ADDOUTED

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THE ABOVE DESCRIBED LANDS CONTAIN: 3,345 SQUARE FEET / 0.077 ACRES, MORE OR LESS.

	DESCRIPTION AGREES WITH MAP CITY ENGINEERS OFFICE TOPO/SURVEY BRANCH By SCC Date 5/8/25		ATTACHED HER	VN ON THE MAP REWITH AND MAD I HEREOF	E CERTURED TO		
	pas V variestados policiones (III de la Constitución (A CHARLES AND A			CERTIFIED TO	CW TRO	OUT RIVER LLC
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LEGISLATIVE FACT SHEET

DATE:	05/29/25	5	BT or RC No:	
-			(Administration & City Co	uncit Bills)
SPONSOR:	Public Wo	rks/Real Est	ate in Councilmember Reggie Gaff	nev .lr 's District 8
0. 000	7 45110 77 5	Morrida Est	(Department/Division/Agency/Council M	
Contact for all i	inquiries and pre	sentations:	Renee H	untor
Provide Name:	•	oornadono.	Renee Hunter, Chief, Real Estate Div	
	ntact Number: 90	04-255-8234		131011
	nail Address: re			
PURPOSE: White Pa	aper (Explain Why this	legislation is nec	essary? Provide; Who, What, When, Where, Ho Administration is responsible for all other legislat	
	0 words - Maximu			
approve the closu	re and abandonmen , Trout River Garden	t of an unopen	al Estate Division to request the legislation ed and unimproved portion of the East Stre nt Public Records of Duval County, Florida	et right of way, as recorded in Plat
			elop a single-family development subdivision	
nas paid the closu	re application lee of	\$2,091.00. NO	City, State, or other agency has objected	to this closure request
	ON: Total Amo	• • •		as follows:
List the source	name and provid	de Object an	d Subobject Numbers for each cate	egory listed below:
(Name of Fund as	it will appear in title	of legislation)		
Name of Federal	Funding Source(s):	From:		Amount:
		То:		Amount:
		From:		Amount:
Name of State Fun	nding Source(s):	To:		
		То:		Amount:
Name of City of Ja	cksonville Funding	From:		Amount:
		То:		Amount:
		From:		
Name of In-Kind C	of In-Kind Contribution(s):			Amount:
		То:		Amount:
Name & Number o	f Bond Account(e):	From:		Amount:
TARILLE OF LACITIONS O	umber of Bond Account(s):	То:		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 00111.152001.349070.000000.000000.000000.

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

ACTION ITEMS:

Yes

No

Justification of Emergency: If yes, explanation must include detailed nature of

70 1011 1 ENIO. 100 10	
Emergency? X	Justification of Emergency: If yes, explanation must include detailed nature of emergency.
Federal or State Mandate?	Explanation: If yes, explanation must include detailed nature of mandate including Statute or Provision.
Fiscal Year Carryover? X	Note: If yes, note must include explanation of all-year subfund carryover language.
CIP Amendment? X Contract / Agreement Approval?	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? OGC has approved the hold harmless covenant template.
Related RC/BT? X Waiver of Code? X	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.
Code Exception? X	Code Reference: If yes, Identify code in box below and provide detailed explanation (including impacts) within white paper.
Related Enacted Ordinances?	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.
	1

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

ACTION ITEMS: Continuation of Grant?	Yes	No	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?		x	Attachment: If yes, attach appropriate form(s).
Reporting Requirements?		х	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 <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 (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
ᆸ	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
	G. Dection Coc.202, Fidina Clatates, relating to the Fidina File Fievention

 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

D	ivision Chief:	Rowette	ile_		Date: S	12912025
i	Prepared By:	Sand	signature)	<u> </u>	Date:	7/29/2025
		·		E TRANSMITTAL		
Го:	MBRC, c/c	the Budget Office	ce, St. James	Suite 325		
Thru:	Nina Sickle	r, P.E., Director Put	olic Works			
	(Name, Job	Title, Department)		Ti and the state of the state o		
	Phone:	255-8748	E-mail:	NSickler@coj.net		
From:	Renee Hun	ter, Chief, Real Esta	ate			
	Initiating Dep	partment Representati	ive (Name, Job Ti	itle, Department)		
	Phone:	255-8234	E-mail: _	ReneeH@coj.net		
Primary	Renee Hun	ter, Chief, Real Esta	ate			
Contact	(Name, Job	Title, Department)				
	Phone:	255-8234	E-mail:	ReneeH@coj.net		
CC:	Brittany Nor	rris, Director of Inter	governmental A	Affairs, Office of the Mayor		
	Phone:	255-5000	E-mail:	BNorris@coj.net		

COUNCIL MEMBER / INDEPENDENT AGENCY / CONSTITUTIONAL OFFICER TRANSMITTAL

To:	John Saw	yer, Office of Gene	eral Counsel, St. James Suite 480	
	Phone:	904-255-5074	E-mail: <u>JSawyer@coj.net</u>	
From:				
	Initiating Co	uncil Member / Indepe	ndent Agency / Constitutional Officer	
	Phone:		E-mail:	
Primary				
Contact	(Name, Job	Title, Department)		
	Phone:		E-mail:	
CC:	Brittany No	orris, Director of Inter	governmental Affairs, Office of the Mayor	
	Phone:	255-5000	E-mail: <u>BNorris@coj.net</u>	
the legislat	ion. nt Agency A		equires a resolution from the Independent Agency Board appro	

FACT SHEET IS REQUIRED BEFORE LEGISLATION IS INTRODUCED

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 NUMBER TO BE ASSIGNED (2025) title of ordinance AN ORDINANCE
CLOSING AND ABANDONING AND/OR DISCLAIMING AN UNOPENED AND UNIMPROVED
PORTION OF EAST STREET RIGHT-OF-WAY, ESTABLISHED IN PLAT BOOK 12, PAGE 68 OF
THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, IN COUNCIL DISTRICT 8,
AT THE REQUEST OF CW - TROUT RIVER, LLC.; PROVIDING FOR APPROVAL SUBJECT TO
CONDITIONS; PROVIDING AN EFFECTIVE DATE.
Summary of the prepared ardinance: AN OPPINANCE CLOSING AND ARANDONING AND/OP

Summary of the proposed ordinance: AN ORDINANCE CLOSING AND ABANDONING AND/OR DISCLAIMING AN UNOPENED AND UNIMPROVED PORTION OF EAST STREET RIGHT-OF-WAY, ESTABLISHED IN PLAT BOOK 12, PAGE 68 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA, IN COUNCIL DISTRICT 8, AT THE REQUEST OF CW - TROUT RIVER, LLC.; PROVIDING FOR APPROVAL SUBJECT TO CONDITIONS; PROVIDING AN EFFECTIVE DATE.

An estimate of the direct economic impact of the proposed ordinance: \$2,091 CLOSURE APPLICATION FEE HAS BEEN DEPOSITED INTO THE GENERAL FUND. THIS LEGISLATION WILL NOT REQUIRE BUSINESSES TO INCUR ANY DIRECT COMPLIANCE COSTS NOR WILL ANY NEW CHARGES OR FEES BE ASSESSED BY THIS LEGISLATION FOR WHICH BUSINESSES WILL BE FINANCIALLY RESPONSIBLE.

Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: NONE OTHER THAN APPLICANT.

Additional information the governing body deems useful (if any): N/A

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