

1 Introduced by Council Member Peluso:  
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4 **ORDINANCE 2024-758**

5 AN ORDINANCE DECLARING THAT CERTAIN PARCEL OF  
6 REAL PROPERTY LOCATED AT 1144 PACETTI STREET,  
7 JACKSONVILLE, FLORIDA 32206 (R.E. NO.  
8 115088-0000) IN COUNCIL DISTRICT 7, TO BE  
9 SURPLUS TO THE NEEDS OF THE CITY; AUTHORIZING  
10 CONVEYANCE OF THE SUBJECT PARCEL TO DESTINED FOR  
11 A CHANGE, INC., A FLORIDA NOT-FOR-PROFIT  
12 CORPORATION ("DFAC"), AT NO COST; AUTHORIZING  
13 THE MAYOR, OR HER DESIGNEE, AND THE CORPORATION  
14 SECRETARY TO EXECUTE A QUITCLAIM DEED AND OTHER  
15 CONVEYANCE DOCUMENTS; WAIVING SECTION 122.424  
16 (DISPOSITION FOR DIRECT SALE), PART 4 (REAL  
17 PROPERTY), CHAPTER 122 (PUBLIC PROPERTY),  
18 *ORDINANCE CODE*, TO ALLOW FOR DONATION OF THE  
19 SUBJECT PROPERTY TO DFAC; WAIVING SECTION  
20 122.425 (DISPOSITION BY AUCTION OR SEALED BID),  
21 PART 4 (REAL PROPERTY), CHAPTER 122 (PUBLIC  
22 PROPERTY), *ORDINANCE CODE*, TO ALLOW FOR DONATION  
23 OF THE SUBJECT PROPERTY TO DFAC; PROVIDING FOR  
24 CONVEYANCE OF THE PROPERTY SUBJECT TO THE  
25 FOLLOWING: (1) THE PROPERTY IS BEING CONVEYED  
26 "AS IS", (2) RESERVATION OF A RIGHT OF REENTRY  
27 ON BEHALF OF THE CITY FOR DFAC'S FAILURE TO  
28 OBTAIN APPROPRIATE LAND USE AND ZONING  
29 DESIGNATIONS OR OTHER ENTITLEMENTS NECESSARY TO  
30 DEVELOP THE PROPERTY FOR AFFORDABLE HOUSING  
31 WITHIN TWO YEARS FROM THE DATE OF CONVEYANCE,

1 AND (3) RESERVATION OF A RIGHT OF REENTRY ON  
2 BEHALF OF THE CITY FOR DFAC'S FAILURE TO DEVELOP  
3 AND USE THE PARCEL FOR AFFORDABLE HOUSING WITHIN  
4 TWO YEARS OF OBTAINING THE APPROPRIATE LAND USE  
5 AND ZONING DESIGNATIONS OR OTHER ENTITLEMENTS  
6 NECESSARY TO DEVELOP THE PROPERTY FOR AFFORDABLE  
7 HOUSING; PROVIDING FOR CITY OVERSIGHT BY THE  
8 DEPARTMENT OF PUBLIC WORKS, REAL ESTATE  
9 DIVISION; PROVIDING AN EFFECTIVE DATE.

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11 **WHEREAS**, the City of Jacksonville owns property located at  
12 1144 Pacetti Street, Jacksonville, Florida 32206 (R.E. No. 115088-  
13 0000) in Council District 7 (the "Property"), a vacant parcel with  
14 an assessed value of \$15,573; and

15 **WHEREAS**, Destined for a Change, Inc., a Florida not-for-profit  
16 corporation ("DFAC"), operates its primary office approximately one-  
17 tenth of a mile down the street from the Property and has expressed  
18 a desire to obtain the Property, at no cost, for the purpose of  
19 developing it for affordable housing; and

20 **WHEREAS**, the City has determined that there is no public need  
21 for retaining the Property and has deemed it surplus to the needs of  
22 the City; and

23 **WHEREAS**, the conveyance of the Property to DFAC would enable  
24 it to utilize the Property to meet community housing needs; and

25 **WHEREAS**, the City Council finds it to be in the best interest  
26 of the public to convey the Property to DFAC specifically for  
27 development of affordable housing; now therefore

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

29 **Section 1. Declaration of Surplus.** The City hereby  
30 declares the property located at 1144 Pacetti Street, Jacksonville,  
31 Florida 32206 (R.E. No. 115088-0000) in Council District 7, as more

1 particularly described and depicted in **Exhibit 1**, attached hereto and  
2 incorporated herein by this reference (the "Property"), to be surplus  
3 to the needs of the City. A copy of the certificate from the Chief  
4 of Real Estate for the surplus of real property, required by Council  
5 Rule 3.102(g) (1) (Preparation of Bills), is attached hereto as **Exhibit**  
6 **2** and incorporated herein by this reference.

7       **Section 2. Execution and Conveyance Authorized.** The Mayor,  
8 or her designee, and the Corporation Secretary are authorized to  
9 execute and deliver all documents, including a Quitclaim Deed in  
10 substantially the form shown in **Exhibit 3**, attached hereto, necessary  
11 to convey the Property, at no cost, to Destined for a Change, Inc.,  
12 a Florida not-for-profit corporation ("DFAC").

13       **Section 3. Waiving Section 122.424 (Disposition by direct**  
14 **sale), Ordinance Code.** The provisions of Chapter 122.424 (Disposition  
15 by direct sale), Part 4 (Real Property), Chapter 122 (Public  
16 Property), *Ordinance Code*, are hereby waived to allow the Property  
17 to be conveyed to DFAC at no cost instead of being disposed of through  
18 a negotiated sale to an adjacent landowner.

19       **Section 4. Waiving Section 122.425 (Disposition by auction**  
20 **or sealed bid), Ordinance Code.** The provisions of Chapter 122.425  
21 (Disposition by auction or sealed bid), Part 4 (Real Property),  
22 Chapter 122 (Public Property), *Ordinance Code*, are hereby waived to  
23 allow for conveyance of the Property to DFAC, at no cost, rather than  
24 by auction or sealed bid. DFAC has evidenced an interest in obtaining  
25 the Property for development of affordable housing and the Council  
26 finds that the City has no public need for the Property, and the use  
27 of the Property for affordable housing is appropriate.

28       **Section 5. "As Is" Conveyance; Conditions on Conveyance;**  
29 **Use and Right of Reentry.** The Property is being conveyed to DFAC "as  
30 is" in its current condition without any warranties, representations  
31 or guarantees, express or implied, of any kind, nature or type

1 whatsoever, regarding its use, title, suitably or merchantability  
2 and, upon conveyance, all maintenance and responsibility as to the  
3 Property shall become the sole and exclusive obligation of DFAC. DFAC  
4 shall also satisfy any liens or outstanding taxes on the Property at  
5 the time of conveyance. Within two years of conveyance, DFAC shall  
6 apply for and obtain the land use and zoning designations and any  
7 other entitlements necessary to develop the property for residential  
8 (affordable housing) uses. DFAC shall thereafter be required to  
9 develop the Property for affordable Housing within two years from the  
10 date the appropriate land use and zoning designations and any other  
11 required entitlements are obtained. If the Property is used for  
12 anything other than affordable housing, the City shall have the right,  
13 but not the duty, to reenter the Property and upon exercise of such  
14 reentry, all right, title, and interest of DFAC, shall revert to the  
15 City and DFAC shall execute and deliver a Special Warranty Deed to  
16 the City free of all liens and encumbrances.

17 **Section 6. Oversight Department.** The Department of Public  
18 Works, Real Estate Division, shall oversee the operations described  
19 in this Ordinance; if the conditions and use provisions in Section 5  
20 are not fulfilled and/or maintained, the Real Estate Division, through  
21 the Office of General Counsel, may initiate action for reverter.

22 **Section 7. Effective Date.** This Ordinance shall become  
23 effective upon signature by the Mayor or upon becoming effective  
24 without the Mayor's signature.

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26 Form Approved:

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28           /s/ Carla A. Lopera          

29 Office of General Counsel

30 Legislation Prepared By: Carla A. Lopera

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