

Introduced by Council Member Peluso:

ORDINANCE 2025-126

AN ORDINANCE MAKING CERTAIN FINDINGS; APPROVING AND AUTHORIZING THE MAYOR, OR HER DESIGNEE, AND THE CORPORATION SECRETARY TO EXECUTE AND DELIVER AN AGREEMENT TO REDUCE NUISANCE ABATEMENT LIENS AND DEMOLITION LIEN (THE "LIEN AGREEMENT") BETWEEN THE CITY OF JACKSONVILLE ("CITY") AND TERRAWISE HOMES, INC., IN CONNECTION WITH DEMOLITION AND IMPROVEMENT OF THE PROPERTY LOCATED AT 1320 IONIA STREET, JACKSONVILLE, FLORIDA 32206 (R.E. NO. 072535-0000) (THE "PROPERTY"), WHICH LIEN AGREEMENT AUTHORIZES AN "AFTER-THE-FACT" REDUCTION OF THE NUISANCE ABATEMENT AND DEMOLITION LIENS ON THE PROPERTY IN THE AMOUNT OF \$27,861.16, PLUS ACCRUED INTEREST; DIRECTING THE FINANCE DEPARTMENT AND THE NEIGHBORHOODS DEPARTMENT TO WORK COOPERATIVELY TO ADMINISTER AND MONITOR THE LIEN AGREEMENT; WAIVING SUBSECTION 518.145(D) (COLLECTION AND SETTLEMENT OF NUISANCE ABATEMENT AND DEMOLITION LIENS), *ORDINANCE CODE*, AUTHORIZING THE DIRECTOR OF THE FINANCE DEPARTMENT AND THE CITY'S REAL ESTATE OFFICER TO EXTINGUISH LIENS IN CONSIDERATION OF REHABILITATION OF A PROPERTY TO BRING IT INTO COMPLIANCE WITH THE ORDINANCE CODE; REQUESTING EMERGENCY PASSAGE UPON INTRODUCTION; PROVIDING AN EFFECTIVE DATE.

1
2 **WHEREAS,** Harmony Family Group, LLC and the City of Jacksonville
3 entered into an Agreement to Reduce Nuisance Abatement and Demolition
4 Liens (the "HFG Agreement") regarding the property located at 1320
5 Ionia Street, Jacksonville, Florida 32206 (R.E. No. 072535-0000) (the
6 "Property"), and a copy of said HFG Agreement with associated lien
7 information and other documentation is attached hereto as **Exhibit 1**;
8 and

9 **WHEREAS,** Harmony Family Group, LLC agreed to bring the Property
10 into compliance with the City's Ordinance Code in accordance with the
11 terms and conditions set forth in the HFG Agreement; and

12 **WHEREAS,** the City's Accounting Division discovered that
13 Harmony Family Group, LLC conveyed the Property to Terrawise Homes,
14 Inc., a third party, without the City's consent; and

15 **WHEREAS,** on January 13, 2025, the City terminated the Agreement
16 effective immediately and requested full payment of the outstanding
17 liens on the Property, (a copy of the Termination Letter is attached
18 hereto as **Exhibit 2**); and

19 **WHEREAS,** as of March 13, 2024, Terrawise Homes, Inc., is the
20 current owner of the Property (the "Current Owner") having purchased
21 the Property for \$50,000 as reflected in the Special Warranty Deed
22 attached hereto as **Exhibit 3**; and

23 **WHEREAS,** as of February 5, 2025, there is one demolition lien
24 and six nuisance liens attached to the Property in the total amount
25 of \$27,861.16, plus accrued interest, and a list of said liens is
26 attached hereto as **Exhibit 4**; and

27 **WHEREAS,** the Current Owner completed improvements to the
28 Property without first entering into a contract with the City to
29 address the outstanding liens; and

30 **WHEREAS,** Terrawise Homes, Inc. has submitted documentation,
31 which has been placed **On File** with the Legislative Services Division,

1 for consideration by the City in support of its request to reduce the
2 aforementioned demolition and nuisance liens "after-the-fact"; now
3 therefore

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

5 **Section 1. Findings.** It is hereby ascertained, determined,
6 found and declared as follows:

7 (a) The recitals set forth herein are true and correct.

8 (b) The construction of a new single-family home at the
9 Property is consistent with the goals of the City in that the project
10 will, among other things, help meet the overall community goal of
11 blight elimination and growth in Jacksonville.

12 (c) The authorizations provided by this Ordinance are for
13 public uses and purposes for which the City may use its powers as a
14 county/municipality and as a political subdivision of the State of
15 Florida and may expend public funds, and the necessity in the public
16 interest for the provisions herein enacted is hereby declared as a
17 matter of legislative determination.

18 (d) This Ordinance is adopted pursuant to the provisions of
19 Chapters 125, 163 and 166, *Florida Statutes*, as amended, the City's
20 Charter, and other applicable provisions of law.

21 **Section 2. Approval and Authorization to Execute Agreement.**

22 The City Council hereby approves the Agreement to Reduce Nuisance
23 Abatement Lien and Demolition Lien (the "Lien Agreement") between the
24 City and the Current Owner in substantially the form attached hereto
25 as **Exhibit 5**. The Mayor, or her designee, and the Corporation
26 Secretary, are hereby authorized to: (1) execute and deliver, for and
27 on behalf of the City, the Lien Agreement and all such other
28 documents, necessary or appropriate to effectuate the purpose of this
29 Ordinance, and (2) take, or cause to be taken, for and on behalf of
30 the City, such further action to effectuate the purpose of this
31 Ordinance. The Lien Agreement may include such additions, deletions

1 and changes as may be reasonable, necessary and incidental for
2 carrying out the purposes thereof, as may be acceptable to the Mayor,
3 or her designee, with such inclusion and acceptance being evidenced
4 by execution of the Lien Agreement by the Mayor, or her designee. No
5 modification to the Lien Agreement may increase the financial
6 obligations or liability of the City to an amount in excess of the
7 amount authorized by this Ordinance, and any such modification shall
8 be technical only and shall be subject to appropriate legal review
9 and approval by the Office of General Counsel.

10 **Section 3. Direction to Authorized Officials as Contract**
11 **Administrators.** The Mayor is designated as the authorized official
12 of the City for the purpose of executing and delivering any contracts
13 and documents and furnishing such information, data and documents for
14 the Lien Agreement as may be required and otherwise to act as the
15 authorized official of the City in connection with the Lien Agreement,
16 and is further authorized to designate one or more other officials
17 of the City to exercise any of the foregoing authorizations and to
18 furnish or cause to be furnished such information and take or cause
19 to be taken such action as may be necessary to enable the City to
20 implement the Lien Agreement according to its terms. The Finance
21 Department and the Neighborhoods Department are hereby directed to
22 coordinate together in the administration and monitoring of the Lien
23 Agreement, and to handle the City's responsibilities thereunder,
24 including the City's responsibilities under the Lien Agreement to
25 reduce the demolition and nuisance liens in accordance with its terms.

26 **Section 4. Waiver of Subsection 518.145(d) , Ordinance Code.**
27 Subsection 518.145(d) (Collection and settlement of nuisance
28 abatement and demolition liens), Subpart E (Collection, Settlement
29 and Establishment of Rates and Charges), Part 1 (General Provisions),
30 Chapter 518 (Jacksonville Property and Maintenance Code), *Ordinance*
31 *Code*, authorizing the Director of the Finance Department and the

1 City's Real Estate Officer to extinguish liens in consideration for
2 rehabilitation of a property is hereby waived because the Current
3 Owner proceeded to complete improvements to the Property in order to
4 bring the Property into compliance with the City's Ordinance Code
5 prior to applying for an agreement to settle outstanding liens with
6 the City.

7 **Section 5. Requesting Emergency Passage Upon Introduction**
8 **Pursuant to Council Rule 4.901 Emergency.** Emergency passage upon
9 introduction of this legislation is requested. The nature of the
10 emergency is that Terrawise Homes, Inc. has a closing scheduled to
11 sell the Property and has requested the Lien Agreement be fully
12 executed prior to closing.

13 **Section 6. Effective Date.** This Ordinance shall become
14 effective upon signature by the Mayor or upon becoming effective
15 without the Mayor's signature.

16
17 Form Approved:

18
19 /s/ Mary E. Staffopoulos

20 Office of General Counsel

21 Legislation Prepared By: Mary E. Staffopoulos

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