

1 Introduced by Council Member Peluso:
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4 **ORDINANCE 2023-794-E**

5 AN ORDINANCE APPROVING AND AUTHORIZING THE
6 MAYOR, OR HER DESIGNEE, AND CORPORATION
7 SECRETARY TO EXECUTE AND DELIVER TO BOARD OF
8 TRUSTEES OF THE FLORIDA JUNIOR COLLEGE AT
9 JACKSONVILLE, A BODY POLITIC (THE "GRANTEE"), A
10 RELEASE OF RESTRICTIVE COVENANTS FOR THE PURPOSE
11 OF RELEASING THE CITY'S EXISTING RIGHT OF
12 REVERTER IN AND TO A PARCEL OF REAL PROPERTY
13 LOCATED AT 940 N. MAIN STREET (R.E. NO. 074367-
14 0000) (THE "PROPERTY"), THEREBY ENABLING THE
15 GRANTEE TO SELL THE PROPERTY TO A THIRD PARTY
16 BUYER IN ITS SOLE DISCRETION; PROVIDING AN
17 EFFECTIVE DATE.
18

19 **WHEREAS,** the Property is subject to a right of reverter created
20 pursuant to Ordinance 1980-433-239 (the "1980 Ordinance") as set
21 forth in that certain Special Warranty Deed recorded at Official
22 Records Book 5128, Page 849 of the Public Records of Duval County,
23 Florida (the "Deed"), a copy of which deed is attached hereto as
24 **Exhibit 1;** and

25 **WHEREAS,** pursuant to the 1980 Ordinance, the Property was
26 declared surplus and conveyed for no consideration to Grantee, which
27 then owned and utilized the contiguous parcel as a public junior
28 college, with the condition, as memorialized in the Deed, that the
29 Property would revert to the City if (i) Grantee no longer utilized
30 the Property for educational and college related purposes, and (ii)
31 Grantee failed to restore and maintain the exterior of an existing

1 building located on the Property within two years from the date of
2 conveyance (collectively, the "Restrictive Covenants"); and

3 **WHEREAS,** after over 40 years of ownership, Grantee now desires
4 to sell the Property to a third party; and

5 **WHEREAS,** passage of this Ordinance by the Council will release
6 the Restrictive Covenants and the City's right of reverter in the
7 Property, thereby enabling Grantee to sell the property to a third
8 party of its choice in its sole discretion, without regard to whether
9 the Property is used for educational or college related purposes; now
10 therefore

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

12 **Section 1. Approval and authorization.** There is hereby
13 approved, and the Mayor, or her designee, and the Corporation
14 Secretary are hereby authorized to execute and deliver to Grantee on
15 behalf of the City, that certain Release of Restrictive Covenants in
16 substantially the form attached hereto as **Exhibit 2**, and all such
17 other documents necessary or appropriate to effectuate the purpose
18 of this Ordinance for the purpose of releasing the Restrictive
19 Covenants and the City's existing right of reverter in and to the
20 Property and enabling the Grantee to sell the property to a third
21 party buyer in its sole discretion.

22 **Section 2. 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/ Mary E. Staffopoulos

29 Office of General Counsel

30 Legislation Prepared By: Harry M. Wilson, IV

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