

1 Introduced by Council Members Ferraro and Pittman:  
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4 **ORDINANCE 2022-124**

5 AN ORDINANCE APPROVING AND AUTHORIZING THE  
6 EXECUTION AND DELIVERY OF AN AGREEMENT TO SETTLE  
7 NUISANCE LIENS "AFTER-THE-FACT" BETWEEN THE CITY  
8 OF JACKSONVILLE ("CITY") AND CHRIST THE LIVING  
9 CORNERSTONE, INC. ("OWNER"), IN CONNECTION WITH  
10 THE DEMOLITION AND IMPROVEMENT OF THE VACANT  
11 PROPERTY LOCATED AT 2111 PHOENIX AVENUE, REAL  
12 ESTATE NUMBER 114915-0000, ("PROPERTY"), WHICH  
13 LIEN AGREEMENT AUTHORIZES A REDUCTION OF THE  
14 NUISANCE LIENS "AFTER-THE-FACT" ON THE SUBJECT  
15 PROPERTY IN THE AMOUNT OF \$4,771.39 PLUS ACCRUED  
16 INTEREST; WAIVING THE REQUIREMENTS OF SECTION  
17 518.145 (D), *ORDINANCE CODE* (COLLECTION AND  
18 SETTLEMENT OF NUISANCE ABATEMENT AND DEMOLITION  
19 LIENS); DIRECTING THE FINANCE AND ADMINISTRATION  
20 DEPARTMENT AND THE NEIGHBORHOODS DEPARTMENT TO  
21 ADMINISTER THE LIEN AGREEMENT; PROVIDING AN  
22 EFFECTIVE DATE.

23  
24 **WHEREAS**, Christ the Living Cornerstone, Inc. ("Owner") is the  
25 current property owner of the vacant property located at 2111 Phoenix  
26 Avenue, Real Estate Number 114915-0000, ("Property") having received  
27 the property by donation executed in 2012 and recorded 2017, as  
28 reflected in the Quitclaim Deed attached hereto as **Exhibit 1**, and  
29 while the property was briefly conveyed to a third party in 2018, it  
30 was returned to the ownership of the Owner, as reflected in the  
31 Quitclaim Deed, recorded in the Official Duval County Public Records

1 on January 15, 2019, a copy of which is attached hereto as **Exhibit**  
2 **2**; and

3 **WHEREAS**, pursuant to Chapter 518, *Ordinance Code*, the City of  
4 Jacksonville Municipal Code Compliance Officer issued Notices to the  
5 previous owner regarding various property safety conditions deemed  
6 as violations of the Jacksonville Ordinance Code; and

7 **WHEREAS**, due to the previous owner's failure to comply with said  
8 Notices, the City of Jacksonville hired local contractors to abate  
9 the conditions on the Property, and subsequently imposed nuisance  
10 liens on the Property pursuant to Section 518.212, *Ordinance Code*;  
11 and

12 **WHEREAS**, there are 5 nuisance liens attached to the Property in  
13 the total amount of \$4,771.39 plus accrued interest. A list of the  
14 nuisance liens is attached hereto as **Exhibit 3**; and

15 **WHEREAS**, Section 518.145(d), *Ordinance Code*, "...in exceptional  
16 circumstances,..." requires that liens be extinguished "...in  
17 consideration for the rehabilitation of the property; and

18 **WHEREAS**, the City of Jacksonville's Nuisance and Demolition Lien  
19 Abatement and Reduction Policy requires that the applicant complete  
20 an application form "...before improvements begin..."; and

21 **WHEREAS**, the Christ the Living Cornerstone, Inc., improved the  
22 Property and brought it into compliance with the Municipal Code  
23 Enforcement Division **before** applying to the City for a reduction as  
24 required; and

25 **WHEREAS**, the Owner has submitted documentation attached hereto  
26 as **Exhibit 4** to support their request to reduce the aforementioned  
27 Nuisance liens "after-the-fact"; and

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

29 **Section 1. Settlement of Nuisance Liens Agreement Approved.**

30 The Council hereby approves the Settlement of the Nuisance Lien  
31 Agreement (the "Lien Agreement") between the City, and the Owner in

1 substantially the form attached hereto as **Exhibit 5**. The Mayor, or  
2 his designee, and the Corporation Secretary, on behalf of the City,  
3 are hereby authorized to (1) execute and deliver, for and on behalf  
4 of the City, the Lien Agreement and all such other documents,  
5 necessary or appropriate to effectuate the purpose of this ordinance  
6 and (2) take, or cause to be taken, for and on behalf of the City,  
7 such further action to effectuate the purpose of this Ordinance. The  
8 Lien Agreement may include such additions, deletions and changes as  
9 may be reasonable, necessary, and incidental for carrying out the  
10 purposes thereof, as may be acceptable to the Mayor, or his designee,  
11 with such inclusion and acceptance being evidenced by execution of  
12 the Settlement of Liens Agreement by the Mayor, or his designee. No  
13 modification to the Lien Agreement may increase the financial  
14 obligations or liability of the City to an amount in excess of the  
15 amount authorized by this ordinance, and any such modification shall  
16 be technical only and shall be subject to appropriate legal review  
17 and approval by the Office of General Counsel.

18 **Section 2. Direction to Authorized Official/Finance and**  
19 **Administration Department and Neighborhoods Department as Contract**  
20 **Administrators.** The Mayor is designated as the authorized official  
21 of the City for the purpose of executing and delivering any contracts  
22 and documents and furnishing such information, data and documents for  
23 the Lien Agreement as may be required and otherwise to act as the  
24 authorized official of the City in connection with the Lien Agreement,  
25 and is further authorized to designate one or more other officials  
26 of the City to exercise any of the foregoing authorizations and to  
27 furnish or cause to be furnished such information and take or cause  
28 to be taken such action as may be necessary to enable the City to  
29 implement the Lien Agreement according to its terms. The Finance and  
30 Administration Department, and the Neighborhoods Department are  
31 hereby, together, required to coordinate together and administer the

1 Lien Agreement, and to handle the City's responsibilities thereunder,  
2 including the City's responsibilities under the Lien Agreement which  
3 reduces the nuisance liens.

4 **Section 3. Waiver of Section 518.145(d), Ordinance Code.**

5 Section 518.145(d), *Ordinance Code*, which requires the Director of  
6 Finance and Administration and Real Estate Officer to extinguish  
7 liens in consideration for rehabilitation of a property is waived  
8 because the Owner proceeded with improvement of the Property, in  
9 order to bring the property into compliance and to reduce its blight  
10 upon the neighborhood.

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.

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15 Form Approved:

16  
17 /s/ Paige H. Johnston

18 Office of General Counsel

19 Legislation Prepared By: Paige H. Johnston

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