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May 31, 2019

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Florida Department of Environmental Protection  
3800 Commonwealth Boulevard, MS 100  
Tallahassee, Florida 32399  
Attention: Callie DeHaven, Rebecca Wood and Angie Bright

**Re: Return of LWCF Grant 12-00182 funds in lieu of replacement/conversion pursuant to Section 8 of the Land Water Conservation Fund Agreement between the State of Florida, Department of Natural Resources, now known as the Florida Department of Environmental Protection, ("FDEP") and the City of Jacksonville, Florida ("City") dated January 21, 1981, as amended, for the property generally known as Metropolitan Park, in Jacksonville, Florida ("Metro Grant Agreement")**

Dear Callie, Rebecca and Angie,

While we appreciate the cooperation from FDEP in trying find solutions for the proposed replacement/conversion of the Metro Grant Agreement, because the National Park Service ("NPS") is re-visiting decisions made twenty (20) years ago, it is obvious that NPS is not interested in working with us to find a sustainable solution for replacing/converting the Metro Grant Agreement and the City is now exercising its right to return One Million Seven Hundred Twenty Five Thousand Four Hundred Twenty Two and 19/100 Dollars (\$1,725,422.19), the entire contribution from the Land Water Conservation Fund advanced to the City pursuant to the Metro Grant Agreement, in lieu of conversion/replacement, as allowed in Section 8 of the Metro Grant Agreement as follows:

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Exhibit 2  
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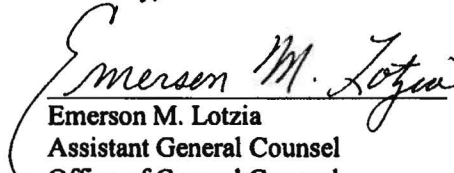
“In lieu of such replacement the City shall return to the Department the entire contribution from the Land and Water Conservation Fund.”

After 21 months of unsuccessful discussions on the replacement/conversion of the property subject to the Metro Grant Agreement, 18 months of which have been spent unsuccessfully trying to find or re-create the original Section 6 (f) boundary map, an as built map (“Map”) of which was just found and sent to us by FDEP and NPS, NPS still does not agree that the Map is the valid Section 6 (f) boundary map.

Notwithstanding FDEP’s assertion that the return in lieu of replacement/conversion provision in Section 8 of the Metro Grant Agreement was inserted into the Metro Grant Agreement by FDEP in error, this provision acts as an inducement and protection to grant recipients such as the City for the inability to reach an agreement on replacement/conversion terms similar to the situation that exists today with the Metro Grant Agreement. In addition, we understand that similar provisions are also located in other LWCF grant agreements with FDEP.

Please send me the address for us to deliver the City’s check.

Sincerely,

  
Emerson M. Lotzia  
Assistant General Counsel  
Office of General Counsel  
City of Jacksonville

CC via email to:

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