

1 Introduced by the Council President at the request of the Mayor:  
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4 **ORDINANCE 2021-816**

5 AN ORDINANCE APPROVING AND AUTHORIZING THE  
6 MAYOR, OR HIS DESIGNEE, AND THE CORPORATION  
7 SECRETARY TO EXECUTE AND DELIVER THAT CERTAIN  
8 PURCHASE AND SALE AGREEMENT (THE "AGREEMENT")  
9 BETWEEN THE CITY OF JACKSONVILLE AND CYNTHIA M.  
10 YOUNG, AND ALL CLOSING AND OTHER DOCUMENTS  
11 RELATING THERETO, AND TO OTHERWISE TAKE ALL  
12 NECESSARY ACTION TO EFFECTUATE THE PURPOSES OF  
13 THE AGREEMENT FOR ACQUISITION BY THE CITY OF A  
14 RESIDENTIAL PARCEL LOCATED AT 5565 OLD  
15 MIDDLEBURG ROAD SOUTH (R.E. NO. 015223-0000), IN  
16 COUNCIL DISTRICT 12 (THE "PROPERTY"), AT THE  
17 NEGOTIATED PURCHASE PRICE OF \$330,000.00, TO BE  
18 UTILIZED AS A POND SITE FOR THE OLD MIDDLEBURG  
19 ROAD PROJECT; PROVIDING FOR OVERSIGHT OF  
20 ACQUISITION OF THE PROPERTY BY THE REAL ESTATE  
21 DIVISION OF THE PUBLIC WORKS DEPARTMENT, AND  
22 OVERSIGHT OF THE PROPERTY BY THE ENGINEERING AND  
23 CONSTRUCTION MANAGEMENT DIVISION OF THE PUBLIC  
24 WORKS DEPARTMENT THEREAFTER; PROVIDING AN  
25 EFFECTIVE DATE.  
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27 **BE IT ORDAINED** by the Council of the City of Jacksonville:

28 **Section 1. Approval and authorization.** The Purchase and  
29 Sale Agreement (the "Agreement") provides for the acquisition of a  
30 residential property located at 5565 Old Middleburg Road South (R.E.  
31 No. 015223-0000), in Council District 12, as depicted on **Exhibit 1**

1 (the "Property"), to be utilized as a pond site for the Old Middleburg  
2 Road Project. There is hereby approved, and the Mayor, or his  
3 designee, and the Corporation Secretary are hereby authorized to  
4 execute and deliver on behalf of the City, that certain Purchase and  
5 Sale Agreement between the City of Jacksonville and Cindy M. Young  
6 (the "Seller"), in substantially the form as is attached hereto as  
7 **Exhibit 2** and incorporated herein by this reference, and all such  
8 closing and other documents necessary or appropriate to effectuate  
9 the purpose of this Ordinance (with such "technical" changes as herein  
10 authorized). The negotiated purchase price of the Property is the  
11 appraised value of \$330,000.00. The Agreement does not require a  
12 deposit from the City.

13 The Purchase and Sale Agreement, and any and all closing and  
14 other documents related thereto, may include such additions,  
15 deletions, and changes as may be reasonable, necessary, and incidental  
16 for carrying out the purposes thereof, as may be acceptable to the  
17 Mayor, or his designee, with such inclusion and acceptance being  
18 evidenced by execution of the Agreement by the Mayor, or his designee;  
19 provided however, no modification of the Agreement or related  
20 documents may increase the financial obligations or liability of the  
21 City to an amount in excess of the amount stated in the Agreement or  
22 decrease the financial obligations or liability of the Seller, and  
23 any such modification shall be technical only and shall be subject  
24 to appropriate legal review and approval by the Office of General  
25 Counsel. For purposes of this Ordinance, the term "technical changes"  
26 is defined as those changes having no financial impact to the City,  
27 including, but not limited to, changes in legal descriptions or  
28 surveys, ingress and egress, easements and rights of way, design  
29 standards, access and site plans, resolution of title defects, if  
30 any, and other non-substantive changes that do not substantively  
31 increase the duties and responsibilities of the City under the

1 provisions of the Agreement.

2           **Section 2.           Oversight.**           The Real Estate Division of the  
3 Public Works Department shall oversee the acquisition of the Property;  
4 the Engineering and Construction Management Division of the Public  
5 Works Department shall have oversight thereafter.

6           **Section 3.           Effective Date.**       This Ordinance shall become  
7 effective upon signature by the Mayor or upon becoming effective  
8 without the Mayor's signature.

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10 Form Approved:

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12           /s/ Mary E. Staffopoulos          

13 Office of General Counsel

14 Legislation prepared by: Mary E. Staffopoulos

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