

1 Introduced by Council Member Peluso:

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4 **ORDINANCE 2025-127**

5 AN ORDINANCE MAKING CERTAIN FINDINGS; APPROVING
6 AND AUTHORIZING THE MAYOR, OR HER DESIGNEE, AND
7 THE CORPORATION SECRETARY TO EXECUTE AND DELIVER
8 AN AGREEMENT TO REDUCE NUISANCE ABATEMENT LIEN
9 (THE "LIEN AGREEMENT") BETWEEN THE CITY OF
10 JACKSONVILLE ("CITY") AND TERRAWISE HOMES, INC.,
11 IN CONNECTION WITH DEMOLITION AND/OR IMPROVEMENT
12 OF THE PROPERTY LOCATED AT 1324 IONIA STREET,
13 JACKSONVILLE, FLORIDA 32206 (R.E. NO. 072535-
14 0010) (THE "PROPERTY"), WHICH LIEN AGREEMENT
15 AUTHORIZES AN "AFTER-THE-FACT" REDUCTION OF THE
16 NUISANCE ABATEMENT LIEN ON THE PROPERTY IN THE
17 AMOUNT OF \$2,842.34, PLUS ACCRUED INTEREST;
18 DIRECTING THE FINANCE DEPARTMENT AND THE
19 NEIGHBORHOODS DEPARTMENT TO WORK COOPERATIVELY
20 TO ADMINISTER AND MONITOR THE LIEN AGREEMENT;
21 WAIVING SUBSECTION 518.145(D) (COLLECTION AND
22 SETTLEMENT OF NUISANCE ABATEMENT AND DEMOLITION
23 LIENS), *ORDINANCE CODE*, AUTHORIZING THE DIRECTOR
24 OF THE FINANCE DEPARTMENT AND THE CITY'S REAL
25 ESTATE OFFICER TO EXTINGUISH LIENS IN
26 CONSIDERATION OF REHABILITATION OF A PROPERTY TO
27 BRING IT INTO COMPLIANCE WITH THE ORDINANCE
28 CODE; REQUESTING EMERGENCY PASSAGE UPON
29 INTRODUCTION; PROVIDING AN EFFECTIVE DATE.

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31 **WHEREAS,** Harmony Family Group, LLC and the City of Jacksonville

1 entered into an Agreement to Reduce Nuisance Abatement Lien with the
2 City of Jacksonville (the "HFG Agreement") regarding the property
3 located at 1324 Ionia Street, Jacksonville, Florida 32206 (R.E. No.
4 072535-0010) (the "Property"), and a copy of said HFG Agreement with
5 associated lien information and other documentation is attached
6 hereto as **Exhibit 1**; and

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

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

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

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

21 **WHEREAS**, as of February 10, 2025, there is one nuisance lien
22 attached to the Property in the total amount of \$2,842.34, plus
23 accrued interest, as reflected on **Exhibit 4**, attached hereto; and

24 **WHEREAS**, the Current Owner completed demolition and/or
25 improvements to the Property without first entering into a contract
26 with the City to address the outstanding liens; and

27 **WHEREAS**, Terrawise Homes, Inc. has submitted documentation,
28 which has been placed **On File** with the Legislative Services Division,
29 for consideration by the City in support of its request to reduce the
30 aforementioned nuisance lien "after-the-fact"; now therefore

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

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

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

4 (b) The completion of demolition and/or improvements to the
5 Property to bring it into compliance with the City's Ordinance Code
6 is consistent with the goals of the City in that the project will,
7 among other things, help meet the overall community goal of blight
8 elimination and growth in Jacksonville.

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

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

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

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

1 Lien Agreement by the Mayor, or her designee. No modification to the
2 Lien Agreement may increase the financial obligations or liability
3 of the City to an amount in excess of the amount authorized by this
4 Ordinance, and any such modification shall be technical only and
5 shall be subject to appropriate legal review and approval by the
6 Office of General Counsel.

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

23 **Section 4. Waiver of Subsection 518.145(d), Ordinance Code.**
24 Subsection 518.145(d) (Collection and settlement of nuisance
25 abatement and demolition liens), Subpart E (Collection, Settlement
26 and Establishment of Rates and Charges), Part 1 (General Provisions),
27 Chapter 518 (Jacksonville Property and Maintenance Code), *Ordinance*
28 *Code*, authorizing the Director of the Finance Department and the
29 City's Real Estate Officer to extinguish liens in consideration for
30 rehabilitation of a property is hereby waived because the Current
31 Owner proceeded to complete improvements to the Property in order to

bring the Property into compliance with the City's Ordinance Code prior to applying for an agreement to settle outstanding liens with the City.

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

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

Form Approved:

 /s/ Mary E. Staffopoulos

Office of General Counsel

Legislation Prepared By: Mary E. Staffopoulos

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