

1 Introduced by the Council President at the Request of the Mayor:
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4 **ORDINANCE 2019-616-E**

5 AN ORDINANCE APPROVING, AND AUTHORIZING THE
6 MAYOR, OR HIS DESIGNEE, AND CORPORATION
7 SECRETARY TO EXECUTE AND DELIVER, A
8 DECLARATION OF RESTRICTIVE COVENANT BETWEEN
9 THE CITY OF JACKSONVILLE AND THE FLORIDA
10 DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP),
11 AND ANY OTHER DOCUMENTS NECESSARY TO
12 EFFECTUATE THE PURPOSES OF THE RESTRICTIVE
13 COVENANT, FOR PROPERTY KNOWN AS GEFEN PARK,
14 LOCATED AT 505 ALFRED DUPONT PLACE, RE#
15 090116-0000, SO AS TO PLACE ENVIRONMENTAL
16 RESTRICTIONS ON THE SITE; PROVIDING AN
17 EFFECTIVE DATE.
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19 **WHEREAS**, due to contamination that remains onsite, the Florida
20 Department of Environmental Protection (FDEP) requires that the
21 City enter into a Declaration of Restrictive Covenant
22 ("Declaration") with FDEP on property known as Gefen Park, located
23 at 505 Alfred Dupont Place, RE# 090116-0000 ("Site"), so as to
24 place environmental restrictions thereon; and

25 **WHEREAS**, the Site is currently used by the City as a park; and

26 **WHEREAS**, the Declaration imposes soil restrictions and
27 engineering controls at the Site; and

28 **WHEREAS**, one of the final steps in completing the remediation
29 process for the Site is the execution of the Declaration of
30 Restrictive Covenant, which will then allow the City to obtain the
31 Site Rehabilitation Completion Order with Conditions from FDEP; now

1 therefore

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

3 **Section 1. Approval and authorization.** There is hereby
4 approved, and the Mayor, or his designee, and Corporation Secretary
5 are hereby authorized to execute and deliver on behalf of the City,
6 a Declaration of Restrictive Covenant, in substantially the same
7 form as is **attached hereto** as **Exhibit 1** and made a part hereof, and
8 any other documents necessary to effectuate the purposes of the
9 Declaration, so as to allow the City to place environmental
10 restrictions on the Site.

11 **Section 2. 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:

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17 /s/ Kealey A. West

18 Office of General Counsel

19 Legislation prepared by: Kealey West

20 GC-#1297475-v1-Gefen_Park_-_Declaration_Legislation