

1 Introduced by Council Member Gaffney:
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4 **ORDINANCE 2022-261**

5 AN ORDINANCE DECLARING THAT CERTAIN PARCELS OF
6 REAL PROPERTY, TAX REVERTED PARCELS, LOCATED AT
7 357 BIRCH STREET, R.E. NUMBER 086510-0000, 45
8 EAST 16TH STREET, R.E. NUMBER 044810-0000, AND
9 4519 SPRINGFIELD BOULEVARD, R.E. NUMBER 087848-
10 0000, IN COUNCIL DISTRICT 7 (THE "SUBJECT
11 PARCELS"), TO BE SURPLUS TO THE NEEDS OF THE
12 CITY; WAIVING SECTION 122.423 (DISPOSITION FOR
13 AFFORDABLE HOUSING), PART 4 (REAL PROPERTY) OF
14 CHAPTER 122 (PUBLIC PROPERTY), *ORDINANCE CODE*,
15 TO ALLOW FOR THE CONVEYANCE OF THE SUBJECT
16 PARCEL TO GRACE AND TRUTH COMMUNITY DEVELOPMENT
17 CORPORATION AT NO COST; WAIVING SECTION
18 122.421 (H) (GENERAL PROVISIONS; DELEGATION OF
19 AUTHORITY- *DELINQUENT LIENS*), PART 4 (REAL
20 PROPERTY) OF CHAPTER 122 (PUBLIC PROPERTY),
21 *ORDINANCE CODE*, TO ALLOW FOR THE CONVEYANCE OF
22 THE SUBJECT PARCEL TO GRACE AND TRUTH COMMUNITY
23 DEVELOPMENT CORPORATION SINCE ANOTHER PARCEL IT
24 OWNS HAS NUISANCE LIENS ATTACHED; AUTHORIZING
25 THE MAYOR AND THE CORPORATION SECRETARY TO
26 EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR SUCH
27 CONVEYANCE; PROVIDING A RIGHT OF REENTRY FOR
28 FAILURE TO USE THE SUBJECT PARCELS FOR
29 DEVELOPMENT OF AFFORDABLE HOUSING; PROVIDING FOR
30 CITY OVERSIGHT BY THE DEPARTMENT OF PUBLIC
31 WORKS, REAL ESTATE DIVISION; PROVIDING AN

1 EFFECTIVE DATE.
2

3 **WHEREAS**, the parcel located at 357 Birch Street, R.E. Number
4 086510-0000, in Council District 7, Jacksonville, Florida reverted
5 to the City of Jacksonville on May 4, 2018, when the was property
6 owners failed to pay the ad valorem taxes due and owing on the
7 property ("Parcel 1"); and

8 **WHEREAS**, the parcel located at 45 East 16th Street, R.E. Number
9 044810-0000, in Council District 7, Jacksonville, Florida was
10 returned to the City of Jacksonville under a right of reverter on
11 February 25, 2021, when the property owners, who had been deeded the
12 parcel by the City of Jacksonville, on August 22, 2019, failed to
13 develop the parcel for affordable housing ("Parcel 2"); and

14 **WHEREAS**, the parcel located at 4519 Springfield Boulevard, R.E.
15 Number 087848-0000, in Council District 7, Jacksonville, Florida
16 reverted to the City of Jacksonville on September 8, 2016, recorded
17 by Corrective Deed on January 30, 2017, when the was property owners
18 failed to pay the ad valorem taxes due and owing on the property
19 ("Parcel 3"); and

20 **WHEREAS**, Parcel 1, Parcel 2 and Parcel 3 are collectively
21 referred to herein as the "Subject Property"; and

22 **WHEREAS**, the City of Jacksonville has expended funds and
23 resources in maintaining the Subject Parcels; and

24 **WHEREAS**, the City of Jacksonville, Division of Landscape and
25 Mowing is charged with mowing the Subject Property 8 times a year;
26 and

27 **WHEREAS**, prior to the City receiving title of the Subject
28 Property, in recent years, the City has received numerous complaints
29 related to the Subject Property for overgrown vegetation, trash and
30 debris and some pertaining to structural issues; and

31 **WHEREAS**, Grace and Truth Community Development Corporation is

1 an established community development corporation focusing on
2 affordable housing with a proven track record and would like to have
3 the City donate at no cost the Subject Property, so that they can
4 build affordable housing parcels on the Subject Property; and

5 **WHEREAS**, the City continues to expend City resources without use
6 for the Subject Property; and

7 **WHEREAS**, the Council finds it to be in the best interest of the
8 public to convey the Subject Property to Grace and Truth Community
9 Development Corporation; now therefore

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

11 **Section 1. Declaration of Surplus.** The City hereby
12 declares that certain parcels of real property located at 357 Birch
13 Street, R.E. Number 086510-0000, 45 East 16TH Street, R.E. Number
14 044810-0000, and 4519 Springfield Boulevard, R.E. Number 087848-0000,
15 in Council District 7, and more particularly described in **Exhibit 1**,
16 attached hereto and incorporated herein by this reference (the
17 "Subject Property"), to be surplus to the needs of the City of
18 Jacksonville. A copy of the certificates from the Chief of Real
19 Estate for the surplus of real property, required by Rule 3.102
20 (Preparation of Bills), is attached hereto as **Exhibit 2**.

21 **Section 2. Waiving Section 122.423 (Disposition for**
22 **Affordable Housing), Part 4 (Real Property) of Chapter 122 (Public**
23 **Property), Ordinance Code.** The provisions of Section 122.423
24 (Disposition for Affordable Housing), Part 4 (Real Property), of
25 Chapter 122 (Public property), *Ordinance Code*, are hereby waived in
26 order to allow the conveyance of the Subject Property to Grace and
27 Truth Community Development Corporation at no cost. Waiver of the
28 Code is necessary in order to convey the Subject Parcel, rather than
29 complying with the requirement of 122.423 that the parcel be disposed
30 of through the affordable housing donation process.

31 **Section 3. Waiving Section 122.421(h) (General provisions;**

1 **delegations of authority- *Delinquent liens*), Part 4 (Real Property)**
2 **of Chapter 122 (Public Property), Ordinance Code.** The provisions of
3 Section 122.421(h) (General provisions; delegations of authority-
4 *Delinquent liens*), Part 4 (Real Property), of Chapter 122 (Public
5 property), *Ordinance Code*, are hereby waived in order to allow the
6 conveyance of the Subject Property to Grace and Truth Community
7 Development Corporation at no cost. Waiver of the Code is necessary
8 in order to convey the Subject Property, since Grace and Truth
9 Community Development Corporation maintains an inventory of
10 approximately 17 properties to be developed and one parcel, located
11 at 0 Escambia Street (RE Number 031929-0000), Jacksonville, Florida
12 32208 currently has 6 nuisance liens. Grace and Truth Community
13 Development Corporation was not the owner of the parcel at 0 Escambia
14 Street when the liens were imposed and took the parcel subject to the
15 liens. Grace and Truth Community Development Corporation has an
16 established reputation for developing City-donated property with
17 affordable housing and a practice of addressing all liens on a parcel
18 prior to selling a parcel to a third party. Therefore, it is
19 requesting waiver of the provisions of Section 122.421(h), *Ordinance*
20 *Code*.

21 **Section 4. Execution of conveyance documents authorized.**

22 The Mayor, or his designee, and the Corporation Secretary are
23 authorized to execute all documents necessary to convey the Subject
24 Property to Grace and Truth Community Development Corporation.

25 **Section 5. Use and Right of Reentry.** The Subject Property

26 shall be used by Grace and Truth Community Development Corporation
27 for the development of affordable housing. If the Subject Property
28 is used for anything other than development of affordable housing,
29 as that term is defined in Section 122.423(c), *Ordinance Code*, the
30 City shall have the right, but not the duty, to reenter the Subject
31 Property and upon exercise of such reentry, all right, title, and

1 interest of Grace and Truth Community Development Corporation shall
2 revert to the City, and Grace and Truth Community Development
3 Corporation shall execute and deliver its Special Warranty Deed to
4 the City free of all liens and encumbrances.

5 **Section 6. Oversight Department.** The Department of Public
6 Works, Real Estate Division shall oversee the operations described
7 in this ordinance; if the use provisions in Section 5 are not
8 maintained, the Real Estate Division, through the Office of General
9 Counsel, may initiate action for reverter.

10 **Section 7. Effective Date.** This ordinance shall become
11 effective upon signature by the Mayor or upon becoming effective
12 without the Mayor's signature.

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15 Form Approved:

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18 /s/ Paige H. Johnston

19 Office of General Counsel

20 Legislation prepared by: Paige H. Johnston

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