

1 Introduced by Council Member Gaffney:  
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4 **ORDINANCE 2022-328**

5 AN ORDINANCE DECLARING APPROXIMATELY 6.05 ACRES  
6 OF REAL PROPERTY OWNED BY THE CITY IN COUNCIL  
7 DISTRICT 7 (R.E. NOS. 131412-0000, 132997-0000,  
8 AND PORTIONS OF R.E. NO. 111074-  
9 0000) (COLLECTIVELY, THE "CITY PROPERTY") TO BE  
10 SURPLUS TO THE NEEDS OF THE CITY; APPROVING AND  
11 AUTHORIZING THE MAYOR OR HIS DESIGNEE AND  
12 CORPORATION SECRETARY TO EXECUTE A REAL ESTATE  
13 LAND EXCHANGE AGREEMENT ("AGREEMENT") BETWEEN  
14 THE CITY OF JACKSONVILLE AND KEYSTONE  
15 INVESTMENTS, LLC ("KEYSTONE"), AND TO EXECUTE  
16 ALL DEEDS AND CLOSING DOCUMENTS RELATING  
17 THERETO, AND OTHERWISE TAKE ALL NECESSARY ACTION  
18 TO EFFECTUATE THE PURPOSES OF THE AGREEMENT, FOR  
19 THE EXCHANGE OF THE CITY PROPERTY, HAVING AN  
20 APPRAISED VALUE OF \$18,300.00, IN EXCHANGE FOR  
21 KEYSTONE-OWNED PROPERTY OF APPROXIMATELY 1.02  
22 ACRES (A PORTION OF R.E. NO. 131489-0000) WITH  
23 AN APPRAISED VALUE OF \$47,000.00, TO FACILITATE  
24 THE DEVELOPMENT OF A RAILROAD TRACK EXTENSION  
25 FOR KEYSTONE WHICH WILL RESULT IN EXPANDED JOB  
26 OPPORTUNITIES AND OTHER ECONOMIC BENEFITS FOR  
27 THE COMMUNITY, AND PROVIDE LAND TO EXPAND CITY-  
28 OWNED WIGMORE PARK; WAIVING SECTION 122.425  
29 (DISPOSITION BY AUCTION OR SEALED BID),  
30 *ORDINANCE CODE*; WAIVING SECTION 122.421(B)  
31 (GENERAL PROVISIONS; DELEGATIONS OF AUTHORITY),

1 CHAPTER 122 (PUBLIC PROPERTY), *ORDINANCE CODE*,  
2 REGARDING THE POLICY FOR THE PRESERVATION OF  
3 PARKLANDS TO AUTHORIZE THE SALE OF UNIMPROVED  
4 PARKLAND AS SET FORTH IN THE AGREEMENT; FINDING  
5 SALE OF PARCELS IN THE GREATER PUBLIC GOOD;  
6 PROVIDING FOR OVERSIGHT OF THE EXCHANGE OF THE  
7 PROPERTIES BY THE REAL ESTATE DIVISION OF THE  
8 PUBLIC WORKS DEPARTMENT AND THEREAFTER BY THE  
9 DEPARTMENT OF PARKS, RECREATION, AND COMMUNITY  
10 SERVICES; PROVIDING AN EFFECTIVE DATE.

11  
12 **WHEREAS**, the City of Jacksonville ("City") is the owner of the  
13 following parcels of real property: (i) an approximately 1.0 acre  
14 parcel of unimproved real property located east of Evergreen Avenue,  
15 and south of Winona Drive, being a portion of R.E. #111074-0000,  
16 which comprises unimproved park related land managed by the City;  
17 (ii) an approximately 1.61 acre parcel of unimproved real property  
18 located east of the CSX railroad track and west of Evergreen Avenue,  
19 comprising a portion of R.E. #111074-0000, which comprises unimproved  
20 park related land managed by the City; (iii) an approximately 2.92  
21 acre parcel located at 0 32<sup>nd</sup> Street East. R.E. # 131412-0000; and  
22 (iv) an approximately 0.52 acre parcel located at 0 32<sup>nd</sup> Street East,  
23 R.E. #132997-0000 (collectively, the "City Property"); and

24 **WHEREAS**, the City has determined that there is no public need  
25 for retaining the Property and has deemed it surplus to the needs of  
26 the City; and

27 **WHEREAS**, Keystone is the owner of an approximately 1.02 acre  
28 parcel of unimproved real property located at 4300 Talleyrand Avenue,  
29 R.E. No. 131489-0000, abutting Wigmore Park to the south (the  
30 "Keystone Parcel"); and

31 **WHEREAS**, Keystone desires to acquire the City Property for use

1 in connection with the development of a railroad track extension, and  
2 City desires to acquire the Keystone Parcel for the purpose of  
3 expanding Wigmore Park (the "Land Exchange"); and

4 **WHEREAS**, the Council finds that supporting the Land Exchange  
5 will contribute to economic development within the City and will  
6 facilitate the expansions of Wigmore Park under the oversight of the  
7 City's Parks, Recreation and Community Services Department

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

9 **Section 1. Declaration of Surplus.** The City hereby declares  
10 the City Property (identified as R.E. NOS. 131412-0000, 132997-0000,  
11 and portions of R.E. NO. 111074-0000) in Council District 7, as more  
12 particularly described in **Exhibit 1**, attached hereto and incorporated  
13 herein by this reference to be surplus to the needs of the City. A  
14 copy of the certificate from the Chief of Real Estate for the surplus  
15 of real property, required by Rule 3.102(g) (1) (Preparation of Bills),  
16 is attached hereto as **Exhibit 2** and incorporated herein by this  
17 reference.

18 **Section 2. Purchase and Sale Agreement Authorized.** There  
19 is hereby approved and the Mayor, or his designee, and the Corporation  
20 Secretary, are hereby authorized to: (1) execute and deliver the Real  
21 Estate Land Exchange Agreement between the City of Jacksonville and  
22 Keystone (the "Agreement") in substantially the form placed **On File**  
23 with the Legislative Services Division, the deed conveying the City  
24 Property to Keystone, related closing documents, and all such other  
25 documents necessary or appropriate to effectuate the purpose of this  
26 Ordinance; and (2) to take, or cause to be taken, such further action  
27 to effectuate the purpose of this Ordinance. The Agreement may include  
28 such additions, deletions and changes as may be reasonable, necessary  
29 and incidental for carrying out the purposes thereof, as may be  
30 acceptable to the Mayor, or his designee, with such inclusion and  
31 acceptance being evidenced by execution of the Agreement by the Mayor,

1 or his designee; provided however, no modification to the Agreement  
2 may increase the financial obligations or liability of the City to  
3 an amount in excess of the amount stated in the Agreement or decrease  
4 the financial obligations or liability of Keystone, and any such  
5 modification shall be technical only and shall be subject to  
6 appropriate legal review and approval by the Office of General  
7 Counsel. For purposes of this Ordinance, the term "technical changes"  
8 is defined as those changes having no financial impact to the City,  
9 including, but not limited to, changes in legal descriptions or  
10 surveys, ingress and egress, easements and rights of way, design  
11 standards, access and site plan, resolution of title defects, if any,  
12 and other non-substantive changes that do not substantively increase  
13 the duties and responsibilities of the City under the provisions of  
14 the Agreement.

15 **Section 3. Waiving Section 122.425 (Disposition by auction or**  
16 **sealed bid), Ordinance Code.** The provisions of Chapter 122.425  
17 (Disposition by auction or sealed bid), Part 4 (Real Property),  
18 Chapter 122 (Public Property), *Ordinance Code*, are hereby waived to  
19 allow the conveyance of the City Property to Keystone, at no cost  
20 rather than auctioning the Property or seeking sealed bids.

21 **Section 4. Waiving Section 122.421(b) (General Provisions;**  
22 **delegation of authority), Chapter 122 (Public Property), Ordinance**  
23 **Code, as to the policy regarding preservation of parklands to allow**  
24 **for direct sale; finding sale of parcels in the greater public good.**

25 Pursuant to Section 122.421(b), *Ordinance Code*, it is City policy  
26 that no park related land or space be converted or sold by the City.  
27 The Council affirms that as a general matter, this policy should  
28 prevail over sale of park parcels to third parties. However, in this  
29 case, the Council finds that the sale of the City Property to Keystone  
30 meets a greater public good in that the sale of these parcels and  
31 conversion of the use from passive, unimproved park wetland to allow

1 for the railroad track extension will result in greater public benefit  
2 for the community by way of expanding job opportunities and  
3 eliminating blighted conditions within the area. In addition, the  
4 City will acquire land from Keystone to facilitate the expansion of  
5 Wigmore Park. Thus, the Council hereby waives the contrary provisions  
6 of Section 122.421(b), *Ordinance Code*, as the park lands are not  
7 being replaced with new park facilities of equal or greater size in  
8 the same general area.

9 **Section 5. Oversight.** The Real Estate Division of the  
10 Public Works Department shall oversee the Land Exchange; the  
11 Department of Parks, Recreation and Community Services shall have  
12 oversight of the real property acquired by the City thereafter.

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

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17 Form Approved:

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19           /s/ Harry M. Wilson, IV          

20 Office of General Counsel

21 Legislation Prepared By: Harry M. Wilson, IV

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