

1 Introduced by Council Member Dennis & Co-Sponsored by Council
2 Members Salem, Carlucci, Newby, Pittman, Priestly Jackson, DeFoor,
3 Boylan, Ferraro, Morgan, and Gaffney and amended by the Finance
4 Committee:
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7 **ORDINANCE 2020-619-E**

8 AN ORDINANCE DECLARING 0 LINE STREET,
9 JACKSONVILLE, FLORIDA 32209, R.E. #077366-0000
10 IN COUNCIL DISTRICT 9, TO BE SURPLUS TO THE
11 NEEDS OF THE CITY; AUTHORIZING CONVEYANCE OF
12 THE SUBJECT PARCEL TO GATEWAY COMMUNITY
13 SERVICES, INC., A FLORIDA NOT FOR PROFIT
14 CORPORATION, AT NO COST; AUTHORIZING THE MAYOR
15 AND THE CORPORATION SECRETARY TO EXECUTE A
16 QUITCLAIM DEED AND OTHER CONVEYANCE DOCUMENTS;
17 WAIVING SECTION 122.425 (DISPOSITION BY
18 AUCTION OR SEALED BID), PART 4 (REAL
19 PROPERTY), CHAPTER 122 (PUBLIC PROPERTY),
20 *ORDINANCE CODE*, TO ALLOW DONATION TO GATEWAY
21 COMMUNITY SERVICES, INC.; PROVIDING FOR (1)
22 PROPERTY CONVEYED "AS IS," (2) REQUESTING
23 SUBMISSION OF AN ANNUAL AFFIDAVIT, AND (3) A
24 RIGHT OF REENTRY FOR FAILURE TO USE THE
25 SUBJECT PARCEL FOR ANCILLARY USE RELATED TO
26 THE OPERATION OF A BEHAVIORAL HEALTH CARE
27 FACILITY; PROVIDING FOR CITY OVERSIGHT BY THE
28 DEPARTMENT OF PUBLIC WORKS, REAL ESTATE
29 DIVISION; PROVIDING AN EFFECTIVE DATE.
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1 **WHEREAS**, the City of Jacksonville owns property located at 0
2 Line Street, (R.E.#077366-0000), Jacksonville, Florida 32209, north
3 of West Beaver Street in Council District 9 (the "Property"), which
4 is vacant and has been owned by the City since 1989; and

5 **WHEREAS**, the City has declared surplus an adjacent property
6 located at 2133 Broadway Avenue, (R.E.#077143-0000), Jacksonville,
7 Florida 32209 and legislation has been filed to transfer that
8 property to Gateway Community Services, Inc. ("Gateway"), for use
9 as a behavioral health facility; and

10 **WHEREAS**, Gateway, a Florida not for profit corporation,
11 provides behavioral health and addiction treatment for adults and
12 adolescents in the Jacksonville area; and

13 **WHEREAS**, Gateway desires to expand its footprint in the
14 community by offering behavioral health services to residents of
15 Northwest Jacksonville; and

16 **WHEREAS**, Gateway has expressed interest in the property, at no
17 cost, in addition to the 2133 Broadway Avenue property, to use as
18 ancillary parking; and

19 **WHEREAS**, the Council has considered the needs of the City and
20 has determined that there is no public need for retaining the
21 Property and has deemed it surplus to the needs of the City; and

22 **WHEREAS**, the conveyance of the Property to Gateway would
23 enable it to utilize the Property for ancillary parking related to
24 the behavioral health services it will provide and to meet other
25 public health needs; and

26 **WHEREAS**, the Council finds a municipal purpose in granting the
27 Property to Gateway at no cost in that conveying the Property to
28 Gateway will allow it to expand its behavioral health services to
29 more citizens in the community and it to be in the best interest of
30 the public to convey the Property to Gateway; now therefore

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

1 **Section 1. Declaration of Surplus.** The City hereby
2 declares the property located at 0 Line Street (R.E. #077366-0000),
3 north of West Beaver Street, in Northwest Jacksonville, in Council
4 District 9, as more particularly described in **Exhibit 1**, attached
5 hereto and incorporated herein by this reference (the "Property"),
6 to be surplus to the needs of the City.

7 **Section 2. Execution and Conveyance Authorized.** The
8 Mayor and the Corporation Secretary are authorized to execute and
9 deliver all documents, including a Quitclaim Deed in substantially
10 the form shown in **Revised Exhibit 2**, labeled as "Revised Exhibit 2,
11 Revised Deed, January 5, 2021 - Finance", attached hereto,
12 necessary to convey the Property, at no cost, to Gateway Community
13 Services, Inc.

14 **Section 3. Waiving Section 122.425 (Disposition by**
15 **auction or sealed bid), Ordinance Code.** The provisions of Chapter
16 122.425 (Disposition by auction or sealed bid), Part 4 (Real
17 Property), Chapter 122 (Public Property), *Ordinance Code*, are
18 hereby waived to allow the conveyance of the Property to Gateway,
19 at no cost rather than auctioning the Property or seeking sealed
20 bids. Gateway has evidenced an interest in the Property for
21 ancillary use as parking for its public health facility and the
22 Council finds that the City having no public need for the Property,
23 and the use of the Property for ancillary uses related to the
24 behavioral health services of the community is appropriate.

25 **Section 4. "As Is" Conveyance; Use and Right of Reentry;**
26 **Annual Affidavit.** The Property is being conveyed to Gateway
27 Community Services, Inc. "as is" in its current condition without
28 any warranties, representations or guarantees, express or implied,
29 of any kind, nature or type whatsoever, regarding its use, title,
30 suitably or merchantability and, upon conveyance, all maintenance
31 and responsibility as to the Property shall become the sole and

1 exclusive obligation of Gateway Community Services, Inc. The
2 Property shall be used for Gateway Community Services, Inc.'s
3 behavioral health facility and outpatient treatment for members of
4 the community. If the Property is used for anything other than the
5 operation of such programs consistent with Gateway's core mission,
6 the City shall have the right, but not the duty, to reenter the
7 Property and upon exercise of such reentry, all right, title, and
8 interest of Gateway Community Services, Inc. shall revert to the
9 City and Gateway Community Services, Inc. shall execute and deliver
10 a Special Warranty Deed to the City free of all liens and
11 encumbrances. Beginning in 2022, on or before March 1 of each year,
12 Gateway Community Services, Inc. shall submit to the Chief of the
13 City's Real Estate Division, an affidavit affirming that the
14 Property continues to be used for behavioral health and outpatient
15 treatment; if Gateway Community Services, Inc. fails to provide the
16 annual affidavit within 60 days of this date, the City may exercise
17 its right of reentry.

18 **Section 5. Oversight Department.** The Department of Public
19 Works, Real Estate Division shall oversee the operations described
20 in this ordinance; if the use provisions in Section 4 are not
21 maintained, the Real Estate Division, through the Office of General
22 Counsel, may initiate action for reverter.

23 **Section 6. Effective Date.** This ordinance shall become
24 effective upon signature by the Mayor or upon becoming effective
25 without the Mayor's signature.

26 Form Approved:

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28 /s/ Paige H. Johnston

29 Office of General Counsel

30 Legislation Prepared By: Paige H. Johnston

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