

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2021-710**

5 AN ORDINANCE APPROVING, AND AUTHORIZING THE
6 MAYOR, OR HIS DESIGNEE, AND THE CORPORATION
7 SECRETARY TO EXECUTE AND DELIVER A NOTICE OF
8 FEDERAL PARTICIPATION (THE "NOFP") BETWEEN THE
9 CITY OF JACKSONVILLE, NORTH FLORIDA LAND TRUST,
10 INC. AND THE FLORIDA FISH AND WILDLIFE
11 CONSERVATION COMMISSION (THE "FWC"), AND ANY
12 OTHER DOCUMENTS NECESSARY TO EFFECTUATE THE
13 PURPOSES OF THE NOFP, FOR THE PROPERTY KNOWN AS
14 BOGEY CREEK LANDING (R.E. NO. 159934-0050) (THE
15 "PROPERTY"), TO PLACE A PERPETUAL RESTRICTIVE
16 COVENANT ON THE PROPERTY IN ACCORDANCE WITH THE
17 TERMS AND CONDITIONS OF THE NOFP AND U.S. FISH
18 AND WILDLIFE SERVICE NATIONAL COASTAL WETLANDS
19 CONSERVATION PROGRAM GRANT NOTICE OF AWARD
20 NUMBER F21AP00697-00 (THE "GRANT"); PROVIDING AN
21 EFFECTIVE DATE.
22

23 **WHEREAS**, North Florida Land Trust, Inc. ("NFLT"), in partnership
24 with the Florida Fish and Wildlife Conservation Commission (the
25 "FWC"), applied for and were awarded grant funding from the U.S. Fish
26 and Wildlife Service through its National Coastal Wetlands
27 Conservation Program to assist in the acquisition of a property known
28 as "Bogey Creek Preserve Phase 3"; and

29 **WHEREAS**, Bogey Creek Preserve Phase 3 is comprised of
30 approximately 11.62± acres of maritime forests, hardwood wetlands,
31 and salt marsh, and was acquired with the intent to expand the Bogey

1 Creek Preserve and to fill a gap within a 6,000± acre matrix of
2 conservation lands owned by various federal, state and local agencies,
3 as well as conservation non-profits, referred to as the "7 Creeks
4 Recreation Area"; and

5 **WHEREAS**, the City and NFLT offered their support for this Grant
6 by pledging their respective ownership interests in a 6.5± acre parcel
7 known as "Bogey Creek Landing" located off Cedar Point Road in
8 Jacksonville, which is part of the larger Bogey Creek Preserve, as a
9 match for the acquisition of Bogey Creek Preserve Phase 3; and

10 **WHEREAS**, in accordance with the terms and conditions of the
11 Grant, the City and NFLT are required to sign a restrictive covenant
12 on the Bogey Creek Landing property pursuant to which the City and
13 NFLT agree to monitor and enforce said property in perpetuity for the
14 conservation of said lands and waters and the hydrology and natural
15 heritage resources dependent thereon.

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

17 **Section 1. Authorization to Execute.** The Mayor, or his
18 designee, and the Corporation Secretary are hereby authorized to
19 execute and deliver, for and on behalf of the City, that certain
20 Notice of Federal Participation (Bogey Creek Expansion) by and among
21 the City of Jacksonville, North Florida Land Trust, Inc. and the
22 Florida Fish and Wildlife Conservation Commission, in substantially
23 the same form as is attached hereto as **Exhibit 1** and incorporated
24 herein by this reference (the "NOFP"), and any other documents
25 necessary to effectuate the purpose of the NOFP. Pursuant to the
26 terms and conditions of the Grant and the NOFP, the Bogey Creek
27 Landing property (R.E. No. 159934-0050) will be maintained in
28 perpetuity as conservation land. Copies of the U.S. Fish and Wildlife
29 Service National Coastal Wetlands Conservation Program Grant Notice
30 of Award No. F21AP00697-00, the State of Florida Fish and Wildlife
31 Conservation Commission Agreement No. 20309 between NFLT and FWC, the

1 City of Jacksonville's match contribution letter, and the NFLT grant
2 application have been placed **On File** with the Office of Legislative
3 Services.

4 **Section 2. Effective Date.** This Ordinance shall become
5 effective upon signature by the Mayor or upon becoming effective
6 without the Mayor's signature.

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8 Form Approved:

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10 /s/ Mary E. Staffopoulos

11 Office of General Counsel

12 Legislation Prepared By: Mary E. Staffopoulos

13 GC-#1453560-v1-Approve-Authorize_Bogey_Creek_Landing_Restrictive_Covenant_(2021).docx