

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE PARTIAL ABANDONMENT AND TERMINATION OF FLOWAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 2902 AT PAGE 1192 AND OFFICIAL RECORDS BOOK 2902 AT PAGE 1220, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Horizons Acquisitions 5, LLC, a Florida limited liability company (“HA5”) conveyed that certain Blanket Flowage Easement to the City as depicted on the easement recorded in O.R. Book 2902, Page 1220, Public Records of St. Lucie County, Florida (“Blanket Flowage Easement”); and

WHEREAS, the City wishes to abandon and terminate the portion of Blanket Flowage Easement situated on the property more particularly described on in Exhibit “A” to the Partial Abandonment & Termination of Flowage Easement attached hereto as **Exhibit “A”**.

WHEREAS, the City desires to abandon its interests in the Blanket Flowage Easement pursuant to the Partial Abandonment & Termination of Flowage Easement attached hereto as **Exhibit “A”**.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. That the Mayor, or his designees and the City Manager, or his designees, are hereby authorized to execute any and all documents necessary to formalize and complete the partial termination and abandonment of easements contemplated herein, including but not limited to the Partial Abandonment & Termination of Flowage Easement attached hereto as **Exhibit “A”**.

Section 3. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall become effective immediately after final adoption on second reading.

ORDINANCE 20-__

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this
____ day of _____, 2020.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Gregory J. Oravec, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney