

RESOLUTION 23-R

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, DECLARING THE ACQUISITION OF REAL PROPERTY DESCRIBED AS TRACT F, FIRST REPLAT OF PORT ST. LUCIE SECTION FORTY-SIX, AS RECORDED IN PLAT BOOK 25, PAGES 32, 32A THROUGH 32K, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, FOR THE PARKS AND RECREATION MASTER PLAN TO BE A PUBLIC NECESSITY, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE, TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACQUIRE THE REAL PROPERTY IN FEE SIMPLE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie desires to acquire real property for incorporation into the Port St. Lucie's 10-Year Parks and Recreation Master Plan; and

WHEREAS, the continued development and implementation of the 10-Year Parks and Recreation Master Plan is in the public interest, for a public purpose, and therefore necessary for the public health, safety and welfare; and

WHEREAS, a parcel of land legally described as Tract F, First Replat of Port St. Lucie Section Forty-Six, as Recorded in Plat Book 25, Pages 32, 32A through 32K, of the Public Records of St. Lucie County, Florida, (the "Exchange Land") has been identified as part of a Land Swap Agreement between the Port St. Lucie Governmental Corporation and Saint Matilda, LLC; and

WHEREAS, for the conveyance of the Exchange Land, a parcel of land known as Lot 3 of Southern Grove Replat No. 40, as recorded in Plat Book 102, Page 39, of the Public Records of St. Lucie County, Florida (the "Land") has been identified as just consideration; and

WHEREAS, pursuant to the terms of the Land Swap Agreement, Saint Matilda, LLC, will convey to the City of Port St. Lucie the Exchange Land, and at the same time Saint Matilda, LLC, will be conveyed the Land by the Port St. Lucie Governmental Finance Corporation; and

WHEREAS, after considering the factors set forth above, the City Council has determined that the land swap considered herein is public necessity and constitutes a public purpose; and

WHEREAS, the City manager, or his designee, are hereby authorized to take any and all appropriate action, including executing and entering into the Land Swap Agreement in substantially the same form as attached hereto and incorporated herein as Exhibit "A", and accomplish the land swap of the Land and the Exchange Land on behalf of the City of Port St. Lucie, Florida.

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:

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

Section 2. The City Manager or his designee, are hereby authorized and directed to proceed to take any and all necessary actions, including executing and delivering the Land Swap Agreement in substantially the same form that is attached hereto and incorporated herein as **Exhibit “A”**, and such other documents necessary to implement the terms and conditions of said Agreement.

Section 3. If any resolutions, or parts of any resolution, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 4. The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is held to be invalid or illegal by a Court of competent jurisdiction, then the remainder of this Resolution shall remain in full force and effect.

BE IT FURTHER RESOLVED that this Resolution shall become effective immediately upon its adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, this _____ day of _____, 2023.

CITY COUNCIL
CITY OF PORT ST. LUCIE

ATTEST:

By: _____
Shannon M. Martin, Mayor

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney