

ORDINANCE 21 - \_\_\_

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, ABANDONING A PORTION OF A TWENTY (20) FOOT WIDE REAR UTILITY AND DRAINAGE EASEMENT AFFECTING LOT 32, BLOCK 2824, PORT ST. LUCIE SECTION FORTY, RECORDED IN PLAT BOOK 15, PAGE(S) 34, 34A TO 34Y, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, the applicant, Deborah G. Smith, as Trustee of the Deborah G. Smith Trust dated October 17, 2016, requests approval for the abandonment of a portion of a twenty (20) foot wide rear utility and drainage easement affecting Lot 32, Block 2824, Port St. Lucie Section Forty, according to the plat thereof, as recorded in Plat Book 15, Page(s) 34, 34A to 34Y, of the Public Records of St. Lucie County, Florida, and more particularly described in the attached Exhibit “A” which is incorporated herein.

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

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

Section 2. That the portion of the twenty (20) foot wide utility and drainage easement described in the attached Exhibit “A” is hereby abandoned and any right, title, or interest of the public in and to that portion of the twenty (20) foot wide rear utility and drainage easement on any recorded map or plat is hereby renounced and reclaimed.

Section 3. The effect of this Ordinance is to abandon a portion of the twenty (20) foot wide above-described utility and drainage easement and to renounce or disclaim any right, title, or interest of the public in and to said portion of the utility and drainage easement.

Section 4. Recordation. The City Council hereby directs that this Ordinance be recorded in the public records of St. Lucie County, Florida.

Section 5. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

Section 6. 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.

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Section 7. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

Section 8. Effective Date. This Ordinance shall become effective ten (10) days after final adoption on second reading.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida this \_\_\_\_ day of \_\_\_\_\_, 2021.

ATTEST:

CITY COUNCIL  
CITY OF PORT ST. LUCIE

\_\_\_\_\_  
Sally Walsh, City Clerk

By: \_\_\_\_\_  
Shannon M. Martin Mayor

APPROVED AS TO FORM:

By: \_\_\_\_\_  
James D. Stokes, City Attorney