

ORDINANCE 22-__

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CONVEYANCE OF EIGHT (8) CITY-OWNED VACANT RESIDENTIAL LOTS LOCATED IN THE TESORO PUD TO RM TESORO LLC, IN ACCORDANCE WITH A LAND SWAP AGREEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, RM Tesoro LLC, is the fee simple owner of two (2) vacant lots described as Tract 3 and Tract 4, Tesoro Plat No. 17, according to the plat thereof, as recorded in Plat Book 44, Page 8, of the Public Records of St. Lucie County, Florida (the “RM Tesoro Property”); and

WHEREAS, the City of Port St. Lucie (“City”) is the owner of eight (8) vacant residential lots located in the Tesoro PUD and described on Exhibit “A” to the Land Swap Agreement (the “City Property”); the Land Swap Agreement is attached hereto and incorporated herein as Exhibit “A” to this Ordinance; and

WHEREAS, the City desires to acquire Tract 4 of the RM Tesoro Property for optional use as a future trail head and/or small neighborhood micro park or for green space purposes and desires to acquire Tract 3 of the RM Tesoro Property for drainage and staging purposes; and

WHEREAS, RM Tesoro LLC, has agreed to convey the RM Tesoro Property to the City in exchange for the City conveying the City Property to RM Tesoro LLC; and

WHEREAS, in furtherance of this exchange of real property, the City and RM Tesoro LLC have set forth the terms of the exchange into a Land Swap Agreement, which is attached hereto and incorporated herein as Exhibit “A”; and

WHEREAS, the City Council has determined that this exchange of property and conveyance serves a municipal purpose; and

WHEREAS, the City Council desires and hereby authorizes entering into the Land Swap Agreement with RM Tesoro LLC and further authorizes the City to convey the City Property to RM Tesoro, in exchange for RM Tesoro LLC conveying the RM Tesoro Property to the City.

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. Authorization. The City Council hereby authorizes the City Manager, or his designee, to execute and enter into the Land Swap Agreement, in substantially the same form as attached hereto as Exhibit “A”; and further authorizes the City Manager, or his designee, to convey

ORDINANCE 22-__

the City Property to RM Tesoro LLC, in exchange for RM Tesoro LLC conveying the RM Tesoro Property to the City.

Section 3. Execution. The City Council hereby authorizes the City Manager, or his designee, to execute any and all documents necessary to complete the conveyance of the City Property to RM Tesoro LLC, in exchange for RM Tesoro conveying the RM Tesoro Property to the City.

Section 4. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 5. 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 6. Effective Date. This Ordinance shall become effective immediately upon its final adoption after second reading.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this ____ day of _____, 2022.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: _____
James D. Stokes, City Attorney