

## RESOLUTION 23-R

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE ACQUISITION OF REAL PROPERTY DESCRIBED AS LOT 26, BLOCK 2293, PORT ST. LUCIE SECTION THIRTY-THREE, AS RECORDED IN PLAT BOOK 15, PAGES 1, 1A THROUGH 1V, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, FOR THE PORT ST LUCIE BOULEVARD SOUTH IMPROVEMENTS AS BEING A PUBLIC NECESSITY, AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO TAKE ANY AND ALL APPROPRIATE ACTIONS TO ACQUIRE THE SUBJECT PROPERTY IN FEE SIMPLE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, the City of Port St. Lucie's Public Works Department has recommended the acquisition of real property described as Lot 26, Block 2293, Port St. Lucie Section Thirty-Three, as recorded in Plat Book 15, Pages 1, 1A through 1V, of the Public Records of St. Lucie County, Florida, to remain as a vacant parcel on Port St. Lucie Boulevard South for the Port St. Lucie Boulevard South Improvements (the "Project"); and

**WHEREAS**, the Project is in the public interest, for a public purpose, and therefore necessary for the public health, safety, and welfare; and

**WHEREAS**, the Project is an integral and necessary component of the City's infrastructure and transportation network and is required to meet the anticipated needs of this growing community; and

**WHEREAS**, the Project will be replacing the existing 3-span concrete bridge over the E-84 canal with a wider single-span bridge to accommodate the 4-lane roadway widening, rendering access to subject parcel challenging; and

**WHEREAS**, locating driveway connections at the bridge approach slab is not desirable from a public safety standpoint; and

**WHEREAS**, after considering the factors set forth above, this City Council has determined that the fee simple acquisition of the subject parcel for the Project is a public necessity and constitutes a public purpose for which public funds may be expended; and

**WHEREAS**, the City Manager, or his designee, are hereby authorized to take any and all appropriate action, including executing and entering into the Vacant Land Contract attached hereto and incorporated herein as Exhibit "A", and to accomplish the acquisition of the subject parcel in fee simple 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. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Resolution.

Section 2. Implementation. The City Manager, or his designee, are hereby authorized and directed to proceed to take any and all necessary actions, including executing the Vacant Land Contract, for the City of Port St. Lucie to acquire, in its own name, by purchase, the real property described above and execute all papers and other instruments required for that purpose.

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

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

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

ATTEST:

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

By: \_\_\_\_\_  
Shannon Martin, Mayor

APPROVED AS TO FORM:

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