

**From:** [Sally Walsh](#)  
**To:** [Jessica Heinz](#)  
**Subject:** FW: reaffirmation of dedication related to River Point PUD ?  
**Date:** Monday, June 3, 2024 10:07:24 AM  
**Attachments:** [ThePlatsDedicationIssues.docx](#)  
[image001.png](#)  
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*Sally Walsh, CMC  
City Clerk*

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**From:** Christina Flores <CFlores@cityofpsl.com>  
**Sent:** Monday, June 3, 2024 8:22 AM  
**To:** Mary Savage-Dunham <mdunham@cityofpsl.com>; Anne Cox <AnneC@cityofpsl.com>; Bridget Kean <BKean@cityofpsl.com>  
**Cc:** Brandon Dolan <BDolan@cityofpsl.com>; Sally Walsh <SWalsh@cityofpsl.com>  
**Subject:** FW: reaffirmation of dedication related to River Point PUD ?

Good morning,

Please see below and add to the official record.



**Christina Flores**  
**Senior Executive Assistant**  
**Office of the Mayor and City Council**  
o. 772-871-5159

**City of Port St. Lucie | Heart of the Treasure Coast**

121 SW Port St. Lucie Blvd., Port St. Lucie, FL 34984



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**From:** David Lipps <[lipps46@gmail.com](mailto:lipps46@gmail.com)>

**Sent:** Monday, June 3, 2024 6:16 AM

**To:** Shannon Martin <[Mayor@cityofpsl.com](mailto:Mayor@cityofpsl.com)>; Brandon Dolan <[BDolan@cityofpsl.com](mailto:BDolan@cityofpsl.com)>; Jolien Caraballo <[Jolien.Caraballo@cityofpsl.com](mailto:Jolien.Caraballo@cityofpsl.com)>; Stephanie Morgan <[Stephanie.Morgan@cityofpsl.com](mailto:Stephanie.Morgan@cityofpsl.com)>; CMO <[CMO@cityofpsl.com](mailto:CMO@cityofpsl.com)>; Christina Flores <[CFlores@cityofpsl.com](mailto:CFlores@cityofpsl.com)>; David Pickett <[David.Pickett@cityofpsl.com](mailto:David.Pickett@cityofpsl.com)>; Anthony Bonna <[Anthony.Bonna@cityofpsl.com](mailto:Anthony.Bonna@cityofpsl.com)>

**Subject:** reaffirmation of dedication related to River Point PUD ?

Could this document be sent to the Planning and Zoning Board for Review?

Leonard Metzl in 2001 - included dedications for specific Tracts in the River Point PUD

These Dedications are how the City acquired the Land along Morningside and Cambridge as a recreation area

During the transfer of the property, through various owners over the years, the dedications have become increasingly "reworded"

Would it be possible for the City to consider reaffirmation of the dedications ? As Mr Metzl intended

I believe, from the wording in the PUD, the dedications were to be in perpetuity

This would not create any cost to the City of Port Saint Lucie, The Tesoro POA, The Wilderness Island POA , The Visconti HOA The Sandpiper Bay HOA or the Citizens of Port Saint Lucie

These dedications involve the Tracts surrounding the Rivella/o property currently identified as Tract I

Allowing the Dedications to be re-affirmed in perpetuity would protect the "City Park" from any unwanted changes in the future

Allowing the Dedications to be affirmed would allow the Residents to know that the property located to the West of Tract I would be protected, as well as the conservation area to the North and West side of Tract I

This would also benefit Mr. Ryan in the long run as he could market the property, Tract I , as being surrounded by protected green space.

Thank you all very much for your time on this issue

I have included a detailed study of the Plats as an attachment - their locations in the Books and the documentation wording involved

I believe this information would also be of great benefit to the City for any future discovery needs regarding this area

Respectfully

David Lipps

Westmoreland and Morning Side – Questions for the City Manager City Council and Planning Board

General Development bought the land as Undeveloped mostly Govt land

General Development sold the property to Atlantic Gulf

1994 Atlantic Gulf Sold the property to The Wilderness and County Club

1995 The first Official survey of the area now known as the Tesoro preserve – Was completed  
It was a Boundary Survey

South Florida Water Management initiated a request for a Validation of Wetland Determination by Atlantic Gulf Communities.

Atlantic Gulf Communities requested the study because the SFWMD had done an informal study in 1992 and determined that of the 309.9 acers owned by Atlantic 79.74 acers were Wetland

The South Water Management Department Application Number is 940930-18 – Titled “The Wilderness”

SFWMD Permit Number 56-00002-I

Was sent to Atlantic on April 14<sup>th</sup> 1997 to Validate the SFWMD findings

Atlantic had to confirm which areas of land could be built upon for the new owner “The Wilderness Golf and Country Club

There is also a later SWFMD Pernit 56-00016-D That is associated with the construction of a bridge to the island in the Tesoro Preserve area that involves the Mangroves and issues

“Boundary Survey of the Wilderness”

Lying in portions of section 11 14 and 15 Township 37 South Range 40 East- St. Lucie County, Florida  
Dated 2.15.1995

Job Number 2078

Sheets 1 thru 6

This delayed the initial building on the property – and placed multiple restrictions to protect the Wetlands and Upland Preserves as well as regulating the Water Management Easements

June 25, 2001

The First PUD of the property can be found in Plat Book 40 page 15

Titled – River Point PUD

The Area that Rivello wants to build upon is marked as Tract I – on this PUD – The Tract Changes and Reverts through the process of transfers and sales and submission of new PUD Plats

Leonard Metz| a CPA – Was the owner of the mortgage and trustee of the property

In this first PUD – Leonard included a series of Dedications – Things that had to take place if a buyer was going to develop the land – This was in perpetuity

These Dedications included

Plat Book 40 Page 15

River Point PUD

Tracts J- Dedicated to PSL for Recreational use only - The area is now the park along Morningside and Cambridge Drive

Page 15-F

Page 15-E

Page 15-D

Page 15-C

Page 15-B

Page 15-A

Tracts B - To the West of Tract I and multiple other areas - are Dedicated as Open Space Tracts -

page 15-J

Page 15-I

Page 15-H

Page 15-G

Page 15-F

Page 15-C

Page 15-B

§ 156.116. Dedication of Park Lands or Contribution in Lieu of Parks

(B)Any lands dedicated for open space purposes shall contain appropriate covenants and deed restrictions approved by the City Attorney ensuring that:

- (1) The open space area will not be further subdivided in the future;
- (2) The use of the open space will continue in perpetuity for the purpose specified;
- (3) Appropriate provisions will be made for the maintenance of the open space; and
- (4) Common undeveloped open space shall not be turned into commercial enterprise admitting the general public at a fee.

Tracts- T - Dedicated to the City of PSL - and now is our Water Station

Page 15-G

Sept 23, 2002

First Replat of River Point PUD – Plat Book 41 Page 21 Owner – Wilderness Golf and Country Club  
More inclusive of the Island Area and added changes related to Future Development – Still maintained the Dedications – No Changes to Tract Identification

Oct 13, 2004 - \*Note Someone Crossed out 2004 and changed to 2003 – under City Council Certification  
Tesoro Preserve Plat No 1 Plat Book 44 Page 17 – New Owners – Wilderness Ventures Inc Harbor Fed Bank

1 Page Plat sheet that made changes to Via Lago Garda plots – Noting else in the Earlier Plats were changed -This was approved by the City Council and Manager

August 23 2004

Tesoro Preserve Plat No 2 Plat Book 44 Page 15 – New Owners – Ginn-Wilderness Group  
Tract IDs were changed – Dedications reworded – Original Open Space Dedications Removed  
Changes Tract I to Tract A – Leaves out the Open Space Dedications – Extends Tract A (fka I) well beyond previous boundaries

Nov 7, 2005

Tesoro Preserve Plat No 3 Plat Book 51 Page 2  
Changes the definition of Open Space – Relies on Tesoro Preserve Plat No 2 for Northern area above Tract A

Nov 22, 2005

Tesoro Preserve Plat No 4 Plat Book 51 Page 5  
Changes CT-7 East of Tract A – to Upland Preserve, Changes North of Tract A to Conservation Tract – Changes Tract B from First Replat of River Point PUD – Plat Book 41 Page 21 to Tract C which removes Open Space

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### Our First Question

Why were the Dedications from the original Owner not carried through with the owner changes  
These dedications were made in perpetuity - Plat Book 40 page 15

### Question Two

Will the City Restore the Dedications of this property to the approved dedications that were agreed upon and approved by the Council and Mayor between the Buyer and Original owner  
Leonard Metzl in 2001 - Plat Book 40 page 15

### Question Three

Tract J from First Replat of River Point PUD – Plat Book 41 Page 21 – Item 12 states that the recreation easement is changed to control of the Tesoro POA – See Tesoro Preserve Plat No 2 Plat Book 44 page 15 (item12) How will this affect the already acquired park area that was Tract J

\*\*\*\* Restoration of the Dedications as noted would not initiate any cost to the Tesoro Preserve Residents, The City of Port Saint Lucie, or the Residents of Port Saint Lucie

Allowing the Dedications to be re-affirmed in perpetuity would protect the "City Park" from any unwanted changes in the future

Allowing the Dedications to be re-affirmed to the area West of Tract I – Would guarantee to the residents that no future changed would be made to this land. This land and the coverage would assist in beautification of Tract I and shield the ALF

Restoration of Tract B to UPE would maintain the greenway down Westmoreland to Morning Side

Currently the land west of Tract A – (CT-7) is zoned as Upland Preserve

Currently the land North of Tract A – Is Zoned as a Conservation Tract 28.35 Acers

Currently the Areas noted as Tract B – have been removed from the Plat – but appear to be included in the Conservation tract to the North

This Re-affirmation of the dedications would be a simple Change that would protect the Greenways of Port Saint Lucie –

This Protection of the Greenways would seem to be very important as this location is very close to the Botanical Gardens