

RESOLUTION 22-R

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE MAYOR OR THE CITY MANAGER TO EXECUTE AND ENTER INTO A CONTRACT FOR SALE AND PURCHASE OF REAL PROPERTY WITH THE ST. LUCIE COUNTY BOARD OF COUNTY COMMISSIONERS FOR THE ACQUISITION OF REAL PROPERTY DESCRIBED AS LOT 1, LESS EAST 10 FEET, TWELVE OAKS ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 16, PAGE 26, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, FOR THE CONSTRUCTION OF A SANITARY SEWER LIFT STATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie's Utility Systems Department recommends the acquisition of real property described as Lot 1, less East 10 feet, Twelve Oaks Estates, according to the plat thereof, as recorded in Plat Book 16, Page 26, of the Public Records of St. Lucie County, Florida (the "Subject Property"), to the City Council of the City of Port St. Lucie, for the construction of a sanitary sewer lift station (hereinafter the "Project"); and

WHEREAS, the Project allows the City to provide utility services for the future development of the southeast parcel at Midway Road and St. James, and will further the City's goal of preserving water quality on the river by connecting new construction and aging septic tanks to the City's sewer system; 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, after considering the factors set forth above, this City Council has determined that the fee simple acquisition of the Subject Property for the Project is in the best interest of the City; and

WHEREAS, the Mayor, or her designee, and the City Manager, or his designee, are hereby authorized to take any and all appropriate action, including executing and entering into the Contract for Sale and Purchase for Real Property attached hereto and incorporated herein as Exhibit "A", and to accomplish the acquisition of the Subject Property in fee simple on behalf of the City of Port St. Lucie.

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 Mayor, or her designee, and the City Manager, or his

RESOLUTION 22-R

designee, are hereby authorized and directed to proceed to take any and all necessary actions, including executing and entering into the Contract for Sale and Purchase for Real Property in substantially the same form as attached hereto and incorporated herein as Exhibit "A", for the City of Port St. Lucie to acquire, in its own name, by purchase, the Subject Property 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 _____, 2022.

CITY COUNCIL
CITY OF PORT ST. LUCIE

ATTEST:

Sally Walsh, City Clerk

By: _____
Shannon M. Martin, Mayor

APPROVED AS TO FORM:

James D. Stokes, City Attorney