

## RESOLUTION 21-R

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE ACQUISITION OF REAL PROPERTY DESCRIBED AS LOT 8, BLOCK 20, RIVER PARK – UNIT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 10, PAGE 72, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, TO CONSTRUCT A NEW LIFT STATION, 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; PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, the City of Port St. Lucie’s Utility Systems Department (“Utility”) is currently planning for utility upgrades that would provide the ability to divert additional wastewater flow from the south/southeast part of the City towards to the north, and eventually to the west towards the Glades Wastewater Treatment Plant; and

**WHEREAS**, in order to implement said utility upgrades, Utility has recommended the acquisition of real property described as Lot 8, Block 20 , River Park-Unit 2, according to the plat thereof, as recorded in Plat Book 10, Page 72 of the Public Records of St. Lucie County, Florida (the “Property”), to construct a new lift station; and

**WHEREAS**, on October 26, 2020, the City Council approved staff to begin negotiations for the purchase of a new parcel of unimproved land to construct a new lift station in the area located around Oleander Avenue and Beach Avenue; and

**WHEREAS**, the Utility has identified the Property to be an ideal location for a new lift station; and

**WHEREAS**, the owner of the Property has agreed to sell the Property to the City of Port St. Lucie (“City”) pursuant to the terms and conditions set forth in the Vacant Land Contract and Addendum (“Contract”), attached hereto as Exhibit “A” and incorporated herein by reference; and

**WHEREAS**, the acquisition of the Property is in alignment with the Utility Systems Department’s Strategic Plan of providing high-quality infrastructure and facilities; and

**WHEREAS**, area customers will benefit by having a reliable and robust lift station operating in their neighborhood; and

**WHEREAS**, the acquisition of the Property will provide the land needed for a new lift station with state-of-the-art technology, including but not limited to, Supervisory Control and Data Acquisition (SCADA) communications; and

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**WHEREAS**, after considering the factors set forth above, this City Council has determined that the fee simple acquisition of the Property in the best interest of the City; and

**WHEREAS**, the City Manager, or his designee, are hereby authorized to take any and all appropriate action to proceed with purchasing the Property under Contract and to accomplish the acquisition of the Property in fee simple on behalf of the City of Port St. Lucie, Florida.

**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 and Addendum, in the substantially the same form as attached hereto, 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 \_\_\_\_\_, 2021.

ATTEST:

\_\_\_\_\_  
Karen A. Phillips, City Clerk

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Gregory J. Oravec, Mayor

APPROVED AS TO FORM:

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James D. Stokes, City Attorney