

ORDINANCE 21-

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CONVEYANCE OF PREVIOUSLY DEDICATED ROAD RIGHT OF WAY FOR PAAR DRIVE, FROM VILLAGE PARKWAY TO INTERSTATE 95, TO THE PORT ST. LUCIE GOVERNMENTAL FINANCE CORPORATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 19, 2004, the City Council of the City of Port St. Lucie approved the Annexation Agreement recorded in Official Record Book 2137, Page 2419 of the Public Records of St. Lucie County, Florida, as subsequently amended, requiring the conveyance of certain road rights-of-way to the City and providing a process for relocation of such road rights-of-ways between the developers and the City in the event of any re-alignment of such road rights-of-ways; and

WHEREAS, on October 30, 2007, Horizons Acquisition 5, LLC, conveyed the Southern Grove road rights-of-way to the City via a Special Warranty Deed recorded in Official Record Book 2899, Page 2933 of the Public Records of St. Lucie County, Florida, with a restriction that such road rights-of-way only be used for road, stormwater and utility purposes, pursuant to the requirements of the Annexation Agreement; and

WHEREAS, on January 25, 2021, the City Council approved an amendment to the City of Port St. Lucie Comprehensive Plan via Resolution 21-R05, relocating the Paar Drive right-of-way from Village Parkway to Interstate 95; and

WHEREAS, on January 25, 2021, the City Council approved an amendment to the Southern Grove DRI via Resolution 21-R05, relocating the Paar Drive right-of-way from Village Parkway to Interstate 95; and

WHEREAS, Mattamy Palm Beach, LLC, as successor in interest to Horizons Acquisition 5, LLC, has agreed to release the restriction that such road right-of-way for Paar Drive, from Village Parkway to Interstate 95, only be used for road, stormwater and utility purposes; and

WHEREAS, the City desires to convey the existing right-of-way for Paar Drive, from Village Parkway to Interstate 95, to the adjacent landowner, the Port St. Lucie Governmental Finance Corporation, and in exchange, the Port St. Lucie Governmental Finance Corporation shall convey a right-of-way for the relocated Paar Drive back to the City and the deeding of these rights-of-way is proposed to occur concurrently.

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

ORDINANCE 21-

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 of the City of Port St. Lucie hereby authorizes the conveyance of the existing right-of-way for Paar Drive, from Village Parkway to Interstate 95, to the Port St. Lucie Governmental Finance Corporation. The Mayor, or his designee, is hereby authorized to execute the Quit Claim Deed in substantially the same form as attached hereto and incorporated herein as Exhibit "A", as well as any other documents necessary to complete the conveyance.

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

Section 4. 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 5. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this ____ day of _____, 2021.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Gregory J. Oravec, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney