

ORDINANCE 21-__

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CONVEYANCE OF PORTIONS OF SEVERAL PARCELS OF REAL PROPERTY DESCRIBED AS LOT 18, BLOCK 700, LOTS 1, 2 AND 3, BLOCK 782, LOTS 11, 12, 13, 14 AND 15, BLOCK 710, WITH ALL LOTS BEING IN PORT ST. LUCIE SECTION EIGHTEEN, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 13, PAGE 17 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE FLORESTA DRIVE IMPROVEMENT PROJECT FROM SOUTHBEND TO PRIMA VISTA BOULEVARD, AND AUTHORIZING THE MAYOR, THE CITY MANAGER, OR THEIR DESIGNEE, TO EXECUTE THE DEED TRANSFERRING SAID REAL PROPERTY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has acquired portions of: Lot 18, Block 700, Lots 1, 2 and 3, Block 782, Lots 11, 12, 13, 14 and 15, Block 710, Port St. Lucie Section Eighteen, as recorded in Plat Book 13, Page 17 of the Public Records of St. Lucie County, Florida (the “Property”), for the construction and installation of additional roadway width to construct a right-turn lane for the improvement of Floresta Drive from Southbend to Prima Vista Boulevard (the “Project”); and

WHEREAS, the Project includes improvements to Port St. Lucie Boulevard (State Road 716); and

WHEREAS, the Florida Department of Transportation (FDOT) requires a permit to construct the improvements to Port St. Lucie Boulevard (State Road 716) and a right-of-way donation is a prerequisite of permit issuance; and

WHEREAS, the conveyance of the Property to FDOT will serve as the right-of-way donation necessary to obtain the permit; 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; the Project’s 2-lane roadway plan that will improve traffic performance and safety; and the proposed construction and improvements will have minimal environmental and social impacts; and

WHEREAS, after considering the factors set forth above, this City Council has determined that the conveyance of the Property to the FDOT for the Project is a public necessity and constitutes a public purpose for which public funds may be expended; and

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WHEREAS, the Mayor, the City Manager, or their designee, are hereby authorized to take any and all action, including executing the Deed attached hereto and incorporated herein as Exhibit “A”, to complete this conveyance on behalf of the City of Port St. Lucie.

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

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. The Mayor, the City Manager, or their designees, are hereby authorized and directed to execute the Deed in substantially the same form as attached hereto as Exhibit “A” and to take any and all necessary actions, including preparing and executing instruments, required to effectuate the transfer of the Property to FDOT.

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 after final 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