

ORDINANCE 21-__

ORDINANCE PARTIALLY ABANDONING FLOWAGE EASEMENT RECORDED IN O.R.B. 2902, PAGE 1177 AND AFFECTING PARCELS 1 AND 2 OF SOUTHERN GROVE PLAT NO. 31, RECORDED IN PLAT BOOK 90, PAGE 9, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND PARTIALLY ABANDONING BLANKET FLOWAGE EASEMENT RECORDED IN O.R.B. 3094, PAG 1594 AND AFFECTING PARCELS 2 AND 3 OF SOUTHERN GROVE PLAT NO. 4 AS RECORDED IN PLAT BOOK 56, PAGE 18, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY (“FLOWAGE EASEMENTS”); PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, with the development of adjacent parcels, the Community Boulevard drainage contemplated by the Flowage Easements has since been directed into Water Management Tract No. 1 of Southern Grove Plat No. 18 and no longer drains through Parcels 1 and 2 of Southern Grove Plat No. 31; and

WHEREAS, abandonment of the Flowage Easements is necessary for development of Parcels 1 and 2 of Southern Grove Plat No. 31; and

WHEREAS, the City wishes to abandon and terminate the portions of the Flowage Easement situated on the property more particularly described on Exhibit “A” to the Partial Abandonment and Termination of Flowage Easement attached hereto as **Exhibit “A”** and more particularly described on Exhibit “A” to the Partial Abandonment and Termination of Blanket Flowage Easement attached hereto as **Exhibit “B”**.

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. Authorization. That the Mayor, or his designees and the City Manager, or his designees, are hereby authorized to execute any and all documents necessary to formalize and complete the partial termination and abandonment of easements contemplated herein, including but not limited to the documents attached hereto as **Exhibit “A” and Exhibit “B”**.

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

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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:

By: _____
James D. Stokes, City Attorney