

## ORDINANCE 25-

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE MAYOR OF THE CITY OF PORT ST. LUCIE TO GRANT AN UNDERGROUND EASEMENT TO FLORIDA POWER & LIGHT COMPANY FOR THE CITY-OWNED REAL PROPERTY LYING IN SECTION 34, TOWNSHIP 37 SOUTH, RANGE 38 EAST, ST. LUCIE COUNTY, FLORIDA, KNOWN AS MCCARTY RANCH ON RANGELINE ROAD IN THE AREA OTHERWISE KNOWN AS MCCARTY RANCH; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, the City of Port St. Lucie (the “City”) owns the real property lying in Section 34, Township 37 South, Range 38 East, in St. Lucie County, Florida, otherwise known as McCarty Ranch (the “Property”); and

**WHEREAS**, the City’s Utility Systems Department desires to convert from diesel fuel to electrical power to better serve the Utility Systems Department pump stations on the Property from Florida Power and Light Company (“FPL”) as part of the water reserve project; and

**WHEREAS**, the City is the fee and simple owner of the real property more particularly described on the Special Warranty Deed attached hereto and incorporated herein by reference as Exhibit “A”; and

**WHEREAS**, in order to provide requisite power to the City to serve this Property, FPL requires the City to grant a non-exclusive easement in substantially the form for approval attached hereto as Exhibit “B” and incorporated herein by reference (the “Easement”); and

**WHEREAS**, the City Council has determined that this conveyance serves a municipal purpose.

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

Section 1. Ratification of Recitals. The Recitals are hereby adopted as forming the intent and purpose of this Ordinance.

Section 2. Authorization. The Mayor or her designee is hereby authorized and directed to execute the Easement and any related documents.

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.

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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 its final adoption after second reading.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida this \_\_\_\_ day of \_\_\_\_\_ 2025.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Shannon M. Martin, Mayor

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

APPROVED AS TO FORM:

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Richard Berrios, City Attorney