

RESOLUTION 24-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE FINAL ACCEPTANCE OF PUBLIC ROADWAY IMPROVEMENTS FOR BECKER ROAD AT RIVERLAND (P23-073), CONSTRUCTED BY RIVERLAND DEVELOPMENT COMPANY, LLC; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Riverland Development Company, LLC, a Florida limited liability company (hereinafter, “Riverland”), an affiliated entity of the Developer for the Riverland/Kennedy DRI, has completed the construction of certain public roadway improvements, specifically Becker Road at Riverland, the plat and construction plans (P23-073) for which have been previously approved on September 12, 2022, by the City Council of the City of Port St. Lucie via Resolution 22-R102; and

WHEREAS, the plat of Becker Road at Riverland was recorded on February 2, 2024, in Plat Book 122, at Pages 6-90, of the Public Records of St. Lucie County, Florida; and

WHEREAS, the public improvements constructed by Riverland for Becker Road consist of two lanes, with landscaping, from just east of Community Blvd to just east of the N/S B intersection, together with the installation of sidewalk and drainage improvements that will support the ultimate design for the roadway’s future buildout (the “Road Improvements”), and

WHEREAS, the Road Improvements have been completed in substantial conformance with the approved plans except for the street lighting to be installed by Florida Power and Light and the delivery of a Bill of Sale from Riverland to the City of Port St. Lucie (“City”) shall serve to transfer the public roadway improvements located within the constructed portion of the SW Community Boulevard right-of-way; and

WHEREAS, pursuant to and in accordance with Section 156.150 of the City Code of Ordinances, Riverland has formally requested that the City accept the Road Improvements; and

WHEREAS, the City Engineer has caused the Road Improvements to be inspected and recommends acceptance of the Road Improvements with the condition contained in Section 2 hereof, to avoid undo burden on the City to repair any damage done during the installation FPL street lighting.

WHEREAS, the purpose of this Resolution is to accept ownership and maintenance responsibility of the completed Road Improvements at this time, subject to the restoration agreement described in Section 2 hereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA AS FOLLOWS, THAT:

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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. Authorization. The City Council of the City of Port St. Lucie hereby authorizes the final acceptance of the completed construction of the Road Improvements so as to place said improvements under the ownership and maintenance obligation of the City, subject to the following condition:

The City and Developer, or Riverland, must enter into a restoration agreement relating to the FPL lighting installation, in a form sufficient to the City, prior to turnover being effective.

Section 3. Conflict. If any resolutions or parts of any resolution, 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 compliance with the condition contained in Section 2. above.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this ____ day of _____, 2024.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, Interim City Attorney