

ORDINANCE 23-

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE MAYOR OF THE CITY OF PORT ST. LUCIE TO GRANT AN EASEMENT TO FLORIDA POWER & LIGHT COMPANY FOR THE CITY-OWNED IN THE AREA KNOWN OF MID FLORIDA EVENT CENTER; 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 generally described as a portion of the landscape buffer easement and the roadway access easement of the City Center Replat recorded in Plat Book 60, Page 16 as recorded in the Public Records of St. Lucie County (the “Property”); and

**WHEREAS**, the City’s Mid Florida Event center desires to replace and reconstruct a sign at the Mid Florida Event Center; and

**WHEREAS**, the City is the fee and simple owner of the Property; and

**WHEREAS**, in order to provide requisite power to the City to serve this Property, FPL requires the City to grant an easement in substantially the form for approval attached hereto as Exhibit “A” 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 foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2.     Authorization. The Mayor or her designee, or the City Manager or his designee, is hereby authorized and directed to execute the Easement and any other documents necessary to complete the conveyance of the Easement.

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.

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Section 5. Effective Date. This Ordinance shall become effective ten (10) days after final adoption on second reading.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CITY COUNCIL

CITY OF PORT ST. LUCIE

By: \_\_\_\_\_

Shannon M. Martin, Mayor

ATTEST:

\_\_\_\_\_

Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_

James D. Stokes, City Attorney