

ORDINANCE 23-__

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE MAYOR OF THE CITY OF PORT ST. LUCIE TO GRANT A NON-EXCLUSIVE UTILITY EASEMENT TO RIVERLAND DEVELOPMENT COMPANY LLC FOR THE PROPERTY LYING IN A PARCEL OF LAND BEING A PORTION OF CITY PARK, RIVERLAND PASEO PARK; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie (the “City”) owns the real property lying in a parcel of land being a portion of City Park, Riverland Paseo Park as recorded in Plat Book 89, Page 12 of the Public Records of St. Lucie County, Florida, a legal description of said property is attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, Riverland Development Company LLC, requested the City to grant a non-exclusive utility easement in substantially the same form as attached hereto (the “Easement”); and

WHEREAS, the City Council has determined that this non-exclusive utility easement 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 City Manager, or his designee, or 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.

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 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

ORDINANCE 23-__

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: _____
Richard Berrios, Interim City Attorney