

ORDINANCE 26-

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE MAYOR OF THE CITY OF PORT ST. LUCIE TO GRANT A UTILITY EASEMENT TO FLORIDA POWER & LIGHT COMPANY FOR A PORTION OF TRACT A, TRADITION REGIONAL PARK, ST. LUCIE COUNTY, FLORIDA; 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 on Tract A, Tradition Regional Park, according to the plat thereof as recorded in Plat Book 100, Pages 20 through 31, of the Public Records of St. Lucie County, Florida (the “Property”); and

WHEREAS, the Property is being developed as Tradition Regional Park (the “Project”); and

WHEREAS, as part of the Project, the City requires power provided by Florida Power & Light Company (“FPL”); and

WHEREAS, in exchange for FPL services to the Property for the Project, FPL has requested that the City grant an easement over a portion of the Property in substantially the form 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. Recitals. The Recitals and Exhibit A are hereby incorporated into and 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.

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 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 _____ 20_____.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, City Attorney