

ORDINANCE 24-\_\_

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CONVEYANCE OF TWO (2) CITY-OWNED REAL PROPERTY PARCELS TOTALING 150.37 ACRES GENERALLY LOCATED NORTH OF NW GLADES CUT-OFF ROAD, WEST OF MCCARTY ROAD, TO SBR LAND DEVELOPMENT, LLC; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, the City of Port St. Lucie (“City”), by and through its Utility Systems Department (“USD”), owns real property identified as parcel 3317-111-0000-000-3 and parcel 3317-121-0000-000-4, totaling approximately 150.37 acres, and generally located north of NW Glades Cut-Off Road, west of McCarty Road (the “Property”); and

**WHEREAS**, the Property was acquired by the City as a potential site for expansion of the Glades Wastewater Treatment Facility; and

**WHEREAS**, the City’s USD does not plan on expanding the Glades Wastewater Treatment Facility to the Property; and

**WHEREAS**, the Utility Systems Director and the City Manager have found that the Property is not necessary for the operation of the City's water and sewer utility system and the City Council hereby approves such finding; and

**WHEREAS**, on or about July 2, 2024, the City’s Planning and Zoning Board approved the City’s application to change the future land use of the Property from Utility to Light Industrial, so that the Property can be rezoned to allow for a wider variety of uses for future development; and

**WHEREAS**, SBR Land Development, LLC, has expressed interest in entering into a Purchase and Sale Agreement to purchase the Property from the City; and

**WHEREAS**, a Purchase and Sale Agreement setting forth the terms and conditions of the sale to SBR Land Development, LLC, is being submitted to the City Council for review and approval, and is attached hereto as Exhibit “A”; and

**WHEREAS**, the City Council desires to enter into the Purchase and Sale Agreement and subsequently transfer title to the Property via Special Warranty Deed to SBR Land Development, LLC.

**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.

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Section 2. Authorization. The City Council of the City of Port St. Lucie hereby authorizes the conveyance of the Property and authorizes the City Manager, or his designee, to enter into the Purchase and Sale Agreement in substantially the same form as attached hereto and incorporated herein as Exhibit “A”.

Section 3. Execution. The City Council of the City of Port St. Lucie hereby authorizes the City Manager, or his designee, to take any action and to execute any and all documents necessary to complete the conveyance of the Property via Special Warranty Deed to SBR Land Development, LLC.

Section 4. Use of Sales Proceeds. The City Council of the City of Port St. Lucie hereby directs that the net proceeds from the sale of the Property shall be deposited to the Renewal and Replacement Fund established under the City's existing water and utility system master bond ordinance (Ordinance 94-29, enacted on June 27, 1994, as amended and supplemented) and applied in accordance with provisions of such master bond ordinance.

Section 5. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 6. 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 7. Effective Date. This Ordinance shall become effective immediately after final adoption on second reading.

**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:

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Richard Berrios, City Attorney