

ORDINANCE 22-

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CONVEYANCE OF A SIGN MAINTENANCE EASEMENT OVER AND UPON REAL PROPERTY DESCRIBED AS PARCEL 30, LTC RANCH P.U.D. #2, AS RECORDED IN PLAT BOOK 48, PAGE 2, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, IN FAVOR OF LTC RANCH INDUSTRIAL/COMMERCIAL PARK MASTER PROPERTY OWNER'S ASSOCIATION, WITH THE CONVEYANCE BEING SUBJECT TO THE CITY ACQUIRING SAID REAL PROPERTY; AND AUTHORIZING THE MAYOR OR THE CITY MANAGER TO EXECUTE AND ENTER INTO A SIGN MAINTENANCE EASEMENT AGREEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie's Utility Systems Department recommends the conveyance of a sign maintenance easement (the "Sign Easement") over and upon real property described as Parcel 30, LTC Ranch P.U.D. #2, as recorded in Plat Book 48, Page 2 of the Public Records of St. Lucie County, Florida (the "Land"), to the City Council of the City of Port St. Lucie ("City Council"), for the maintenance of a monument sign (the Project"); and

WHEREAS, LTC Ranch Joint Venture, a Florida general partnership ("Seller"), owns the Land and the City of Port St. Lucie ("City") desires to purchase the Land and, upon the City acquiring title to the Land from Seller, the City desires to convey the Sign Easement over and upon the Land to LTC Ranch Industrial/Commercial Park Master Property Owner's Association, Inc., a Florida not for profit corporation (the "POA"), which will allow the POA to maintain a monument sign being constructed on the Land; and

WHEREAS, the City, the Seller and the POA have negotiated a Sign Maintenance Easement Agreement which is included as Exhibit "F" to the Purchase and Sale Agreement that is attached hereto and incorporated herein as Exhibit "A", which contains the terms and conditions related to the conveyance of the Sign Easement; and

WHEREAS, the Purchase and Sale Agreement is being considered by City Council via Resolution 22-R132; and

WHEREAS, the City Council has determined that the Project is in the public interest, for a public purpose, and therefore necessary for the public health, safety and welfare; and

WHEREAS, after considering the factors set forth above, this City Council has determined that the conveyance of the Sign Easement for the Project is in the best interest of the City; and

WHEREAS, the Mayor, or her designee, and the City Manager, or his designee, are hereby authorized to take any and all appropriate action, including executing and entering into the Sign Maintenance Easement Agreement included as Exhibit "F" to the Exhibit "A", attached hereto,

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and to accomplish the conveyance of the Sign Easement to the POA on behalf of the City of Port St. Lucie.

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. Implementation. The Mayor, or her designee, and the City Manager, or his designee, are hereby authorized and directed to proceed to take any and all necessary actions, including executing and entering into the Sign Maintenance Easement Agreement included as Exhibit "F" to the Exhibit "A", attached hereto, for the City of Port St. Lucie to convey the Sign Easement, and execute all papers and other instruments required for that purpose.

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 immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2022.

CITY COUNCIL
CITY OF PORT ST. LUCIE

ATTEST:

Sally Walsh, City Clerk

By: _____
Shannon M. Martin, Mayor

APPROVED AS TO FORM:

James D. Stokes, City Attorney