

ORDINANCE 21 - ____

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE ABANDONMENT OF PREVIOUSLY DESIGNATED ROAD RIGHT-OF-WAY FOR PAAR DRIVE, FROM SW ANTHONY F. SANSONE SR. BOULEVARD TO INTERSTATE 95; AND AUTHORIZING THE CONVEYANCE OF THAT PREVIOUSLY DESIGNATED ROAD RIGHT-OF-WAY TO THE PORT ST. LUCIE GOVERNMENTAL FINANCE CORPORATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 19, 2004, the City Council of the City of Port St. Lucie approved the Annexation Agreement recorded in Official Record Book 2137, Page 2419, of the Public Records of St. Lucie County, Florida, as subsequently amended, requiring the conveyance of certain road rights-of-way to the City; and

WHEREAS, on October 30, 2007, Horizons Acquisition 5, LLC, conveyed the Southern Grove road rights-of-way to the City via a Special Warranty Deed recorded in Official Record Book 2899, Page 2933, of the Public Records of St. Lucie County, Florida, with a restriction that such road rights-of-way only be used for road, stormwater, and utility purposes, pursuant to the requirements of the Annexation Agreement; and

WHEREAS, on October 25, 2021, the City Council approved an amendment to the City of Port St. Lucie's Comprehensive Plan via Ordinance 21-46, removing the previously designated road right-of-way for Paar Drive, from SW Anthony F. Sansone Sr. Boulevard to Interstate 95 (the "Paar Drive Right-of-Way"), from the City's road network; and

WHEREAS, on November 8, 2021, the City Council approved an amendment to the Southern Grove DRI via Resolution 21-R136, removing the Paar Drive Right-of-Way from the Southern Grove DRI Master Plan; and

WHEREAS, Mattamy Palm Beach, LLC, as successor in interest to Horizons Acquisition 5, LLC, has released the restriction that such road rights-of-way for Paar Drive only be used for road, stormwater, and utility purposes; and

WHEREAS, the City desires to abandon and remove the Paar Drive Right-of-Way from the City's road network; and

WHEREAS, the City desires to convey the Paar Drive Right-of-Way to the adjacent landowner, the Port St. Lucie Governmental Finance Corporation, via the Quit Claim Deed that is attached hereto and incorporated herein as Exhibit "A".

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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. The City Council of the City of Port St. Lucie hereby authorizes the abandonment and removal of the Paar Drive Right-of-Way from the City's road network and further authorizes the conveyance of that certain real property, as more particularly described in Exhibit "A", which is attached hereto and incorporated here, to the Port St. Lucie Governmental Finance Corporation. The Mayor, or her designee, is hereby authorized to execute and deliver the Quit Claim Deed, in substantially the same form as attached as Exhibit "A", as well as any other documents necessary to complete the abandonment and conveyance as set forth herein.

Section 3. Recordation. The City Council hereby directs that this Ordinance be recorded in the public records of St. Lucie County, Florida.

Section 4. Conflict. If any ordinances, or parts of ordinances, are in conflict herewith this Ordinance shall control to the extent of the conflicting provisions.

Section 5. 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 6. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word "ordinance" may be changed to "section" or other appropriate word as may be necessary.

Section 7. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida this ____ day of _____, 2021.

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ATTEST:

CITY COUNCIL
CITY OF PORT ST. LUCIE

Sally Walsh, City Clerk

By: _____
Shannon M. Martin, Mayor

APPROVED AS TO FORM:

By: _____
James D. Stokes, City Attorney