

RESOLUTION 24-R

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE MAYOR OR THE CITY MANAGER TO EXECUTE AND ENTER INTO A WELL SITE CONVEYANCE AGREEMENT FOR THE CONVEYANCE OF THREE WELL SITES WITH MIDWAY GLADES DEVELOPERS, LLC FOR THE ACQUISITION REAL PROPERTY, FOR UTILITY PURPOSES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie’s Utility Systems Department recommends the acquisition of real property described as in Exhibit “A” attached hereto (“Subject Property”), to the City Council of the City of Port St. Lucie, for the design and construction of a three Floridan wells and to acquire the property to connect to raw water mains (hereinafter the “Project”); and

WHEREAS, 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 fee simple acquisition of the Subject Property 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 Well Site Conveyance Agreement attached hereto and incorporated herein as Exhibit “A”, and to accomplish the acquisition of the Subject Property in fee simple on behalf of the City of Port St. Lucie.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:

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 Resolution.

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 Well Site Conveyance Agreement in substantially the same form as attached hereto and incorporated herein as Exhibit “A”, for the City of Port St. Lucie to acquire, in its own name, by purchase, the Subject Property and execute all papers and other instruments required for that purpose.

Section 3. Conflict. If any resolutions, or parts of resolutions, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

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Section 4. Severability. The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

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

ATTEST:

Sally Walsh, City Clerk

By: _____
Shannon M. Martin, Mayor

APPROVED AS TO FORM:

Richard Berrios, Interim City Attorney