

RESOLUTION 24-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE EASEMENT AGREEMENT WITH THE FLORIDA POWER & LIGHT COMPANY ON THE PROPERTY LOCATED AT 9001 W MIDWAY ROAD FOR THE BENEFIT OF THE CITY OF PORT ST. LUCIE UTILITY SYSTEMS DEPARTMENT FOR THE DESIGN AND CONSTRUCTION OF A RAW WATER MAIN; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Power & Light Company, a Florida corporation (“FPL”) owns the real property located at 9001 W Midway Road in Port St. Lucie, St. Lucie County, Florida; and

WHEREAS, the FPL agrees to convey the City of Port St. Lucie an easement for the design and construction of a raw water main; and

WHEREAS, the FPL and the City desire to enter into the Easement Agreement (“Agreement”) in substantially the form attached hereto and incorporated herein by reference as Exhibit “A”; and

WHEREAS, the City Council hereby determines that the parties may enter into the Agreement as it serves a public purpose,

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

Section 1. Ratification of Recitals. The City Council hereby adopts and ratifies those matters set forth in the foregoing recitals.

Section 2. Authorization. The City Council of the City of Port St. Lucie, Florida hereby authorizes the City Manager, or his designee, to execute the Agreement and all documents necessary to facilitate the intent of the Agreement.

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

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 held to be illegal, invalid, or unconstitutional by a Court of competent jurisdiction, then the remainder of this Resolution shall remain in full force and effect and this Resolution shall nevertheless stand and be construed as if the illegal or invalid part or portion had not been included herein.

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

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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:

Richard Berrios, Interim City Attorney