

RESOLUTION 20-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA AUTHORIZING THE CITY MANAGER TO ENTER INTO AND EXECUTE AND ASSIGNMENT AND ASSUMPTION OF DEVELOPMENT RIGHTS AND REAFFIRMATION OF PREVIOUS DEVELOPMENT RIGHTS AND SECOND MODIFICATION OF DEED RESTRICTIONS AFFECTING THE TORREY PINES PROPERTY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie owns property described as Lot 1 of Southern Grove Plat No. 10, commonly known as the “Torrey Pines Property”; and

WHEREAS, the City desires to execute instruments to clarify an ambiguity in use restrictions relating to the Torrey Pines Property and development entitlements associated with the Torrey Pines Property; and

WHEREAS, the instruments are attached hereto as **Exhibit “A”** (Assignment and Assumption of Development Rights and Reaffirmation of Previous Development Rights) and **Exhibit “B”** (Second Modification of Deed Restrictions) for consideration by the City Council; and

WHEREAS, the City Council hereby approves the instruments.

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. The City Council authorizes the City Manager, or his designee, to enter into, execute and deliver the instruments, in substantially the same form attached hereto and incorporated herein as **Exhibit “A”** and **Exhibit “B”**, and such other documents necessary to implement the terms and conditions of said instruments.

Section 3. The City Manager, or his designee, is hereby authorized to take all actions necessary to implement the terms and conditions of the instruments and accomplish the purposes set forth therein.

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

Section 5. 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.

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Section 6. 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 _____, 2020.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Gregory J. Oravec, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney