

RESOLUTION NO. 21-

A RESOLUTION APPROVING THE PRELIMINARY AND FINAL PLAT WITH CONSTRUCTION PLANS FOR SOUTHERN GROVE PLAT NO. 33 WITHIN THE CITY OF PORT ST. LUCIE, FLORIDA ON THE REQUEST OF PORT ST. LUCIE GOVERNMENTAL FINANCE CORPORATION (P20-171); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has been requested by Culpepper and Terpening, Inc., acting as agent for the Port St Lucie Governmental Finance Corporation to approve the preliminary and final plat with construction plans for Southern Grove Plat No. 33, within the City of Port St. Lucie, Florida; and

WHEREAS, the Port St Lucie Governmental Finance Corporation as owner and title holder of the property seeks to have the property platted; and

WHEREAS, there are public/private improvements, i.e., roads, drainage, and utility facilities, to be constructed within the platted area by the developer; and

WHEREAS, Section 156.059 of the Subdivision Code requires a surety to guarantee installation of required infrastructure improvements; and

WHEREAS, Section 156.043 of the Subdivision Code requires the posting of the maintenance guarantee prior to the recording of the subdivision plat; and

WHEREAS, Section 156.023 specifically provides that the City Council shall have the power to grant exceptions from the requirements for subdivision approval as may be reasonable and within the general purpose and intent of the provisions for subdivision review and approval of this chapter, if the literal enforcement of one or more provisions of the chapter is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question; and

WHEREAS, on November 23, 2020, the City Council adopted Resolution 20-R128 approving a partial exception to Sections 156.043 and 156.059 of the Subdivision Code for Southern Grove Plat No. 33 (P20-171) accepting the purchase and sale agreement between the GFC and JDN Enterprises, LLC, as the funding mechanism to guarantee installation of required infrastructure improvements; and

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WHEREAS, the amount to be provided at closing and after final plat approval will be equal to the sales price (approximately \$1,765,670.00), with the amount to be provided with plat approval and prior to closing being the difference between the sales price and the infrastructure cost estimate approved by the Public Works Department; and

WHEREAS, the Site Plan Review Committee, on September 23, 2020, recommended approval of the final plat (P20-171).

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. That the City Council hereby approves the final plat for Southern Grove Plat No. 33, within the City of Port St. Lucie, Florida, said plat being offered by Port St Lucie Governmental Finance Corporation, as owner and title holder of said property and as prepared by Thomas P. Kiernan, Culpepper and Terpening, Inc., as designated on the attached Plat.

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.

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.

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

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