

ORDINANCE 25-48

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE ACQUISITION OF REAL PROPERTY FROM ROSSER LAKES, LLC, DESCRIBED AS ALL THAT PART OF SECTION 26, TOWNSHIP 37 SOUTH, RANGE 39 EAST, LYING EAST OF THE RIGHT OF WAY OF I-95, LESS AND EXCEPT THAT PORTION FOR ROAD RIGHTS OF WAY AS CONVEYED IN THE DEED RECORDED IN OFFICIAL RECORDS BOOK 4228, PAGE 2398, PUBLIC RECORDS OF SAINT LUCIE COUNTY, FLORIDA, AND AUTHORIZING THE CONVEYANCE OF A GROUND LEASE TO ROSSER LAKES, LLC, FOR A PORTION OF SAID REAL PROPERTY; AND AUTHORIZING THE CONVEYANCE OF AN ACCESS EASEMENT TO ROSSER LAKES, LLC; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie's City Manager's Office recommends the acquisition of real property described as All that part of Section 26, Township 37 South, Range 39 East, Saint Lucie County, Florida, lying East of the Right of Way of I-95, less and except that portion for Road Rights of Way as conveyed in the Deed recorded in Official Records Book 4228, Page 2398, Public Records of Saint Lucie County, Florida, (the "Property"), for increasing land to be set aside for conservation that would otherwise been available for development; and

WHEREAS, the City's need to prioritize protecting natural resources to meet the needs of this perpetually growing community in advance for future growth is critical; and

WHEREAS, the acquisition and management of conservation lands and green space has been prioritized in the City Council's Strategic Plan; and

WHEREAS, Rosser Lakes, LLC ("Rosser"), is the fee simple owner of the Property and has agreed to sell the Property to the City pursuant to the terms and conditions set forth in the Purchase and Sale Agreement attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, Rosser has agreed to sell the Property to the City contingent upon the parties entering into a Ground Lease wherein the City agrees to the lease a portion of the Property to Rosser following the City's acquisition of the Property; and

WHEREAS, the City desires to convey a Ground Lease to Rosser subject to the terms and conditions set forth in the Ground Lease, attached to the Purchase and Sale Agreement as Exhibit "C" and incorporated herein; and

WHEREAS, in order for Rosser to be able to access the property that is the subject of the Ground Lease, an Access Easement will need to be conveyed to Rosser; and

ORDINANCE 25-48

WHEREAS, the City desires to convey an Access Easement to Rosser subject to the terms and conditions set forth in the Access Easement, attached to the Purchase and Sale Agreement as Exhibit “D” and incorporated herein.

WHEREAS, acquiring the Property for conservation purposes is in the public interest, for a public purpose, and necessary for the public’s health, safety, and welfare; and

WHEREAS, after considering the factors set forth above, the City Council has determined that the fee simple acquisition of the Property for conservation purposes is a public necessity and constitutes a public purpose for which public funds may be expended; and

WHEREAS, the City Manager, or his designee, or the Mayor, or her designee, are hereby authorized and directed to take any and all appropriate action, including but not limited to executing and entering into the Purchase and Sale Agreement and to accomplish the acquisition of the Property in fee simple on behalf of the City of Port St. Lucie, Florida; and

WHEREAS, the City Manager, or his designee, or the Mayor, or her designee, are hereby authorized and directed to take any and all appropriate action, including but not limited to executing and entering into the Ground Lease and to accomplish the lease of a portion of the Property to Rosser; and

WHEREAS, the City Manager, or his designee, or the Mayor, or her designee, are hereby authorized and directed to take any and all appropriate action, including but not limited to executing and entering into the Access Easement and to accomplish the conveyance of the easement to Rosser.

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. Authorization. The City Council hereby authorizes the acquisition of the Property from Rosser Lakes, LLC, and further authorizes the Mayor or the City Manager, or their designee, to execute and enter into the Purchase and Sale Agreement in substantially the same form as attached hereto as Exhibit “A”. The City Council also authorizes the Ground Lease for a portion of the Property to Rosser Lakes, LLC, and authorizes the Mayor or the City Manager, or their designee, to execute and enter into the Ground Lease in substantially the same form as attached to the Purchase and Sale Agreement as Exhibit “C”. The City Council further authorizes the Access Easement to Rosser Lakes, LLC, and authorizes the Mayor or the City Manager, or their designee, to

ORDINANCE 25-48

execute and enter into the Access Easement in substantially the same form as attached to the Purchase and Sale Agreement as Exhibit “D”.

Section 3. Execution. The Mayor or the City Manager, or their designee, are hereby authorized and directed to execute any and all documents necessary to complete the acquisition of the Property from Rosser Lakes, LLC, pursuant to the provisions of the Purchase and Sale Agreement, as well as authorized and directed to execute any and all documents necessary to convey the Ground Lease and Access Easement to Rosser Lakes, LLC.

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. Effective Date. This Ordinance shall become effective immediately upon its final adoption after second reading.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida this ____ day of _____ 2025.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

Richard Berrios, City Attorney