

ORDINANCE 23-

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE MAYOR, OR HER DESIGNEE, TO GRANT AN EASEMENT TO FLORIDA POWER & LIGHT COMPANY ON PROPERTY KNOWN COMMONLY AS THE PORT DISTRICT RIVERFRONT PARK FOR THE PURPOSE OF PROVIDING SUFFICIENT POWER TO THE PARK SITE AND RELATED AMENITIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie (the “City”) owns the real property generally described as 2454 SE Westmoreland Blvd, Port St. Lucie, Florida (the “Property”); and

WHEREAS, the City intends to provide all necessary infrastructure to the Property for the purpose of facilitating the development of a riverfront park and all related amenities; and

WHEREAS, the City is the fee and simple owner of the Property; and

WHEREAS, in order to provide requisite power to the City to serve this Property, FPL requires the City to grant an easement on a portion of the Property in substantially the form for approval attached hereto as Exhibit “A” and incorporated herein by reference (the “Easement”); and

WHEREAS, the City Council has determined that this conveyance serves a municipal purpose,

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 Mayor, City Manager, or their designees, are hereby authorized and directed to execute the Easement and any other documents necessary to complete the conveyance of the Easement.

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

Section 4. 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.

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Section 5. Effective Date. This Ordinance shall become effective immediately after final adoption on second reading.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____, 2023.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____

Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: _____

James D. Stokes, City Attorney