

RESOLUTION 21-R\_\_

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, ACCEPTING THE CONVEYANCE OF REAL PROPERTY OWNED BY WALTER RODRIGUEZ AND DESCRIBED AS LOT 25, BLOCK 2447, PORT ST. LUCIE SECTION THIRTY-FOUR, AS RECORDED IN PLAT BOOK 15, PAGES 9, 9A TO 9W, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, TO THE CITY OF PORT ST. LUCIE IN EXCHANGE FOR PROPERTY OWNED BY THE CITY AND IN ACCORDANCE WITH A LAND SWAP AGREEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, Walter Rodriguez is the fee simple owner of the real property located at 120 SW Becker Road and described as Lot 25, Block 2447, Port St. Lucie Section Thirty-Four, a subdivision according to the plat thereof as recorded in Plat Book 15, Pages 9, 9A to 9W, inclusive, of the Public Records of St. Lucie County, Florida (the “Rodriguez Property”); and

**WHEREAS**, the City of Port St. Lucie (the “City”) is the fee simple owner of the real property described as Tract C, Becker Road Turnpike Interchange No. 1, according to Plat Book 56, Page 37, of the Public Records of St. Lucie County, Florida (the “City Property”); and

**WHEREAS**, the City wishes to acquire title to the Rodriguez Property for drainage purposes; and

**WHEREAS**, Walter Rodriguez has agreed to convey the Rodriguez Property to the City in exchange for the City Property; and

**WHEREAS**, in furtherance of this exchange of real property, the City and Walter Rodriguez have agreed to enter into a Land Swap Agreement, which is attached hereto and incorporated herein as Exhibit “A”; and

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

**WHEREAS**, the City Council desires and hereby authorizes entering into the Land Swap Agreement with Walter Rodriguez and accept the conveyance of the Rodriguez Property from Walter Rodriguez, in exchange for the City conveying the City Property to Walter Rodriguez.

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

Section 1. 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 of the City of Port St. Lucie hereby authorizes accepting the conveyance of the Rodriguez Property from Walter Rodriguez, in exchange for the

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City conveying the City Property to Walter Rodriguez, and further authorizes the Vice Mayor or the City Manager, or their designee, to execute and enter into the Land Swap Agreement, in substantially the same form as attached hereto as Exhibit "A".

Section 3. Execution. The Vice Mayor or the City Manager, or their designee, are hereby authorized to execute any and all documents necessary to complete the acceptance of the conveyance of the Rodriguez Property from Walter Rodriguez, in exchange for the City conveying the City Property to Walter Rodriguez.

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 \_\_\_\_\_, 2021.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Shannon M. Martin, Vice Mayor

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

APPROVED AS TO FORM:

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James D. Stokes, City Attorney