

RESOLUTION 22-R\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, ACCEPTING THE CONVEYANCE OF TWO PARCELS OF REAL PROPERTY DESCRIBED AS TRACT 3 AND TRACT 4, TESORO PLAT NO. 17, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 44, PAGE 8, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, FROM RM TESORO LLC TO THE CITY OF PORT ST. LUCIE, IN ACCORDANCE WITH A LAND SWAP AGREEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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**WHEREAS**, RM Tesoro LLC, is the fee simple owner of two (2) vacant lots described as Tract 3 and Tract 4, Tesoro Plat No. 17, according to the plat thereof, as recorded in Plat Book 44, Page 8, of the Public Records of St. Lucie County, Florida (the “RM Tesoro Property”); and

**WHEREAS**, the City of Port St. Lucie (“City”) is the owner of eight (8) vacant residential lots located in the Tesoro PUD and legally described on Exhibit “A” to the Land Swap Agreement (the “City Property”); the Land Swap Agreement is attached hereto and incorporated herein as Exhibit “A” to this Resolution; and

**WHEREAS**, the City desires to acquire Tract 4 of the RM Tesoro Property for optional use as a future trail head and/or small neighborhood micro park or for green space purposes and desires to acquire Tract 3 of the RM Tesoro Property for drainage and staging purposes; and

**WHEREAS**, RM Tesoro LLC, has agreed to convey the RM Tesoro Property to the City in exchange for the City conveying the City Property to RM Tesoro LLC; and

**WHEREAS**, in furtherance of this exchange of real property, the City and RM Tesoro LLC have set forth the terms of the exchange into a Land Swap Agreement, which is attached hereto and incorporated herein as Exhibit “A”; and

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

**WHEREAS**, the City Council desires and hereby authorizes entering into the Land Swap Agreement with RM Tesoro LLC and further authorizes the City to accept the conveyance of the RM Tesoro Property, in exchange for the City conveying the City Property to RM Tesoro LLC.

**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 Resolution.

**Section 2. Authorization.** The City Council hereby authorizes the City Manager, or his designee, to execute and enter into the Land Swap Agreement, in substantially the same form as

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attached hereto as Exhibit "A"; and further authorizes the City Manager, or his designee, to accept the conveyance of the RM Tesoro Property from RM Tesoro LLC, in exchange for the City conveying the City Property to RM Tesoro LLC.

Section 3. Execution. The City Council hereby authorizes the City Manager, or his designee, to execute any and all documents necessary to complete the acceptance of the conveyance of the RM Tesoro Property from RM Tesoro LLC, in exchange for the City conveying the City Property to RM Tesoro LLC.

Section 4. Conflict. If any resolutions, or parts of any 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.

Section 6. Effective Date. This Resolution shall become effective immediately upon its adoption.

**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2022.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Shannon Martin, Mayor

ATTEST:

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

APPROVED AS TO FORM:

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James D. Stokes, City Attorney