



CULPEPPER & TERPENING, INC.

CONSULTING ENGINEERS | LAND SURVEYORS

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File number: 20-127

November 16, 2020

Via: E-mail/ Hand Delivery

Mr. Russ Blackburn, City Manager
City of Port St. Lucie
121 SW Port St. Lucie Blvd.
Port St. Lucie, Fla. 34984

Subject: Request for Variation in Security Bonding Procedures - Southern Grove Plat 33

Dear Mr. Blackburn:

Culpepper & Terpening, Inc, on behalf of the Port St. Lucie Governmental Finance Corporation, has submitted to the City of Port St. Lucie the proposed Final Plat for the area referred to as Southern Grove Plat 33. This Plat, and its accompanying construction plans, is associated with the initial areas of development for the Tradition Regional Business Park at Southern Grove and is presently set for final action before the City Council on December 7, 2020. In going through the City's Codes as they relate to the final processing of this Plat, we have been advised that under the terms of the pending sales agreement between the City of Port St. Lucie (via the PSL Governmental Finance Corp.) and the Sansone Group, we need to address the sequencing of how posting of the required security, assuring the completion of all required infrastructure associated with this Plat, is to be provided for.

Specifically, Section 156.043, of the City Code of Ordinances sets out that no Subdivision Plat is to be recorded until the applicant submitting the Plat has either 1.) installed all improvements as shown on the approved preliminary plat, received final plat approval, and posted a maintenance guarantee; or, 2.) received final plat approval prior to the installation of any required improvements as shown on the final plat and posted performance and maintenance guarantees as provided in sections 156.059 and 156.146.

Given that there are several actions taking place in regard to the pending sale of the property, and that not all of them are happening in the typical sequential manner of most land transfers that the City has been involved with in the past, on behalf of the contract purchaser (Sansone Group) and the contract seller (the Port St. Lucie Governmental Finance Corporation), and pursuant to the provisions of Section 156.023 of the City Code of Ordinances, we are hereby making the following request:

- 1.) That the City recognize that the security requirements referenced in Section 156.043 of the City Code of Ordinances associated with the costs to provide for the required improvements for the area referred to as Plat 33 at Southern Grove, will be split into two parts.
 - a) The first part will involve the posting, in escrow prior to the scheduled City Council action on this Plat, the amount equal to the estimated cost of the required improvements, less the sales

price for this property, as set out in the contract for sale between the PSL Governmental Finance Corp. and the Sansone Group.

- b) The second part involves the recognition that the proceeds from the sale of this property, as set out in the contract for sale between the PSL Governmental Finance Corp. and Sansone Group, will upon closing be immediately directed into the existing escrow account associated with this transaction and are to be used as the remaining part of the required security assuring completion of those improvements associated with the recording of Plat 33 at Southern Grove.

What the above provides for is the ability of the City to complete the scheduled property transaction in the manner that has been centristically agreed to while at the same time assuring that all required security is posted in a manner consistent with the intent of Article VII, Section 156, of the City Code Ordinances.

It is our understanding that the City Council must first approve the concepts outlined above so that implementation may take place without impeding the planned property closures for set for December 2020. To that end, please accept this letter as our request to have this matter formally acted upon by the City Council at the soonest available date.

Thank you for your considerations in this matter. If you have any questions, please let me know.

Sincerely:

CULPEPPER & TERPENING, INC.


James P. 'Butch' Terpening, Jr., P.E.
Project Principal / COO

JPT/djm

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cc: Sharon Litteken (Sansone Group)
Brad Berg (Arco Murray)
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