

ORDINANCE 21-37

AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE MAYOR OF THE CITY OF PORT ST. LUCIE TO GRANT A SIDEWALK EASEMENT TO THE ST. LUCIE COUNTY BOARD OF COUNTY COMMISSIONERS, ENTER INTO A SIDEWALK EASEMENT AGREEMENT FOR THE PROPERTY LOCATED BETWEEN NE ROYCE AVENUE AND NE LAZY RIVER PARKWAY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 1, 1982, the City of Port St. Lucie (the “City”) and the St. Lucie County Board of County Commissioners, a political subdivision of the State of Florida (“the County”) entered into an Interlocal Agreement for the maintenance of certain of County roads located within the City limits; and

WHEREAS, the City and the County desire to enter into the Sidewalk Easement Agreement, attached hereto as Exhibit “1” and incorporated herein by reference

WHEREAS, the City is the fee and simple owner of the real property more particularly described on the Warranty Deed attached to the Sidewalk Easement Agreement as Exhibit “A”; 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 Recitals are hereby adopted as forming the intent and purpose of this Ordinance.

Section 2. AUTHORIZATION. The Mayor or his designee is hereby authorized and directed to enter into the Sidewalk Easement Agreement between the City and the County in substantially in the form attached hereto as Exhibit “A” and by reference incorporated herein.

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 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 _____ 20____.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Gregory J. Oravec, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney