

CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY

MEMORANDUM

TO: Nicholas Mimms, Acting Redevelopment Agency Director

FROM: Robert V. Schwerer, Esq., City Attorney

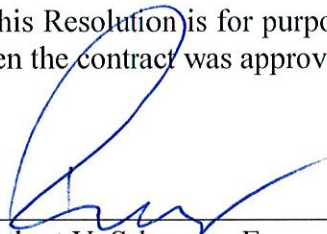
SUBJECT: FPRA Sale to County
1401 North 2nd Street – Stormwater Retention

DATE: March 12, 2014

Please find attached a standard form Resolution authorizing the Fort Pierce redevelopment Agency (FPRA) to sell and convey a portion of its property located at 1401 North 2nd Street to the County for stormwater retention purposes. This matter was before the FPRA Board back on July 15, 2013, where the Board approved the actual contract but a resolution was apparently never submitted to the Board by former FPRA staff.

We are scheduling a closing on this sale and this Resolution is for purposes of title. The resolution is made effective as of the original date when the contract was approved.

Please let me know if you have any questions.



Robert V. Schwerer, Esq.
City Attorney

RVS/cf

cc: FPRA Board
Robert J. Bradshaw, City Manager
Jack Andrews, City Engineer

RESOLUTION NO.: _____

A RESOLUTION OF THE FORT PIERCE REDEVELOPMENT AGENCY PROVIDING FOR THE SALE AND CONVEYANCE OF 1.66 ACRES OF LAND LOCATED AT 1401 NORTH SECOND STREET TO ST. LUCIE COUNTY FOR THE PURPOSE OF PROVIDING STORMWATER RETENTION; DIRECTING APPROPRIATE STAFF TO COMPLETE THE CONVEYANCE AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Fort Pierce Redevelopment Agency (the “Agency”), is a Dependent Special District of the City of Fort Pierce, Florida, created as authorized by Chapter 163, Part III, Florida Statutes, otherwise known as the “Community Redevelopment Act,” and as further authorized by Chapter 2, Article XVI of the Code of Ordinances; and

WHEREAS, Florida Statute 163.380(1) states that “Any county, municipality or community redevelopment agency may sell, lease, dispose of, or otherwise transfer real property and may enter into contracts with respect thereto for residential, recreational, commercial, industrial, educational or other uses, in accordance with the community redevelopment plan. . . after the approval of the community redevelopment plan by the governing body.”; and

WHEREAS, the Community Redevelopment Plan of the Agency and the general laws of the State of Florida authorize the sale of certain property for redevelopment purposes upon resolution passed by the Agency; and

WHEREAS at the regular meeting of the Fort Pierce Redevelopment Agency on July 15, 2013 the Agency approved the sale of 1.66 acres of a portion of 1401 North Second Street to St. Lucie County, and found that such sale was for a valid public purpose in furtherance of the goals of the Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE FORT PIERCE REDEVELOPMENT AGENCY, AS FOLLOWS:

1. The Agency deems that the Property as described herein is being sold by this Agency to St. Lucie County, Florida for “a value determined to be in the public interest for uses in accordance with the community redevelopment plan”, (Florida Statute 163.380(2), as evidenced by the execution of a contract for sale with St. Lucie County, dated February 6, 2014, specifying the use of the property upon sale is for purposes within the scope of the goals of the Agency.
2. That the Fort Pierce Redevelopment Agency, a Dependent Special District of the City of Fort Pierce, Florida, is hereby authorized to consummate the sale to St. Lucie County, Florida of the property described and depicted on Exhibit “A”, attached hereto
3. The Chairman, Agency Director and Agency Attorney are hereby authorized to execute all necessary documents for the completion of such sale.


IN WITNESS WHEREOF, this Resolution has been duly adopted on this _____ day of March, 2014, effective as of July 15, 2013.

Linda Hudson, Chairman
Fort Pierce Redevelopment Agency

ATTEST

Linda Cox, Agency Secretary

**APPROVED AS TO
FORM AND CORRECTNESS**



Robert V. Schwerer, Esq.
Agency

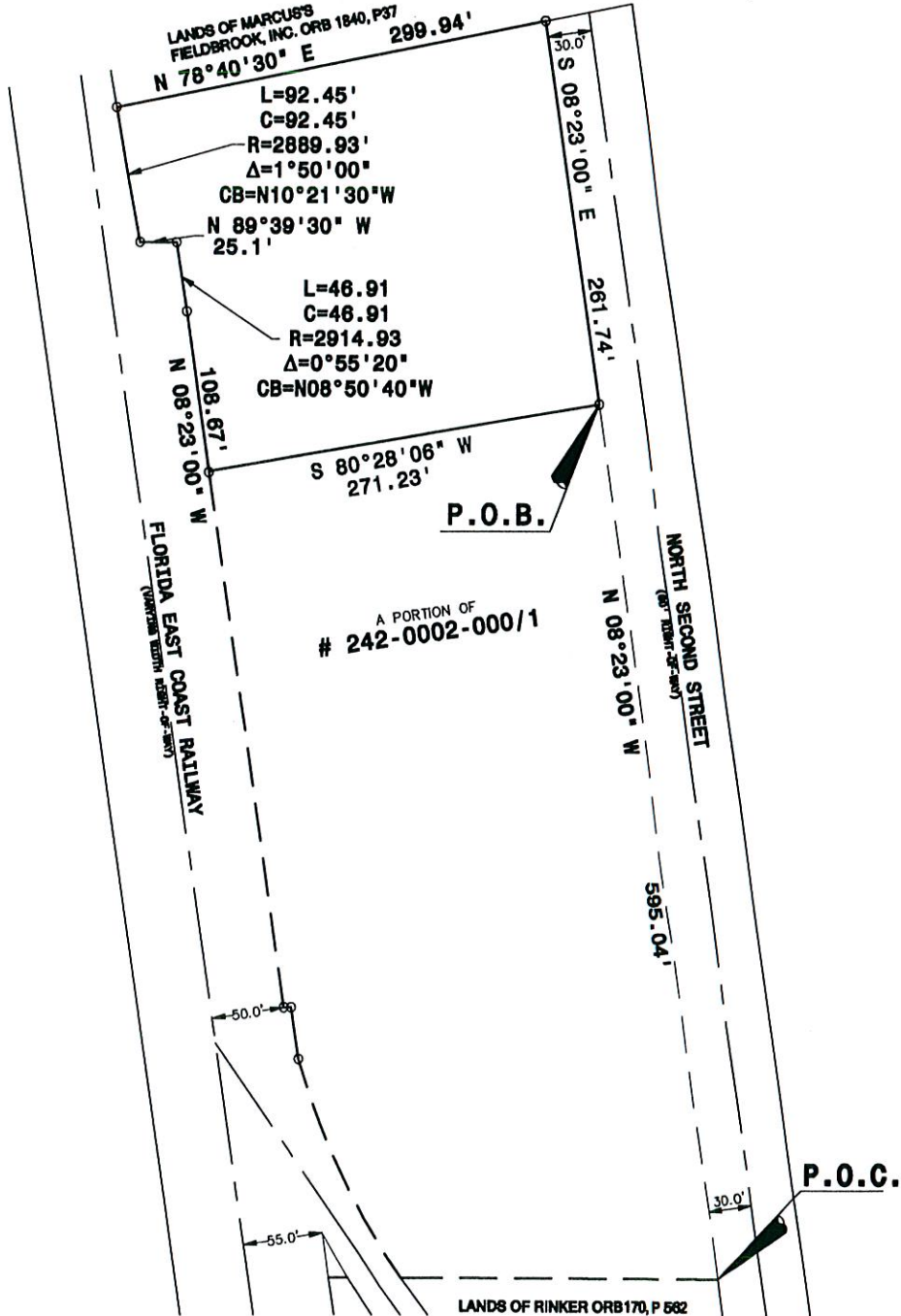
LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 35 SOUTH, RANGE 40 EAST, 8T. LUCIE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:


COMMENCE AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF NORTH 2ND STREET AND THE NORTH LINE OF LANDS CONVEYED TO RINKER, INC. BY DEED RECORDED IN ORB 170, PAGE 582, 8T. LUCIE COUNTY, FLORIDA, PUBLIC RECORDS, PROCEED ALONG SAID WEST RIGHT-OF-WAY LINE OF NORTH 2ND STREET N 08° 23' 00" W A DISTANCE OF 595.04' TO THE POINT OF BEGINNING; THENCE THROUGH THE LANDS OF THE GRANTOR S 80° 28' 06" W A DISTANCE OF 271.23' TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF FLORIDA EAST COAST RAILROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES:

1. N 08° 23' 00" W FOR DISTANCE OF 108.67' TO A POINT OF CURVATURE OF A CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 2,914.93 FEET, A DELTA OF 00° 55' 20", AND CHORD BEARING OF N 08° 50' 40" W A DISTANCE OF 46.91 FEET;
2. THENCE ALONG SAID CURVE AN ARC DISTANCE OF 46.91 FEET TO A POINT OF NON-TANGENCY;
3. THENCE N 89° 39' 30" W A DISTANCE OF 25.1 FEET TO A POINT OF NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2,889.93 FEET, A DELTA ANGLE OF 01° 50' 00", AND A CHORD BEARING OF N 10° 21' 30" W A DISTANCE OF 92.45 FEET
4. THENCE ALONG SAID CURVE AN ARC DISTANCE OF 92.45 FEET TO THE SOUTHWEST CORNER OF LANDS OF MARCUS'S FIELDBROOK, INC (ORB 1840, PAGE 37);

THENCE ALONG THE SOUTH LINE OF SAID LANDS N 78° 40' 30" E FOR A DISTANCE OF 299.94' TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF NORTH 2ND STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE S 08° 23' 00" E A DISTANCE OF 261.74 FEET TO THE POINT OF BEGINNING. (CONTAINING 1.88± ACRES OF LAND)



H:\AS555pro\15429-04\dwg\5429-04.dwg, 242-0002-001 Sheet 3, Lou Wed, 22 Sep 2010 - 2:00pm

 <p>MORGAN & EKLUND, INC. PROFESSIONAL SURVEY CONSULTANTS</p> <p>6745 US HIGHWAY #1 P.O. BOX 1420 WABASSA, FL 32970 PHONE: (772) 398-3384 FAX: (772) 398-3185</p>	<p>PARCEL # 242-0002-000/1 SKETCH OF LEGAL - FOR - SURVEYING, INC.</p>	<p>ORDER NO. 5429-04</p> <p>SCALE 1" = 100'</p> <p>DATE 6/29/10</p>
	<p>EXHIBIT "A"</p>	<p>DATE OF SURVEY N/A</p> <p>BY JRM</p>