

RESOLUTION NO. 22-R13

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **AUTHORIZING THE EXECUTION OF A SPECIAL WARRANTY DEED IN FAVOR OF THE FORT PIERCE REDEVELOPMENT AGENCY FOR THREE (3) PARCELS LOCATED NEAR 322 NORTH 2ND STREET, THE KING'S LANDING SITE**; AUTHORIZING THE MAYOR, CITY CLERK, AND CITY ATTORNEY TO EXECUTE SAID DEED ON THE PART OF THE CITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, after advertising Request for Qualifications and Proposals No. 2019-003, considering the responses, and selecting Audubon Development, Inc. ("Audubon") as the highest-ranked proposer, the City of Fort Pierce ("City") and the Fort Pierce Redevelopment Agency ("FPRA") have entered into an agreement dated February 8, 2022 and recorded in Official Records Book 4775, Page 2707 ("Agreement"), with Audubon, to develop certain property located near 322 North 2nd Street and commonly known as the King's Landing Site; and

WHEREAS, the Agreement contemplates the transfer of certain parcels from the City to the FPRA and subsequently from the FPRA to Audubon; and

WHEREAS, in furtherance of the Agreement, the City has identified three (3) parcels to be transferred from the ownership of the City to the FPRA; and

WHEREAS, said three (3) parcels are further described in the attached and incorporated Exhibit A; and

WHEREAS, the City Commission has determined that the City no longer needs the parcels described in Exhibit A for public purpose; and

WHEREAS, to effectuate the transfer of the parcels described in Exhibit A, it is therefore necessary for the City to execute the Special Warranty Deed contained in the attached Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida, as follows:

1. That the City of Fort Pierce hereby authorizes the execution of the Special Warranty Deed attached as Exhibit A, in favor of the Fort Pierce Redevelopment Agency.
2. That the Mayor, City Clerk, and City Attorney are hereby authorized to execute said Special Warranty Deed on behalf of the City.
3. This Resolution shall become effective immediately upon adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 7th day of March, 2022.

Linda Hudson, Mayor

Date

ATTEST:

Linda Cox, City Clerk

(City Seal)

APPROVED AS TO FORM AND CORRECTNESS:

Tanya Earley, City Attorney

Exhibit A

Property Description

Three (3) Parcels located near 322 North Second Street, Fort Pierce, St. Lucie County, Florida, being more particularly described as follows:

Parcel 1:

Tax Parcel Identification No. 2410-503-0043-000/2

The Easterly 20.00 feet and the Southerly 50.00 feet; the Northerly 165.00 feet of the Easterly 75.00 feet, and the Southerly 87.00 feet of the Westerly 67.00 feet, of the following described parcel of land:

Commencing at the Southwest corner of Lot 8, Block F, of AARON LEE'S MAP OF FORT PIERCE, as recorded in Plat Book 1, Page 189, Public Records of St. Lucie County, Florida; proceed North 04°53'21" West, along the East Right-of-Way of North 2nd Street (Formerly known as Pine Street as shown on said AARON LEE'S MAP OF FORT PIERCE)(a 60 foot Right-of-Way) and the West line of said Block F, a distance of 254.00 feet to the Southwest corner of Lot 2, said Block F, and the POINT OF BEGINNING; thence continue North 04°53'21" West, along said East Right-of-Way, and said West line of Lot 2, and Lot 1, said Block F, a distance of 69.42 feet to an angle point in the East Right-of-Way line of the realigned portion of North 2nd Avenue; thence North 18°26'19" West, along said East Right-of-Way line of North 2nd Avenue (a 50 foot wide Right-of-Way), a distance of 371.24 feet to a point on the centerline of a 2.6 foot concrete bulkhead on the South top of bank of Moore's Creek and Reference Point "A"; (the following five courses are along the centerline of said concrete bulkhead and the South top of bank of Moore's Creek) thence North 70°33'12" East, departing said East Right-of-Way line, a distance of 44.68 feet; thence North 79°01'13" East, a distance of 179.28 feet; thence North 87°55'03" East, a distance of 71.16 feet; thence North 77°41'52" East, a distance of 224.31 feet; thence North 75°24'46" East, a distance of 29.63 feet to a point on the West Right-of-Way line of Indian River Drive, as shown on the State of Florida State Road Department Right-of-Way Map Section 94500, last revised October 5, 1960 (a varying width Right-of-Way); thence South 04°53'04" East, departing said concrete bulkhead centerline and South top of bank of Moore's Creek, and along said Westerly Right-of-Way line, a distance of 491.42 feet to a point on the Easterly prolongation of the Southerly line of said Lot 2, and Lot 3, said Block F; thence South 85°09'39" West, departing said West Right-of-Way line, and along said Easterly prolongation, and the South line of said Lot 3, and 2, a distance of 457.22 feet to the POINT OF BEGINNING.

Said lands being more particularly described as Parcel Control Number 2410-503-0043-000-2 per St. Lucie County, Florida Property Appraiser.

Parcel 2:

Tax Parcel Identification No. 2410-503-0013-000/3

The Westerly 20 feet of Lot 1, Block B, AARON LEE'S MAP OF FORT PIERCE, FLORIDA, according to the Plat thereof as recorded in Plat Book 1, Page 189, of the Public Records of St. Lucie County, Florida.

Parcel 3 (portion of Avenue B):

That part of "Avenue B" (formerly known as Tropical Avenue as shown on AARON LEE'S MAP OF FORT PIERCE, according to the Plat thereof as recorded in Plat Book 1, Page 189, of the Public Records of St. Lucie County, Florida), lying Southerly and adjacent to Parcels 5 and 7, as described herein, Northerly and adjacent to Parcels 8, 9 and 10, as described herein, Westerly and adjacent to the West line of North 2nd Street, and that portion lying Easterly and adjacent to the East Right-of-Way line of the Florida East Coast Railroad as shown on the Station Map, Southern

Division, Florida East Coast Railway Company Flagler System Station 12741+93.7 to Station 12796+90.0, dated September 5, 1944; said lands situate, lying and being in St. Lucie County, Florida.

This Instrument Prepared by:

Tanya Earley, City Attorney
City of Fort Pierce
100 N. U.S. 1
Fort Pierce, FL 34950

Tax Parcel Identification No.: Parcel 1: 2410-503-0043-000/2
Parcel 2: 2410-503-0013-000/3
Parcel 3: Portion of Avenue B

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of the ____ day of _____, 2022, by the CITY OF FORT PIERCE, a municipal corporation whose address is 100 N. U.S. 1, Fort Pierce, Florida, (“**Grantor**”), to the FORT PIERCE REDEVELOPMENT AGENCY, a community redevelopment agency established pursuant to Florida Statutes Chapter 163 (“**Grantee**”).

(Whenever used herein, the terms “Grantor” and “Grantee” include all the parties to this instrument and the heirs, personal representatives and assigns of individuals and the successors and assigns of corporations, limited liability companies, partnerships, governmental and quasi-governmental entities.)

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, by these presents does grant, bargain, sell, alienate, remise, release, convey and confirm unto Grantee, all those certain parcels of real property (the “**Land**”) situate in St. Lucie County, Florida and more particularly described in **Exhibit “A”**, attached hereto and made a part hereof.

TOGETHER WITH all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in fee simple forever.

AND GRANTOR hereby covenants with Grantee that Grantor is lawfully seized of the Land in fee simple; that Grantor has good right and lawful authority to sell and convey Grantor's interest in and to the Land and hereby warrants the title to the Land and will defend the same against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.

This conveyance is subject to easements, restrictions, agreements, conditions, limitations, reservations and other matters of record, if any, but this reference to the foregoing shall not operate to reimpose the same.

IN WITNESS WHEREOF, the party referred to above as Grantor has caused this instrument to be executed and delivered in its name and has intended the same to be and become effective as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

CITY OF FORT PIERCE, FLORIDA

Print Name: _____

Print Name: _____

By: _____

Print Name: Linda Hudson

Title: Mayor

STATE OF FLORIDA
COUNTY OF ST. LUCIE

The foregoing instrument was acknowledged before me by means of (check one) physical presence or online notarization this ___ day of _____, 2022, by _____ as _____ of the CITY OF FORT PIERCE, FLORIDA, a municipal corporation. Said person did not take an oath and (check one) is personally known to me, produced a driver's license issued by a state of the United States within the last five (5) years as identification, to wit:

Notary Public, State of Florida
Print Name: _____
Commission #: _____
My Commission Expires: _____

SAMPLE

Exhibit "A"

Two (2) Parcels located near 322 North Second Street, Fort Pierce, St. Lucie County, Florida, being more particularly described as follows:

Parcel 1:

Tax Parcel Identification No. 2410-503-0043-000/2

The Easterly 20.00 feet and the Southerly 50.00 feet; the Northerly 165.00 feet of the Easterly 75.00 feet, and the Southerly 87.00 feet of the Westerly 67.00 feet, of the following described parcel of land:

Commencing at the Southwest corner of Lot 8, Block F, of AARON LEE'S MAP OF FORT PIERCE, as recorded in Plat Book 1, Page 189, Public Records of St. Lucie County, Florida; proceed North $04^{\circ}53'21''$ West, along the East Right-of-Way of North 2nd Street (Formerly known as Pine Street as shown on said AARON LEE'S MAP OF FORT PIERCE)(a 60 foot Right-of-Way) and the West line of said Block F, a distance of 254.00 feet to the Southwest corner of Lot 2, said Block F, and the POINT OF BEGINNING; thence continue North $04^{\circ}53'21''$ West, along said East Right-of-Way, and said West line of Lot 2, and Lot 1, said Block F, a distance of 69.42 feet to an angle point in the East Right-of-Way line of the realigned portion of North 2nd Avenue; thence North $18^{\circ}26'19''$ West, along said East Right-of-Way line of North 2nd Avenue (a 50 foot wide Right-of-Way), a distance of 371.24 feet to a point on the centerline of a 2.6 foot concrete bulkhead on the South top of bank of Moore's Creek and Reference Point "A"; (the following five courses are along the centerline of said concrete bulkhead and the South top of bank of Moore's Creek) thence North $70^{\circ}33'12''$ East, departing said East Right-of-Way line, a distance of 44.68 feet; thence North $79^{\circ}01'13''$ East, a distance of 179.28 feet; thence North $87^{\circ}55'03''$ East, a distance of 71.16 feet; thence North $77^{\circ}41'52''$ East, a distance of 224.31 feet; thence North $75^{\circ}24'46''$ East, a distance of 29.63 feet to a point on the West Right-of-Way line of Indian River Drive, as shown on the State of Florida State Road Department Right-of-Way Map Section 94500, last revised October 5, 1960 (a varying width Right-of-Way); thence South $04^{\circ}53'04''$ East, departing said concrete bulkhead centerline and South top of bank of Moore's Creek, and along said Westerly Right-of-Way line, a distance of 491.42 feet to a point on the Easterly prolongation of the Southerly line of said Lot 2, and Lot 3, said Block F; thence South $85^{\circ}09'39''$ West, departing said West Right-of-Way line, and along said Easterly prolongation, and the South line of said Lot 3, and 2, a distance of 457.22 feet to the POINT OF BEGINNING.

Said lands being more particularly described as Parcel Control Number 2410-503-0043-000-2 per St. Lucie County, Florida Property Appraiser.

Parcel 2:

Tax Parcel Identification No. 2410-503-0013-000/3

The Westerly 20 feet of Lot 1, Block B, AARON LEE'S MAP OF FORT PIERCE, FLORIDA, according to the Plat thereof as recorded in Plat Book 1, Page 189, of the Public Records of St. Lucie County, Florida.

Parcel 3 (Portion of Avenue B):

That part of "Avenue B" (formerly known as Tropical Avenue as shown on AARON LEE'S MAP OF FORT PIERCE, according to the Plat thereof as recorded in Plat Book 1, Page 189, of the Public Records of St. Lucie County, Florida), lying Southerly and adjacent to Parcels 5 and 7, as described herein, Northerly and adjacent to Parcels 8, 9 and 10, as described herein, Westerly and adjacent to the West line of North 2nd Street, and that portion lying Easterly and adjacent to the East Right-of-Way line of the Florida East Coast Railroad as shown on the Station Map, Southern Division, Florida East Coast Railway Company Flagler System Station 12741+93.7 to Station 12796+90.0, dated September 5, 1944; said lands situate, lying and being in St. Lucie County, Florida.