

RESOLUTION NO. 22-R14

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 ON BEHALF OF THE FORT PIERCE UTILITIES AUTHORITY 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") 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, three (3) of the parcels to be transferred pursuant to the Agreement were originally conveyed to the City for the use and benefit of the Fort Pierce Utilities Authority; and

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

WHEREAS, the Fort Pierce Utilities Authority has determined that it no longer needs the parcels described in Exhibit A for public purpose and agrees to the transfer of said parcels pursuant to the Agreement; and

WHEREAS, when property is titled to the City for the use and benefit of the Fort Pierce Utilities Authority, it is necessary for the City to execute documents, including deeds, to effectuate the transfer of said property; 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; and

WHEREAS, pursuant to FPUA Resolution No. 2022-04, the Fort Pierce Utilities Authority has requested and authorized the City of Fort Pierce 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, on behalf of the Fort Pierce Utilities Authority, 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 Fort Pierce Utilities Authority.
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. 2410-503-0019-010/8

The Northerly and Westerly 20 feet of the following described parcel:

BEGIN at the intersection of the North Right-of-Way line of Avenue B, and the West Right-of-Way line of North 2nd Street, 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; thence run Northerly to Moore's Creek; thence meander along said Moore's Creek Westerly to the Right-of-Way line of the FEC Railway; thence Southerly along said Right-of-Way line to the North line of Avenue B; thence Easterly to the POINT OF BEGINNING.

Parcel 2:

Tax Parcel Identification No. 2410-503-0030-000/8

Lot 1, and the West 3.5 feet of Lot 2, of the NEW SUBDIVISION BLOCK E of AARON LEE'S MAP OF FORT PIERCE, Florida, according to the Plat thereof as recorded in Plat Book 1, Page 192, of the Public Records of St. Lucie County, Florida.

Parcel 3:

Tax Parcel Identification No. 2410-503-0034-000/6

Lots 5 and 6, Block E, of 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, and according to Plat of the NEW SUBDIVISION BLOCK E of AARON LEE'S MAP OF FORT PIERCE, Florida, recorded in Plat Book 1, Page 192, of the Public Records of St. Lucie County, Florida, and a strip of land 15.0 feet wide adjacent to and lying Southerly of said Lots 5 and 6, said strip of land being a portion of Palm Terrace (or Church Court), as per Plat of the NEW SUBDIVISION BLOCK E of AARON LEE'S MAP OF FORT PIERCE, Florida, recorded in Plat Book 1, Page 192, of the Public Records of 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: 2410-503-0019-010/8
Parcel 2: 2410-503-0030-000/8
Parcel 3: 2410-503-0034-000/6

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, ON BEHALF OF THE FORT PIERCE UTILITIES AUTHORITY (“**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: _____

By: _____

Print Name: Linda Hudson

Title: Mayor

Print Name: _____

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"

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. 2410-503-0019-010/8

The Northerly and Westerly 20 feet of the following described parcel:

BEGIN at the intersection of the North Right-of-Way line of Avenue B, and the West Right-of-Way line of North 2nd Street, 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; thence run Northerly to Moore's Creek; thence meander along said Moore's Creek Westerly to the Right-of-Way line of the FEC Railway; thence Southerly along said Right-of-Way line to the North line of Avenue B; thence Easterly to the POINT OF BEGINNING.

Parcel 2:

Tax Parcel Identification No. 2410-503-0030-000/8

Lot 1, and the West 3.5 feet of Lot 2, of the NEW SUBDIVISION BLOCK E of AARON LEE'S MAP OF FORT PIERCE, Florida, according to the Plat thereof as recorded in Plat Book 1, Page 192, of the Public Records of St. Lucie County, Florida.

Parcel 3:

Tax Parcel Identification No. 2410-503-0034-000/6

Lots 5 and 6, Block E, of 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, and according to Plat of the NEW SUBDIVISION BLOCK E of AARON LEE'S MAP OF FORT PIERCE, Florida, recorded in Plat Book 1, Page 192, of the Public Records of St. Lucie County, Florida, and a strip of land 15.0 feet wide adjacent to and lying Southerly of said Lots 5 and 6, said strip of land being a portion of Palm Terrace (or Church Court), as per Plat of the NEW SUBDIVISION BLOCK E of AARON LEE'S MAP OF FORT PIERCE, Florida, recorded in Plat Book 1, Page 192, of the Public Records of St. Lucie County, Florida.