

FPRA RESOLUTION NO. 23-05

A RESOLUTION OF THE FORT PIERCE REDEVELOPMENT AGENCY, A DEPENDENT SPECIAL DISTRICT OF THE CITY OF FORT PIERCE, FLORIDA, DETERMINING THE TRANSFER OF THE REAL PROPERTY COMMONLY KNOWN AS 612 NORTH 25TH STREET, FORT PIERCE, FLORIDA, PREVIOUSLY DECLARED AS SURPLUS PROPERTY TO BE IN THE BEST INTEREST OF THE PUBLIC; DETERMINING THAT A BID FOR THE REAL PROPERTY FROM A THIRD PARTY PURCHASER FOR VALUE TO BE IN THE PUBLIC INTEREST, AND AUTHORIZING AND DIRECTING THE OFFICERS, ATTORNEYS AND AGENTS OF THE FORT PIERCE REDEVELOPMENT AGENCY TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT TRANSACTIONS PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Fort Pierce Redevelopment Agency, a Dependent Special District of the City of Fort Pierce, Florida (“FPRA”) is the fee simple titleholder of real property which it acquired for community redevelopment commonly known as 612 North 25th Street, Fort Pierce, Florida, 34947 (the “Real Property”); and

WHEREAS, Section 163.380, Florida Statutes, authorizes FPRA to sell, lease, dispose of, or otherwise transfer real property or any interest therein acquired by it for community redevelopment in a community redevelopment area to any private person as it deems necessary or desirable to assist in preventing the development or spread of future slums or blighted areas or to otherwise carry out the provisions of said statute, after the approval of the community redevelopment plan by the governing body and in accordance with the procedures set forth in such statute; and

WHEREAS, at a meeting of FPRA held on January 16, 2018, FPRA approved the CRA Advisory Committee’s recommendation and declared the Real Property to be unnecessary for its public purposes and that its disposal is in the best interest of the public; and

WHEREAS, on January 30, 2023, and February 6, 2023, FPRA caused to be published in the St. Lucie News Tribune, a newspaper of general circulation in Fort Pierce, Florida, a notice identifying the Real Property and inviting proposals (bids) from private redevelopers, or any persons interested in undertaking to redevelop or rehabilitate the Property. The Notice stated that bids must be made by those interested on or before 3:30 p.m. on February 22, 2023, and included general conditions, instructions, and information for the proposer, and that such further information as is available may be obtained at such office as is designated in the Notice (the “Bid Package”); and

WHEREAS, on February 22, 2023, the bid period closed, and all bids received by FPRA were thereafter reviewed; and

WHEREAS, on April 11, 2023, Bid No. 2023-017, submitted by Larry Lee Jr and Family LLC, whose address is 7936 Saddle Brook Drive, Port St. Lucie, FL 34986 (the “Successful Bidder”) in the amount of Five Thousand and no/100 Dollars (\$5,000.00) (“Transfer Consideration”) was determined by the FPRA to be the highest bid for the Real Property and authorized staff to begin negotiations; and

WHEREAS, the best interests of the public will be served by: (i) approving that transfer of the Real Property to the Successful Bidder for the Transfer Consideration; (ii) authorizing closing of the transfer of the Real Property (the “Closing”), including execution and delivery of a quitclaim deed conveying the Real Property to the Successful Bidder, releasing all right, title and interest in and to all the phosphate, minerals, metals, and petroleum that are or may be in, on, or under the Real Property, releasing any automatic

reservation of the right of entry in accordance with Section 270.11, Florida Statutes, and containing a reversionary clause specifying that title to the Real Property shall revert to FPRA in the event the Successful Bidder fails to comply with the Surplus Property Sale Agreement, and (iii) authorizing the FPRA Chairperson, City Manager, officers, attorneys, and other agents of FPRA to do all things necessary to carry out the transactions contemplated by this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Fort Pierce Redevelopment Agency, a Dependent Special District of the City of Fort Pierce, Florida:

SECTION 1. The transfer of the Real Property to the Successful Bidder for the Transfer Consideration and as otherwise provided herein is in the best interests of the public.

SECTION 2. The transfer of the Real Property to the Successful Bidder shall be conditioned upon the execution of the Surplus Property Sale Agreement, attached hereto as Exhibit "A" and incorporated by reference.

SECTION 3. The transfer of the Real Property to the Successful Bidder, including execution and delivery of a quitclaim deed conveying the Real Property, releasing all right, title and interest in and to all the phosphate, minerals, metals, and petroleum that are or may be in, on, or under the Real Property, releasing any automatic reservation of the right of entry in accordance with Section 270.11, Florida Statutes, and containing a reversionary clause specifying that title to the Real Property shall revert to FPRA in the event the Successful Bidder fails to comply with the Surplus Property Sale Agreement. The receipt of the Transfer Consideration by authorized officers and agents of the Board at the scheduled Closing of the transaction contemplated hereby shall be conclusive proof of the satisfaction of such terms, conditions, and contingencies, if any, without further action by FPRA.

SECTION 4. The FPRA Chairperson is hereby authorized to execute the quitclaim deed conveying the FPRA's interest in the Real Property to the Successful Bidder.

SECTION 5. Members of the FPRA, the FPRA Director, officers, attorneys, and other agents of FPRA are hereby authorized and directed to do all acts and things required of them by this Resolution for the full, punctual, and complete performance of the terms, covenants, and agreements contained herein or therein, and each member, officer, attorney, and agent of FPRA is further authorized and directed to execute and deliver any and all papers and instruments and to cause to be done any and all acts and things necessary or property for carrying out the transactions contemplated under this Resolution including, but not limited to, approving modifications thereto, and to related documents, provided, however, that no such modification shall materially alter the nature or extend of this Resolution.

SECTION 6. The provisions of this Resolution are declared to be severable and if any section, sentence, clause, or phrase of this Resolution shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Resolution, which shall remain in effect, it being the legislative intent that this Resolution shall stand notwithstanding the invalidity of any part.

SECTION 7. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 8. This Resolution shall become effective upon adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted this 14th day of November 2023.

LINDA HUDSON, Chair
Fort Pierce Redevelopment Agency

ATTEST

LINDA W. COX
Agency Secretary

**APPROVED AS TO FORM
AND CORRECTNESS:**

SARA HEDGES
Agency Attorney