

**RESOLUTION NO. 25-R24**

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA, AUTHORIZING OR DENYING AN AMENDMENT TO THE SURPLUS PROPERTY SALE AGREEMENT AT **1204 AVENUE E** RELATED TO A REQUEST FOR AN EXTENSION OF TIME, TO INCLUDE ANY NECESSARY LITIGATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, on April 1, 2024, pursuant to Resolution No. 24-R13, the City of Fort Pierce and Telco Investments, LLC (“Grantee”) entered into the Surplus Property Sale Agreement (“Agreement”) for the sale of real property located at 1204 Avenue E Fort Pierce, FL 34950 (“Property”); and

**WHEREAS**, the Agreement was filed in the Official Records for St. Lucie County at Book 5184, Page 1854; and

**WHEREAS**, the Agreement included a Development Timeline for which the Grantee was required to develop a 3 bedroom, 2 bathroom fourplex multifamily home; and

**WHEREAS**, the Grantee was required, pursuant to the Application for Approvals and Building Permits section of the Development Timeline in the Agreement to apply for any and all required approvals, building permits, and all other permits required within 6 months of the conveyance of the title to the real property to Grantee as required by the Development Timeline in the Agreement; and

**WHEREAS**, the Grantee has failed to apply for the required approvals, building permits, and all other permits required within 6 months of the conveyance of title; and

**WHEREAS**, the Agreement and the Quit Claim Deed include the City’s right of Reverter to re-enter and retake the Property upon a material breach of the Agreement, as determined by the City in its sole discretion; and

**WHEREAS**, pursuant to the Agreement, upon such re-entry, all right, title, and interest of the Grantee in the Property shall cease and revert immediately to the City and the Purchase Price shall be forfeit to the City; and

**WHEREAS**, the Grantee has requested an extension of 6 months to apply for all required approvals, building permits, and all other permits, as required under the Applications for Approvals and Building Permits section of the Development Timeline in the Agreement.

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

**SECTION 1.** The foregoing findings are incorporated herein by reference and made a part hereof.

**SECTION 2.** The City Commission hereby makes the following determination in response to the request:

- GRANTS the Grantee’s request for an extension of time and authorizes execution of the First Amendment to the Agreement, attached hereto as Exhibit 1.
- DENIES the Grantee’s request for an extension of time due to a material breach of the Agreement based on the Grantee’s failure to comply with the material term(s) of the Agreement and hereby authorizes and directs the City Attorney, or their designee, to exercise the Reverter under the Agreement and Quit Claim Deed by

any and all legal means necessary, to include the initiation of litigation, if necessary.

**SECTION 3.** If any section, clause, phrase, word, or provision of this Resolution is for any reason held invalid or unconstitutional by a court of competent jurisdiction, whether for substantive or procedural reasons, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution which shall remain in full force and effect.

**SECTION 4.** This Resolution shall become effective upon adoption.

**IN WITNESS WHEREOF**, this Resolution was duly adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
LINDA HUDSON, MAYOR COMMISSIONER

ATTEST:

\_\_\_\_\_  
LINDA W. COX, CITY CLERK

(CITY SEAL)

APPROVED AS TO FORM  
AND CORRECTNESS:

\_\_\_\_\_  
SARA HEDGES, CITY ATTORNEY