

CRA RESOLUTION NO. R 2022-\_\_\_\_\_

A RESOLUTION OF THE TOWN OF DAVIE COMMUNITY REDEVELOPMENT AGENCY REQUESTING THE REMOVAL OF CERTAIN RESTRICTIVE COVENANTS FOR 4483 SW 64 AVENUE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town of Davie is a municipal corporation organized and existing under the constitution and laws of the State of Florida and the Town of Davie Community Redevelopment Agency, a public body corporate and politic created pursuant to Chapter 163, Part III, Florida Statutes;

WHEREAS, Chapter 163, Part III of the Florida Statutes provides for the creation of Community Redevelopment Agencies as separate but dependent governments of the municipalities that create Community Redevelopment Agencies;

WHEREAS, by the enactment of Town of Davie Ordinance 88-23, effective May 4, 1988, the Town of Davie created the Town of Davie Community Redevelopment Agency and established the powers of the Agency;

WHEREAS, the previous owner of 4483 SW 64 Avenue, Davie, FL 33314 whose legal description is attached in Exhibit "A", executed restrictive covenants running with the land, which are attached as Exhibit "B";

WHEREAS, the listed restricted covenants are to the benefit to the Town of Davie and prohibit the property to be used for hotel and motel purposes;

WHEREAS, these restrictive covenants were recorded in the Broward County Book of Records, Book 27343, pages 0240 - 0245;

WHEREAS, the Town of Davie Community Redevelopment Agency presently owns 4483 SW 64 Avenue, Davie, FL 33314; and

WHEREAS, to further the Town of Davie Community Redevelopment Agency Masterplan, the Town of Davie CRA finds removing the restrictive covenants concerning hotel and motel purposes necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE TOWN OF DAVIE COMMUNITY REDEVELOPMENT AGENCY:

Section 1. Legislative Findings/Recitals. The above recitals are hereby adopted by the Town of Davie Community Redevelopment Agency as its legislative findings relative to the subjects and matters set forth in this Resolution.

Section 2. The Town of Davie Community Redevelopment Agency hereby requests the

Town Council of the Town of Davie remove the restrictive covenants concerning hotels and motels recorded in the Broward County Book of Records Book 27343, pages 0240 - 0245. All other restrictive covenant provisions shall remain in full force and effect.

Section 3. Conflict. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 4. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, it is the intent of the CRA BOARD that such invalidity shall not affect other provisions or applications of the Resolution which can be given effect without the invalid provision or application and, to this end, the provisions of this Resolution are declared severable.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED at the meeting of the Town of Davie Community

Redevelopment Agency on this \_\_\_\_ day of \_\_\_\_\_, 2022.

Town of Davie Community Redevelopment  
Agency

ATTEST:

\_\_\_\_\_  
BOARD SECRETARY

\_\_\_\_\_  
CRA CHAIR

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2022.

Approved as to form and legality in compliance  
with Chapter 163, Part III, Florida Statutes  
and the CRA Redevelopment Plan for the use  
and reliance of the Davie Community Redevelopment  
Agency only:

\_\_\_\_\_  
CRA ATTORNEY