

RESOLUTION NO. R. 2022-_____

A RESOLUTION OF TOWN OF DAVIE, FLORIDA, APPROVING THE REMOVAL OF CERTAIN RESTRICTIVE COVENANT LANGUAGE FROM 4483 SW 64 AVENUE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

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 to the benefit of the Town of Davie which are attached as Exhibit “B”;

WHEREAS, the listed restricted covenants 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;

WHEREAS, in furtherance of the Town of Davie Community Redevelopment Agency Masterplan, the Town of Davie CRA is requesting the removal of the restrictive covenants concerning hotel and motel purposes;

WHEREAS, the restrictive covenant removal requires the approval by the Town of Davie; and

WHEREAS, the Town Council of the Town of Davie is desirous of removing the restrictive covenants concerning hotel and motel purposes duly recorded in Broward County Book of Records Book 27343, pages 0240 - 0245 in furtherance of the Town of Davie CRA Masterplan.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA THAT:

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

Section 2. The Town of Davie hereby removes the restrictive covenants concerning hotels and motels recorded in the Broward County Book of Records Book 27343, pages 0240 - 0245 attached in Exhibit "B" for the property located at 4483 SW 64 Avenue, Davie, FL 33314. 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 All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.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 Town Council 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 DULY ADOPTED at the meeting of the Town Council of the Town of Davie on the ____ day of _____, 2022.

ATTEST:

TOWN CLERK

MAYOR

APPROVED THIS ____ DAY OF _____, 2022.

Approved as to form and legality:

TOWN ATTORNEY