

**DAVIE, FLORIDA**

**RESOLUTION NO. R**

**A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, RATIFYING AND APPROVING THE USE AGREEMENT BETWEEN THE DAVIE COMMUNITY REDEVELOPMENT AGENCY AND TUBACH MOTORS, INC FOR THE POST-CLOSING OCCUPANCY OF 4301 DAVIE ROAD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the Town Council ("Town Council") of the Town of Davie ("Town"), created the Davie Community Redevelopment Agency ("CRA") pursuant to Sections 12-395 through 12-409 of the Town of Davie Code of Ordinances, as amended;

WHEREAS, the CRA has enhanced property values, upgraded infrastructure, promoted employment, and most importantly, started the transformation of the Downtown Davie Road Corridor;

WHEREAS, the CRA seeks opportunities to expand its existing properties on Davie Road and currently owns approximately 5.6 acres at the northwest corner of Davie Road and Orange Drive;

WHEREAS, Tubach Motors, Inc. ("Tubach Motors") is the owner of Folio # 504127050040 (4301 Davie Road) adjacent to the aforementioned CRA property and has executed a letter of intent to sell their property to the Davie Community Redevelopment Agency;

WHEREAS, the Tubach Motors and the CRA have negotiated a purchase and sale agreement;

WHEREAS, the Board of the Davie CRA and the Town Council of the Town of Davie have approved the purchase and sale agreement with Tubach Motors whereby the CRA agreed to execute a post-closing use agreement whereby Tubach Motors will continue utilizing 4301 Davie Road for 24 months following closing;

WHEREAS, the CRA and Tubach Motors have drafted a use agreement that is substantially complete, detailing the terms and conditions related to Tubach Motors' use of 4301 Davie Road; and

WHEREAS, the Board of the Davie CRA has approved the use agreement for 4301 Davie Road and the Town Council of the Town of Davie desires to rarify and approve the use agreement.

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

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 Council of the Town of Davie hereby ratifies and approves the Post-Closing Use Agreement with Tubach Motors, Inc. for Folio # 504127050040 (4301 Davie Road).

Section 3. The Town Administrator and Town Attorney are authorized to accept non-substantive changes to the Use Agreement prior to its execution at property closing.

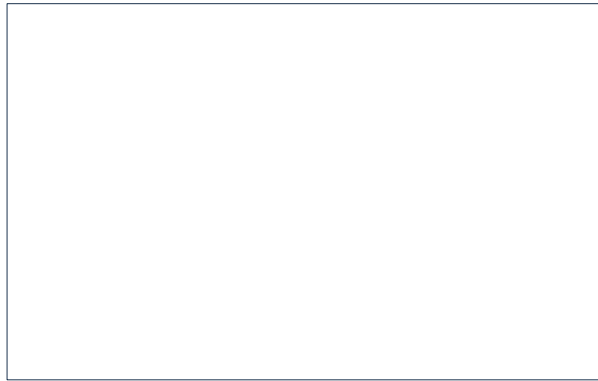
Section 4. The Town Council of the Town of Davie hereby authorizes the Mayor to execute the Use Agreement at property closing, if necessary.

Section 5. 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 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 6. Conflict. All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Section 7. Effective Date. This Resolution shall take effect on effect immediately upon its passage and adoption.

PASSED AND DULY ADOPTED by the Town of Davie Town Council on this \_\_\_\_\_ day of \_\_\_\_, 2026.



\_\_\_\_\_  
Mayor Judy Paul

Authentication:

\_\_\_\_\_  
Evelyn Roig  
Town Clerk

|                       |     |     |
|-----------------------|-----|-----|
| Motion:               |     |     |
| Second:               |     |     |
|                       |     |     |
| Vote                  | Yea | Nay |
| Mayor Paul            |     |     |
| Vice Mayor Whitman    |     |     |
| Councilmember Alfonso |     |     |
| Councilmember Starkey |     |     |
| Councilmember Luis    |     |     |

Approved by the Town Attorney  
as to form and legal sufficiency:

\_\_\_\_\_  
Allan T. Weinthal