

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Meeting Date: 06/03/2008 [] Consent [X] Regular.
 [] Workshop [] Public Hearing

Department: Planning, Zoning, and Building Department
Submitted By: Planning, Zoning, and Building Department
Submitted For: Planning

I. EXECUTIVE BRIEF

Motion and Title: Staff request direction: A) On whether to adopt resolutions of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting County tax exemptions for a total of two (2) historic properties located within the Town of Palm Beach; and B) to approve restrictive covenants for each historic property, requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

SUMMARY: On October 17, 1995, the BCC adopted a historic property tax exemption ordinance, Ordinance No. 95-41, applicable countywide. In light of the County's current financial condition, staff thought it prudent to highlight this exemption and obtain the Board's direction on whether to maintain this historic property tax exemption. If approved, the resolutions will authorize a County tax exemption for the following historic properties located within the Town of Palm Beach:

Address: 209 Seaspray Avenue
Address: 221 Seaspray Avenue

If granted the tax exemption shall take effect January 1, 2008, and shall remain in effect for ten (10) years, or until December 31, 2017. The exemption shall apply to 100 percent of the assessed value of all improvements to each historic property, which resulted from restoration, renovation, or rehabilitation of the property. Based on the 2008 County Government Millage Rate, it is estimated that approximately \$6,427.87 tax dollars will be exempted annually. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. Districts 1 (RB)

Background and Justification: On October 17, 1995, the BCC adopted a historic property tax exemption ordinance, Ordinance No. 95-41, applicable countywide. **(Continue on page three)**

Attachments: 1) Resolutions (2 copies), Restrictive Covenant (1 copy) and Town of Palm Beach historic tax exemption resolution (1 copy) for the following:

Exhibit A: Property Owner List
Exhibit B: 209 Seaspray Avenue
Exhibit C: 221 Seaspray Avenue

2) Memo Re: Historic Tax Exemptions (under separate cover).

Recommended By: _____

Executive Director

Date

Approved By: _____

J. Baker

Deputy County Administrator

5/23/08

Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	20 <u>08</u>	20 <u>09</u>	20 <u>10</u>	20 <u>11</u>	20 <u>12</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>***</u> See below	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____
 Budget Account No.: Fund _____ Department _____ Unit _____ Object _____

Reporting Category

B. Recommended Sources of Funds/Summary of Fiscal Impact:

*** There is no direct fiscal impact on the Planning, Zoning and Building Department from granting a tax exemption for this property. The overall County impact is a reduction of collectable taxes. Tax revenue is to be reduced at most by the tax on the improvements made to each structure. The estimated improvement costs attributed solely to work on these historic buildings totals \$1,700,000.00. Based on the 2008 County Government Millage Rate, it is estimated that approximately \$6,427.87 tax dollars will be exempted annually.

C. Departmental Fiscal Review: Pat D'Agostino

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:
 It is estimated that a total of \$64,279 in tax will be exempted through December 31, 2017.

April White 5-2-08
 8/4/08 OFMB SH VO
 4/28/08 04/25

Ann J. Jacoby 5/5/08
 Contract Dev. and Control
 5/5/08

B. Legal Sufficiency:
[Signature]
 Assistant County Attorney

C. Other Department Review:

 Department Director

(Continued from page one.)

The ordinance allows a qualifying local government to enter into an interlocal agreement with the County to perform review functions necessary to implement the ordinance within its municipal boundary. An Interlocal Agreement was approved by the BCC on April 2, 1996, R 96 442 D, authorizing the Town of Palm Beach Historic Preservation Board to perform the required review to implement the tax exemption ordinance on improvements to historic landmark properties within the town.

Each historic property has filed preconstruction applications and final applications with the Town of Palm Beach Historic Preservation Board. Following review of the completed improvements the town's Historic Preservation Board determined the improvements were consistent with the U.S. Secretary of Interior's Standards for Rehabilitation and recommended approval for tax exemption. The Town of Palm Beach Commission then granted an advalorem town tax exemption to each historic property.

All Two (2) of the properties are privately owned residences.

Copies of the Town of Palm Beach Historic Preservation Board Applications, and other back-up information for each of the two (2) properties is available for review at the County's Planning Division.

EXHIBIT A

2008 Town of Palm Beach Historic Property Tax Exemption

Property Owner - Address - Use of Building

Owner: F. G. Howard, Jr. Enterprises, Inc.
Property: 209 Seaspray Avenue
Town of Palm Beach, FL 33480
Use: Residential

Owner: Tatiana Platt
Property: 221 Seaspray Avenue
Town of Palm Beach, FL 33480
Use: Residential

EXHIBIT B

**209 Seaspray Avenue
Palm Beach**

**Resolutions for County Tax Exemption
(2 original copies for signatures)**

**Restrictive Covenant
(1 original copy for signatures)**

**and
for information purposes
1 copy of the following:**

**Town of Palm Beach
Tax Exemption Resolution for
209 Seaspray Avenue
(Case No. 14-2006)**

RESOLUTION NO. R-2008-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE HISTORIC REHABILITATION OF THE PROPERTY LOCATED AT 209 SEASPRAY AVENUE, TOWN OF PALM BEACH, AS FURTHER LEGALLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the citizens of Florida amended the Florida Constitution, Article VII, Section 3, to authorize counties and municipalities to grant a partial ad valorem tax exemption to owners of historic properties for improvements to such properties which are the result of the restoration, renovation, or rehabilitation of the historic properties; and

WHEREAS, the Board of County Commissioners has approved an ordinance providing for an ad valorem tax exemption for the restoration, renovation, and/or improvement of historic properties within the County (Ordinance No. 95-41); and

WHEREAS, the ad valorem tax exemption is one means of offering a financial incentive to increase interest in restoring, renovating, and improving the county's historic structures; and

WHEREAS, the Board of County Commissioners has approved an interlocal agreement with the Town of Palm Beach (R 96 442 D) for implementation of tax exemptions on improvements to historic landmark properties; and

WHEREAS, this interlocal agreement delegates review of properties within the Town of Palm Beach to the municipal historic preservation agency; and

WHEREAS, this property has been certified as a qualified property by the Town of Palm Beach based on the fact that the property is a locally designated historic property or landmark, in accordance with local historic preservation ordinance (R 96 442 D); and

WHEREAS, the property owner(s) F.G. Howard, Jr. Enterprises, Inc., filed a Preconstruction Application and received preliminary approval from the Town of Palm Beach Historic Preservation Board on June 28, 2005, for an ad valorem tax exemption

for the historic renovation and restoration of the property located at 209 Seaspray Avenue, Palm Beach, and

WHEREAS, the Town of Palm Beach Historic Preservation Board reviewed the Final Application on December 19, 2007, for a determination that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation and recommended approval to grant an ad valorem town tax exemption to F.G. Howard, Jr. Enterprises, Inc., for the restoration, renovation, and improvement to the property located at 209 Seaspray Avenue, Palm Beach, and

WHEREAS, the Town of Palm Beach Commission on January 28, 2008, determined that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation and granted an ad valorem town tax exemption to F.G. Howard, Jr. Enterprises, Inc., for the restoration, renovation, and improvement to the property located at 209 Seaspray Avenue, Palm Beach.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The Board of County Commissioners hereby approves an ad valorem County tax exemption to the property owners, F.G. Howard, Jr. Enterprises, Inc., for a ten year period, commencing on January 1, 2008, from that portion of ad valorem County taxes levied on the increase in assessed value resulting from the renovation, restoration, and rehabilitation of the property located 209 Seaspray Avenue, Palm Beach, which property is as legally described as follows and which improvements are described in Certificate of Appropriateness No. 12-2006:

POINCIANA PARK, 2ND addition Lots 456, 458, 460 and 462, according to the plat thereof, on file, in the office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida.

2. Prior to the ad valorem tax exemption described herein being effective, F.G. Howard, Jr. Enterprises, Inc., shall execute and record a restrictive covenant in a form established by the State of Florida, Department of State, Division of Historical Resources, requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

3. The Board finds that the property meets the requirements for tax exemption under section 196.1997, Florida Statutes.

4. The provisions of this resolution shall become effective upon the execution of this agreement.

5. One copy of this agreement shall be filed with the Clerk of the Circuit Court in and for Palm Beach County.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner Addie L. Greene, Chairperson
Commissioner John F. Koons, Vice Chair
Commissioner Karen T. Marcus
Commissioner Robert J. Kanjian
Commissioner Mary McCarty
Commissioner Burt Aaronson
Commissioner Jess R. Santamaria

The Chairperson there upon declared the Resolution duly passed and adopted this _____ Day of _____, 2008.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

BY: _____

Asst. County Attorney

BY: _____

Deputy Clerk

RECEIVED
APR 26 2008
PLANNING DIVISION

DOS Form No. HR3E111292

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made this 22 day of APRIL, 2008, by F.G. Howard, Jr. Enterprises, Inc. (hereinafter referred to as the Owner) and in favor of Palm Beach County (hereinafter referred to as the Local Government) for the purpose of the restoration, renovation or rehabilitation, of a certain Property located at 209 Seaspray Avenue, Palm Beach, FL 33480 which is owned in fee simple by the Owner and is listed in the National Register of Historic Places or locally designated under the terms of a local preservation ordinance or is a contributing property to a National Register listed district or a contributing property to a historic district under the terms of a local preservation ordinance. The areas of significance of this property, as defined in the National Register nomination or local designation report for the property or the district in which it is located are x architecture, _____ history, _____ archaeology.

The Property is comprised essentially of grounds, collateral, appurtenances, and improvements. The property is more particularly described as follows (include city reference, consisting of repository, book, and page numbers:

Lots 456, 458, 460, Poinciana Park 2nd addition, according to the
Plat thereof on file in the office of the clerk of the circuit court in and
for Palm Beach County, Florida, Recorded in Plat Book 6, Page 86.

In consideration of the tax exemption granted by the Local Government, the Owner hereby agrees to the following for the period of the tax exemption that is from January 1, 2008 to December 31, 2017

1. The Owner agrees to assume the cost of the continued maintenance and repair of said Property so as to preserve the architectural, historical, or archaeological integrity of the same in order to protect and enhance those qualities that made the Property eligible for listing in the National Register of Historic Places or designation under the provisions of the preservation ordinance.
2. The Owner agrees that no structural alterations will be made to the Property without prior written permission of the Local Historic Preservation Office. The address of the certified Local Historic Preservation Office is, if one exists in the jurisdiction:

The address of the Division of Historic Resources is:

Bureau of Historic Preservation
Division of Historical Resources
R.A. Gray Building, 500 South Bronough Street
Tallahassee, Florida 32399-0250
Telephone Number: (850) 487-2333

3. [Only for properties of archaeological significance] The Owner agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner from developing the site in such a manner that will not threaten or damage the archaeological resource, provided that permission for alteration of the site is obtained pursuant to 2. Above.

4. The Owner agrees that the Local Historic Preservation Office and appropriate representatives of the Local Government, their agents and designees shall have the right to inspect the Property at all reasonable times in order to ascertain whether or not the conditions of this covenant are being observed.

5. In the event of the non-performance or violation of the maintenance provision of the Covenant by the Owner or any successor-in-interest during the term of the Covenant, the Local Historic Preservation Office will report such violation to the Property Appraiser and Tax Collector who shall take action pursuant to s. 196.1997 (7), F.S. The Owner shall be required to pay the difference between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s. 212.12 (3) F.S.

6. If the Property is damaged by accidental or natural causes during the Covenant period, the Owner will inform the Local Historic Preservation Office in writing of the damage to the Property, including (1) an assessment of the nature and extent of the damage; and (2) an estimate of the cost of restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion. In order to maintain the tax exemption, the Owner shall complete the restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion on a schedule agreed upon by the Owner and the Local Historic Preservation Office.

7. If the Property has been destroyed or severely damaged by accidental or natural causes, that is, if the historical integrity of the features, materials, appearance, workmanship, and environment, or archaeological integrity which made property eligible for listing in the National Register of Historic Places or designation under the terms of the local preservation ordinance have lost or so damaged that restoration is not feasible, the Owner will notify the Local Historic Preservation Office in writing of the loss. The Local Historic Preservation Office will evaluate the information provided and notify the Owner in writing of its determination regarding removal of the Property from eligibility for tax exemption. If the Local Historic Preservation Office determines that the property should be removed from eligibility for tax exemption, it will notify the Property Appraiser of the county in which the Property is located in writing so that the tax exemption can be canceled for the remainder of the Covenant period. In such cases, no penalty or interest shall be assessed against the Owner.

8. If it appears that the historical integrity of the features, materials, appearance, workmanship, and environment, or archaeological integrity which made the Property eligible for listing in the National Register of Historic Places or designation under the terms of the local preservation ordinance have been lost or damaged deliberately or through gross negligence of the Owner, the Local Historic Preservation Office shall notify the Owner in writing. For the purpose of this Covenant, "gross negligence" means omission of care that even inattentive and thoughtless persons never fail to take of their own property. The Owner shall have 30 days to respond indicating any circumstances which show that the

damage was not deliberate or due to gross negligence. If the Owner cannot show such circumstances, he shall develop a plan for restoration of the Property and a schedule for completion of the restoration. In order to maintain the tax exemption, the Owner shall complete the restoration work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner and the Local Historic Preservation Office. If the Owner does not complete the restoration work on the agreed upon time schedule, the Local Historic Preservation Office will report such violation to the Property Appraiser and Tax Collector who shall take action pursuant to s. 196.1997 (7), F.S. The Owner shall be required to pay the differences between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s. 212.12 (3), F.S.

9. The terms of this Covenant shall be binding on the current Property owner, transferees, and their heirs, successors, or assigns.

This Covenant shall be enforceable in specific performance by a court of competent jurisdiction.

OWNER(S):

F.G. Howard, Jr. Enterprises, Inc.
Name


Signature

4-22-08
Date

IN WITNESS WHEREOF, the Owner and Local Government have executed or have caused this Agreement.

ATTEST:

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock, Clerk & Comptroller

BY: _____
Deputy Clerk

BY: _____
Chairperson

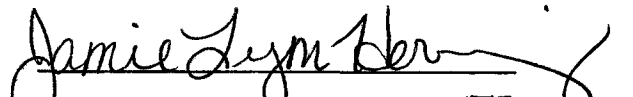
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: 
County Attorney

STATE OF FLORIDA ~~Texas~~

COUNTY OF PALM BEACH ~~Dallas~~

The foregoing instrument was acknowledged before me this 23 day of April, 2008, by Frank Howard, who are personally known to me or who have produced _____, and _____, respectively, (indicate form of identification) (if left blank personal knowledge existed) as identification.


Notary Public State of Florida ~~Texas~~

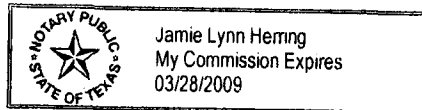
Notary Print Name:

Jamie Lynn Herring

My Commission Expires:

3-28-2009

(NOTARY SEAL)



Town of Palm Beach

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made the 9 day of January 2008 by F.G. Howard Jr. Enterprises Inc. (hereinafter referred to as the Owner) and in favor of the Town of Palm Beach, Florida for the purpose of the restoration, renovation or rehabilitation, of a certain Property located at: 209 Seaspray Avenue, Palm Beach, Florida 33480 which is owned in fee simple by the Owner and is listed in the National Register of Historic Places or locally designated under the terms of the local preservation ordinance or is a contributing property to a National Register listed district or a contributing property to a historic district under the terms of the local preservation ordinance. The areas of significance of this property, as identified in the National Register nomination or local designation report for the property or the district in which it is located are x architecture, x history, archaeology.

COVENANT

The Property is comprised essentially of grounds, collateral, appurtenances, and improvements. The property is more particularly described as follows (include Tax Folio Number and Legal Description): Tax Folio Number: 50-43-43-22-07-000-4560 Prop Poinciana Park 2nd

Addition LTS 456,458, 460 & 462 In consideration of the tax exemption granted by the Town of Palm Beach, the Owner hereby agrees to the following for the period of the tax exemption which is from January 1, 2008 to December 31, 2017.

1. The Owner agrees to assume the cost of the continued maintenance and repair of said Property so as to preserve the architectural, historical, or archaeological integrity of the same in order to protect and enhance those qualities that made the Property eligible for listing in the National Register of Historic Places or designation under the provisions of

essentially of grounds, collateral, appurtenances, and improvements.

more particularly described as follows (include Tax Folio Number and Legal Description):

number: 50-43-43-22-07-000-4560, Prop Poinciana Park 2nd

the local preservation ordinance.

- 2. The Owner agrees that no visual or structural alterations will be made to the Property without prior written permission (a Certificate of Appropriateness) of the Town of Palm Beach Landmarks Commission or the Division of Historical Resources.

The address of the certified Local Historic Preservation Office is:

Town of Palm Beach, Planning, Zoning & Building Department
60 South County Road
Palm Beach, Florida 33480
561-227-6414

The address of the Division of Historical Resources is:

Bureau of Historic Preservation
Division of Historical Resources
R.A. Gray Building, 500 South Bronough Street
Tallahassee, Florida 32399-0250
904-487-2333

- 3. [Only for properties of archaeological significance] The Owner agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner from developing the site in such a manner that will not threaten or damage the archaeological resource, provided that permission for alteration of the site is obtained pursuant to 2. above.

- 4. The Owner agrees that the Landmarks Preservation Commission, an appropriate representative of the Town of Palm Beach, their agents and designees shall have the right to inspect the Property at all reasonable times in order to ascertain whether or not the conditions of this Covenant are being observed.

- 5. In the event of the non-performance or violation of the maintenance provision of the

[Only for properties of archaeological significance] The Owner agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner from developing the site in such a manner that will not threaten or damage the archaeological resource, provided that permission for alteration of the site is obtained pursuant to 2. above.

Covenant by the Owner or any successor-in-interest during the term of the Covenant, the Landmarks Preservation Commission will report such violation to the Property Appraiser and Tax Collector who shall take action pursuant to s.196.1997 (7), F.S. The Owner shall be required to pay the difference between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s.212.12 (3), F.S.

6. If the Property is damaged by accidental or natural causes during the Covenant period, the Owner will inform the Landmarks Preservation Commission in writing of the damage to the Property, including (1) an assessment of the nature and extent of the damage; and (2) an estimate of the cost of restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion. In order to maintain the tax exemption, the Owner shall complete the restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner & the Landmarks Preservation Commission.
7. If the Property has been destroyed or severely damaged by accidental or natural causes, that is, if the historical integrity of the features, materials, appearance, workmanship, and environment, or archaeological integrity which made the property eligible for listing in the National Register of Historic Places or designation under the terms of the local preservation ordinance have been lost or so damaged that restoration is not feasible, the Owner will notify the Landmarks Preservation Commission in writing of the loss. The Owner shall complete the restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner & the Landmarks Preservation Commission.

Landmarks Preservation Commission will evaluate the information provided and notify the Owner in writing of its determination regarding removal of the Property from eligibility for tax exemption. If the Landmarks Preservation Commission determines that the property should be removed from eligibility for tax exemption, it will notify the Property Appraiser of Palm Beach County in writing so that the tax exemption can be canceled for the remainder of the Covenant period. In such cases, no penalty or interest shall be assessed against the Owner.

- 8. If it appears that the historical integrity of the features, materials, appearance, workmanship, and environment, or archaeological integrity which made the Property eligible for listing in the National Register of Historic Places or designation under the terms of the local preservation ordinance have been lost or damaged deliberately or through gross negligence of the Owner, the Landmarks Preservation Commission shall notify the Owner in writing. For the purpose of this Covenant, "gross negligence" means the omission of care which even inattentive and thoughtless persons never fail to take of their own property. The Owner shall have 30 days to respond indicating any circumstances which show that the damage was not deliberate or due to gross negligence. If the Owner cannot show such circumstances, he shall develop a plan for restoration of the Property and a schedule for completion of the restoration. In order to maintain the tax exemption, the Owner shall complete the restoration work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner and the Landmarks Preservation Commission. If the Owner does not complete the restoration work on the agreed upon time schedule, the Landmarks

...writing. For the purpose of this Covenant, "gross negligence" means

...care which even inattentive and thoughtless persons never fail to take of

...the Owner shall have 30 days to respond indicating any

...circumstances which show that the damage was not deliberate or due to gross

...cannot show such circumstances...

Preservation Commission will report such violation to the Property Appraiser and Tax Collector who shall take action pursuant to s.196.1997 (7), F.S. The Owner shall be required to pay the difference between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s.212.12(3),F.S.

- 9. The terms of this Covenant shall be binding on the current Property owner, transferees, and their heirs, successors, or assigns.

This Covenant shall be enforceable in specific performance by a court of competent jurisdiction.

OWNERS

E.G. Howard Jr. Enterprises Inc.

Frank Howard Signature 2/13/08 Date

TOWN OF PALM BEACH, FLORIDA

Timothy M. Frank, AICP Signature 2.12.08 Date

Planning Administrator, Town of Palm Beach
Title

enforceable in specific performance by a court of com

Frank Howard Signature 5

TOWN OF PALM BEACH, FLORIDA Signature 2.12.08 Date

RESOLUTION NO: 1-08

209 SEASPRAY AVENUE

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING AD VALOREM TAX EXEMPTIONS FOR THE PROPERTY HEREINAFTER DESCRIBED AND STATING THAT THE SUBJECT PROPERTY MEETS THE CRITERIA SET FORTH IN ORDINANCE NO. 31-93, ALSO KNOWN AS CHAPTER 54, ARTICLE V OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH, RELATING TO LANDMARKS PRESERVATION AND TITLED "TAX EXEMPTIONS."

WHEREAS, pursuant to the provisions of Ordinance 31-93 (Chapter 54, Article V Code of Ordinances of the Town of Palm Beach) the Landmarks Preservation Commission of the Town of Palm Beach held public hearings and approved Certificates of Appropriateness for renovations and improvements of the certain property described herein; and

WHEREAS, where those improvements are consistent with the United States Secretary of Interior's Standards for Rehabilitation and were made in accordance with the guidelines developed by the Department of State, they will qualify for said tax exemption; and

WHEREAS, the property owner agrees to enter into a covenant or agreement with the Town for the ten year term for which the exemption is granted.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1. The foregoing recitals are hereby ratified and confirmed.

Section 2. The property hereinafter described in Section 3 of this Resolution, being a designated landmark of the Town of Palm Beach, is hereby approved for the Ad Valorem Tax Exemptions for Historic Properties, pursuant to the provisions of Ordinance 31-93.

Section 3. The landmark is owned by F.G. Howard, Jr. Enterprises, Inc. and is located at 209 Seaspray Avenue. The property is legally described as follows:

Tax Folio Number: 50-43-43-22-07-000-4560-001

Legal Description: Poinciana Park, 2nd Addition, LTS 456,458,460 & 462

Section 4. The Town Clerk is hereby ordered to furnish the owner of the property a copy of this Resolution.

Section 5. By March 1, a copy of this Resolution with a completed application for Ad Valorem Tax Exemptions will be filed with the Property Appraiser's Office as defined in and subject to the provision of Chapter 54, Article V, Section 54-199 of the and the Code of Ordinances of the

Town of Palm Beach, Florida.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of

Palm Beach assembled this 8th day of January, 2008.

Jack McDonald, Mayor

Richard M. Kleid

Richard M. Kleid, Town Council President

Dennis P. Coleman

Dennis P. Coleman, President Pro Tem

William J. Brooks

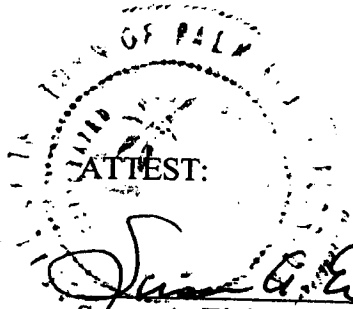
William J. Brooks, Town Council Member

Gail Coniglio

Gail Coniglio, Town Council Member

Susan Markin

Susan Markin, Town Council Member



Susan A. Eichhorn

Susan A. Eichhorn, Town Clerk

CLERK'S CERTIFICATE

STATE OF FLORIDA)
COUNTY OF PALM BEACH) ss:
TOWN OF PALM BEACH)

I, SUSAN A. EICHHORN, HEREBY CERTIFY THAT I am the duly qualified and acting Clerk of the Town of Palm Beach, Florida; that the above and foregoing is a true and correct copy of a Document the original of which is on file in the Office of the Town Clerk of the Town of Palm Beach, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Town, this 9th day of January A.D. 2008

TOWN SEAL

Susan A. Eichhorn

SUSAN A. EICHHORN
TOWN CLERK

Resolution No. 1-08

EXHIBIT C

**221 Seaspray Ave
Palm Beach**

**Resolutions for County Tax Exemption
(2 original copies for signatures)**

**Restrictive Covenant
(1 original copy for signatures)**

**and
for information purposes
1 copy of the following:**

**Town of Palm Beach
Tax Exemption Resolution for
221 Seaspray Avenue
(Case No. 12-2006)**

RESOLUTION NO. R-2008-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE HISTORIC REHABILITATION OF THE PROPERTY LOCATED AT 221 SEASPRAY AVENUE, TOWN OF PALM BEACH, AS FURTHER LEGALLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the citizens of Florida amended the Florida Constitution, Article VII, Section 3, to authorize counties and municipalities to grant a partial ad valorem tax exemption to owners of historic properties for improvements to such properties which are the result of the restoration, renovation, or rehabilitation of the historic properties; and

WHEREAS, the Board of County Commissioners has approved an ordinance providing for an ad valorem tax exemption for the restoration, renovation, and/or improvement of historic properties within the County (Ordinance No. 95-41); and

WHEREAS, the ad valorem tax exemption is one means of offering a financial incentive to increase interest in restoring, renovating, and improving the county's historic structures; and

WHEREAS, the Board of County Commissioners has approved an interlocal agreement with the Town of Palm Beach (R 96 442 D) for implementation of tax exemptions on improvements to historic landmark properties; and

WHEREAS, this interlocal agreement delegates review of properties within the Town of Palm Beach to the municipal historic preservation agency; and

WHEREAS, this property has been certified as a qualified property by the Town of Palm Beach based on the fact that the property is a locally designated historic property or landmark, in accordance with local historic preservation ordinance (R 96 442 D); and

WHEREAS, the property owner(s) Tatiana Platt filed a Preconstruction Application and received preliminary approval from the Town of Palm Beach Historic Preservation Board on June 28, 2005, for an ad valorem tax exemption for the historic

renovation and restoration of the property located at 221 Seaspray Avenue, Palm Beach, and

WHEREAS, the Town of Palm Beach Historic Preservation Board reviewed the Final Application on December 19, 2007, for a determination that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation and recommended approval to grant an ad valorem town tax exemption to Tatiana Platt for the restoration, renovation, and improvement to the property located at 221 Seaspray Avenue, Palm Beach and

WHEREAS, the Town of Palm Beach Commission on January 28, 2008, determined that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation and granted an ad valorem town tax exemption to Tatiana Platt for the restoration, renovation, and improvement to the property located at 221 Seaspray Avenue, Palm Beach.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The Board of County Commissioners hereby approves an ad valorem County tax exemption to the property owner, Tatiana Platt for a ten year period, commencing on January 1, 2008, from that portion of ad valorem County taxes levied on the increase in assessed value resulting from the renovation, restoration, and rehabilitation of the property located 221 Seaspray Avenue, Palm Beach, which property is as legally described as follows and which improvements are described in Certificate of Appropriateness No. 12-2006:

POINCIANA PARK, 2ND addition Lots 444 and 446,
according to the plat thereof, on file, in the office of the
Clerk of the Circuit Court, in and for Palm Beach County,
Florida.

2. Prior to the ad valorem tax exemption described herein being effective, Tatiana Platt shall execute and record a restrictive covenant in a form established by the State of Florida, Department of State, Division of Historical Resources, requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

3. The Board finds that the property meets the requirements for tax exemption under section 196.1997, Florida Statutes.

4. The provisions of this resolution shall become effective upon the execution of this agreement.

5. One copy of this agreement shall be filed with the Clerk of the Circuit Court in and for Palm Beach County.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

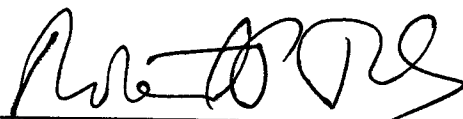
Commissioner Addie L. Greene, Chairperson
Commissioner John F. Koons, Vice Chair
Commissioner Karen T. Marcus
Commissioner Robert J. Kanjian
Commissioner Mary McCarty
Commissioner Burt Aaronson
Commissioner Jess R. Santamaria

The Chairperson there upon declared the Resolution duly passed and adopted this _____ Day of _____, 2008.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

BY: 
Asst. County Attorney

BY: _____
Deputy Clerk

RECEIVED
APR 28 2008
PLANNING DIVISION

DOS Form No. HR3E111292

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made this 25th day of April, 2008, by Tatiana Platt, (hereinafter referred to as the Owners) and in favor of Palm Beach County (hereinafter referred to as the Local Government) for the purpose of the restoration, renovation or rehabilitation, of a certain Property located at 221 Seaspray Avenue, Palm Beach, FL 33480 which is owned in fee simple by the Owner and is listed in the National Register of Historic Places or locally designated under the terms of a local preservation ordinance or is a contributing property to a National Register listed district or a contributing property to a historic district under the terms of a local preservation ordinance. The areas of significance of this property, as defined in the National Register nomination or local designation report for the property or the district in which it is located are x architecture, x history, archaeology.

The Property is comprised essentially of grounds, collateral, appurtenances, and improvements. The property is more particularly described as follows (include city reference, consisting of repository, book, and page numbers:

Lots 444 and 446, Poinciana Park 2nd addition, according to the Plat thereof on file in the office of the clerk of the circuit court in and for Palm Beach County, Florida Recorded in Plat Book 21245, Page 1697, of the Public Records of Palm Beach County.

In consideration of the tax exemption granted by the Local Government, the Owner hereby agrees to the following for the period of the tax exemption that is from January 1, 2008 to December 31, 2017

1. The Owner agrees to assume the cost of the continued maintenance and repair of said Property so as to preserve the architectural, historical, or archaeological integrity of the same in order to protect and enhance those qualities that made the Property eligible for listing in the National Register of Historic Places or designation under the provisions of the preservation ordinance.
2. The Owner agrees that no structural alterations will be made to the Property without prior written permission of the Local Historic Preservation Office. The address of the certified Local Historic Preservation Office is, if one exists in the jurisdiction:

City of West Palm Beach, Historic Preservation Division
200 Second Street
West Palm Beach, Florida 33401
Telephone Number: (561) 659-8031

The address of the Division of Historic Resources is:

Bureau of Historic Preservation
Division of Historical Resources
R.A. Gray Building, 500 South Bronough Street
Tallahassee, Florida 32399-0250
Telephone Number: (850) 487-2333

3. [Only for properties of archaeological significance] The Owner agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner from developing the site in such a manner that will not threaten or damage the archaeological resource, provided that permission for alteration of the site is obtained pursuant to 2. Above.
4. The Owner agrees that the Local Historic Preservation Office and appropriate representatives of the Local Government, their agents and designees shall have the right to inspect the Property at all reasonable times in order to ascertain whether or not the conditions of this covenant are being observed.
5. In the event of the non-performance or violation of the maintenance provision of the Covenant by the Owner or any successor-in-interest during the term of the Covenant, the Local Historic Preservation Office will report such violation to the Property Appraiser and Tax Collector who shall take action pursuant to s. 196.1997 (7), F.S. The Owner shall be required to pay the difference between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s. 212.12 (3) F.S.
6. If the Property is damaged by accidental or natural causes during the Covenant period, the Owner will inform the Local Historic Preservation Office in writing of the damage to the Property, including (1) an assessment of the nature and extent of the damage; and (2) an estimate of the cost of restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion. In order to maintain the tax exemption, the Owner shall complete the restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion on a schedule agreed upon by the Owner and the Local Historic Preservation Office.
7. If the Property has been destroyed or severely damaged by accidental or natural causes, that is, if the historical integrity of the features, materials, appearance, workmanship, and environment, or archaeological integrity which made property eligible for listing in the National Register of Historic Places or designation under the terms of the local preservation ordinance have lost or so damaged that restoration is not feasible, the Owner will notify the Local Historic Preservation Office in writing of the loss. The Local Historic Preservation Office will evaluate the information provided and notify the Owner in writing of its determination regarding removal of the Property from eligibility for tax exemption. If the Local Historic Preservation Office determines that the property should be removed from eligibility for tax exemption, it will notify the Property Appraiser of the county in which the Property is located in writing so that the tax exemption can be canceled for the remainder of the Covenant period. In such cases, no penalty or interest shall be assessed against the Owner.
8. If it appears that the historical integrity of the features, materials, appearance, workmanship, and environment, or archaeological integrity which made the Property eligible for listing in the National Register of Historic Places or designation under the terms

of the local preservation ordinance have been lost or damaged deliberately or through gross negligence of the Owner, the Local Historic Preservation Office shall notify the Owner in writing. For the purpose of this Covenant, "gross negligence" means omission of care that even inattentive and thoughtless persons never fail to take of their own property. The Owner shall have 30 days to respond indicating any circumstances which show that the damage was not deliberate or due to gross negligence. If the Owner cannot show such circumstances, he shall develop a plan for restoration of the Property and a schedule for completion of the restoration. In order to maintain the tax exemption, the Owner shall complete the restoration work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner and the Local Historic Preservation Office. If the Owner does not complete the restoration work on the agreed upon time schedule, the Local Historic Preservation Office will report such violation to the Property Appraiser and Tax Collector who shall take action pursuant to s. 196.1997 (7), F.S. The Owner shall be required to pay the differences between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s. 212.12 (3), F.S.

9. The terms of this Covenant shall be binding on the current Property owner, transferees, and their heirs, successors, or assigns.

This Covenant shall be enforceable in specific performance by a court of competent jurisdiction.

OWNER(S):

Tatiana Platt
Name


Signature


Date

IN WITNESS WHEREOF, the Owner and Local Government have executed or have caused this Agreement.

ATTEST:

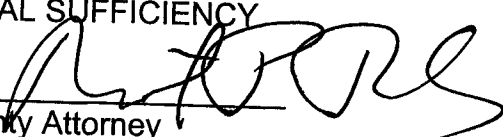
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock, Clerk & Comptroller

BY: _____
Deputy Clerk

BY: _____
Chairperson

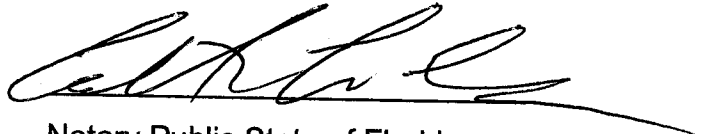
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: 
County Attorney

STATE OF FLORIDA

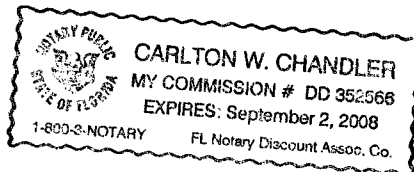
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 25th day of April, 2008, by Tatiana Simone Platt, who are personally known to me or who have produced Florida Driver License, and Passport, respectively, (indicate form of identification) (if left blank personal knowledge existed) as identification.


Notary Public State of Florida

Notary Print Name:

Carlton W. Chandler



(NOTARY SEAL)

My Commission Expires:

Sept 2, 2008

Town of Palm Beach

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made the 9 day of January 2008 by Tatiana Platt (hereinafter referred to as the Owner) and in favor of the Town of Palm Beach, Florida for the purpose of the restoration, renovation or rehabilitation, of a certain Property located at: 221 Seaspray Avenue, Palm Beach, Florida 33480 which is owned in fee simple by the Owner and is listed in the National Register of Historic Places or locally designated under the terms of the local preservation ordinance or is a contributing property to a National Register listed district or a contributing property to a historic district under the terms of the local preservation ordinance. The areas of significance of this property, as identified in the National Register nomination or local designation report for the property or the district in which it is located are x architecture, x history, archaeology. The Property is comprised essentially of grounds, collateral, appurtenances, and improvements.

The property is more particularly described as follows (include Tax Folio Number and Legal Description): Tax Folio Number: 50-43-43-22-07-000-4440 Poinciana Park 2nd Addition LTS 444 & 446 In consideration of the tax exemption granted by the Town of Palm Beach, the Owner hereby agrees to the following for the period of the tax exemption which is from January 1, 2008 to December 31, 2017:

1. The Owner agrees to assume the cost of the continued maintenance and repair of said Property so as to preserve the architectural, historical, or archaeological integrity of the same in order to protect and enhance those qualities that made the Property eligible for listing in the National Register of Historic Places or designation under the provisions of the local preservation ordinance.

... as follows (include Tax Folio Number and Legal Description):
...
In consideration of the tax exemption granted by...

- 2. The Owner agrees that no visual or structural alterations will be made to the Property without prior written permission (a Certificate of Appropriateness) of the Town of Palm Beach Landmarks Commission or the Division of Historical Resources.

The address of the certified Local Historic Preservation Office is:

Town of Palm Beach, Planning, Zoning & Building Department
 60 South County Road
 Palm Beach, Florida 33480
 561-227-6414

The address of the Division of Historical Resources is:

Bureau of Historic Preservation
 Division of Historical Resources
 R.A. Gray Building, 500 South Bronough Street
 Tallahassee, Florida 32399-0250
 904-487-2333

- 3. [Only for properties of archaeological significance] The Owner agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner from developing the site in such a manner that will not threaten or damage the archaeological resource, provided that permission for alteration of the site is obtained pursuant to 2. above.

- 4. The Owner agrees that the Landmarks Preservation Commission, an appropriate representative of the Town of Palm Beach, their agents and designees shall have the right to inspect the Property at all reasonable times in order to ascertain whether or not the conditions of this Covenant are being observed.

- 5. In the event of the non-performance or violation of the maintenance provision of the Covenant by the Owner or any successor-in-interest during the term of the Covenant, the

... against willful damage or vandalism ...
 ... developing the site in such a manner ...
 ... provided that permission ...

... the Landmarks Preservation Commission ...

Landmarks Preservation Commission will report such violation to the Property Appraiser and Tax Collector who shall take action pursuant to s.196.1997 (7), F.S. The Owner shall be required to pay the difference between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s.212.12 (3), F.S.

6. If the Property is damaged by accidental or natural causes during the Covenant period, the Owner will inform the Landmarks Preservation Commission in writing of the damage to the Property, including (1) an assessment of the nature and extent of the damage; and (2) an estimate of the cost of restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion. In order to maintain the tax exemption, the Owner shall complete the restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner & the Landmarks Preservation Commission.

7. If the Property has been destroyed or severely damaged by accidental or natural causes, that is, if the historical integrity of the features, materials, appearance, workmanship, and environment, or archaeological integrity which made the property eligible for listing in the National Register of Historic Places or designation under the terms of the local preservation ordinance have been lost or so damaged that restoration is not feasible, the Owner will notify the Landmarks Preservation Commission in writing of the loss. The Landmarks Preservation Commission will evaluate the information provided and notify

the Owner in writing of its determination regarding removal of the Property from eligibility for tax exemption. If the Landmarks Preservation Commission determines that the property should be removed from eligibility for tax exemption, it will notify the Property Appraiser of Palm Beach County in writing so that the tax exemption can be canceled for the remainder of the Covenant period. In such cases, no penalty or interest shall be assessed against the Owner.

- 8. If it appears that the historical integrity of the features, materials, appearance, workmanship, and environment, or archaeological integrity which made the Property eligible for listing in the National Register of Historic Places or designation under the terms of the local preservation ordinance have been lost or damaged deliberately or through gross negligence of the Owner, the Landmarks Preservation Commission shall notify the Owner in writing. For the purpose of this Covenant, "gross negligence" means the omission of care which even inattentive and thoughtless persons never fail to take of their own property. The Owner shall have 30 days to respond indicating any circumstances which show that the damage was not deliberate or due to gross negligence. If the Owner cannot show such circumstances, he shall develop a plan for restoration of the Property and a schedule for completion of the restoration. In order to maintain the tax exemption, the Owner shall complete the restoration work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner and the Landmarks Preservation Commission. If the Owner does not complete the restoration work on the agreed upon time schedule, the Landmarks Preservation Commission will report such violation to the Property Appraiser and Tax

of care which even inattentive and thoughtless persons never fail to take of their own property.

The Owner shall have 30 days to respond indicating any

circumstances which show that the damage was not deliberate or due to gross

negligence. If the Owner cannot show such circumstances, he shall develop

a plan for restoration of the Property and a schedule for completion of the restoration.

Collector who shall take action pursuant to s.196.1997 (7), F.S. The Owner shall be required to pay the difference between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s.212.12(3),F.S.

9. The terms of this Covenant shall be binding on the current Property owner, transferees, and their heirs, successors, or assigns.

This Covenant shall be enforceable in specific performance by a court of competent jurisdiction.

OWNERS

Tatiana Platt Name Signature Date 2/23/08

TOWN OF PALM BEACH, FLORIDA

Timothy M. Frank, AICP Authorized Local Official Signature Date 2-23-08

Planning Administrator, Town of Palm Beach Title

be enforceable in specific performance by a court

[Signature]

TOWN OF PALM BEACH, FLORIDA

[Signature]

RESOLUTION NO: 2-08

221 SEASPRAY AVENUE

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, AUTHORIZING AD VALOREM TAX EXEMPTIONS FOR THE PROPERTY HEREINAFTER DESCRIBED AND STATING THAT THE SUBJECT PROPERTY MEETS THE CRITERIA SET FORTH IN ORDINANCE NO. 31-93, ALSO KNOWN AS CHAPTER 54, ARTICLE V OF THE CODE OF ORDINANCES OF THE TOWN OF PALM BEACH, RELATING TO LANDMARKS PRESERVATION AND TITLED "TAX EXEMPTIONS."

WHEREAS, pursuant to the provisions of Ordinance 31-93 (Chapter 54, Article V Code of Ordinances of the Town of Palm Beach) the Landmarks Preservation Commission of the Town of Palm Beach held public hearings and approved Certificates of Appropriateness for renovations and improvements of the certain property described herein; and

WHEREAS, where those improvements are consistent with the United States Secretary of Interior's Standards for Rehabilitation and were made in accordance with the guidelines developed by the Department of State, they will qualify for said tax exemption; and

WHEREAS, the property owner agrees to enter into a covenant or agreement with the Town for the ten year term for which the exemption is granted.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PALM BEACH, PALM BEACH COUNTY, FLORIDA, as follows:

Section 1: The foregoing recitals are hereby ratified and confirmed.

Section 2. The property hereinafter described in Section 3 of this Resolution, being a designated landmark of the Town of Palm Beach, is hereby approved for the Ad Valorem Tax Exemptions for Historic Properties, pursuant to the provisions of Ordinance 31-93.

Section 3. The landmark is owned by Tatiana Platt & Maura A. Ziska, Trust Title Holder, and is located at 221 Seaspray Avenue. The property is legally described as follows:

Tax Folio Number: 50-43-43-22-07-000-4440

Legal Description: Poinciana Park, 2nd Addition, LTS 444 & 446 *

Section 4. The Town Clerk is hereby ordered to furnish the owner of the property a copy of this Resolution.

Section 5. By March 1, a copy of this Resolution with a completed application for Ad Valorem Tax Exemptions will be filed with the Property Appraiser's Office as defined in and subject to Chapter 54, Article V, Section 54-199 of the Code of Ordinances of the Town of Palm Beach,

Florida.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 8th day of January, 2008.

Jack McDonald, Mayor

Richard M. Kleid
Richard M. Kleid, Town Council President

Dennis P. Coleman
Dennis P. Coleman, President Pro Tem

William J. Brooks
William J. Brooks, Town Council Member

Gail Coniglio
Gail Coniglio, Town Council Member

Susan Markin
Susan Markin, Town Council Member



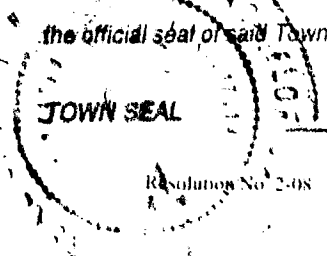
Susan A. Eichhorn
Susan A. Eichhorn, Town Clerk

CLERK'S CERTIFICATE

STATE OF FLORIDA)
COUNTY OF PALM BEACH) ss:
TOWN OF PALM BEACH)

I, SUSAN A. EICHHORN, HEREBY CERTIFY THAT I am the duly qualified and acting Clerk of the Town of Palm Beach, Florida; that the above and foregoing is a true and correct copy of a Document the original of which is on file in the Office of the Town Clerk of the Town of Palm Beach, Florida.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Town, this 9th day of January A.D. 2008



Susan A. Eichhorn
SUSAN A. EICHHORN
TOWN CLERK

Resolution No. 2-08