

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

Agenda Item #:

5E-1

AGENDA ITEM SUMMARY

Meeting Date: 7/19/2011 ☐ Consent ☒ Regular
 ☐ Workshop ☐ Public Hearing

Department: Planning, Zoning and Building

Submitted By: Planning Division

Submitted For: Planning Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends a motion to adopt: Resolution of the Board of County Commissioners of Palm Beach County, Florida, granting the request of the Town of Jupiter to expand the boundaries of the existing Jupiter Community Redevelopment Area (CRA) to include five adjacent parcels, known as Guanabanas and Inlet Village Park.

Summary: The Jupiter Community Redevelopment Agency and the Town of Jupiter are requesting that the Board of County Commissioners consider granting the expansion of the boundaries of the Community Redevelopment Area (CRA) to include two parcels known as Guanabanas totaling 0.62 acres and three parcels known as the Inlet Village Park totaling 0.91 acres (owned by the Town of Jupiter and the Jupiter CRA). These parcels were unincorporated at the time of the creation of the Jupiter CRA and were subsequently annexed after the adoption of the CRA. The Jupiter CRA Board recommended the expansion of the boundaries on May 11, 2011, and adopted the recommendation by Resolution No. CRA 3-11. As provided for in Chapter 163.355, F.S., the Town of Jupiter subsequently recommended the expansion of the boundaries as well on May 17, 2011 by Resolution No. 22-11, providing a *Finding of Necessity* report. County staff has reviewed and approved the *Finding of Necessity* report for consistency with Section 163.355, F.S. (District 1, TF)

Background and Policy Issues: Pursuant to Section 163.410, F.S., as a charter county, Palm Beach County has redevelopment powers in municipalities unless the Board delegates the power by resolution to the governing body of a municipality. On January 8, 2002, by Resolution No. 2002-0090, the Board of County Commissioners voted to delegate to the Town of Jupiter to formally create the Jupiter Community Redevelopment Area (CRA), a 397-acre area, located in the east central section of the Town. However, the BCC retained the power to expand the boundaries of the Jupiter CRA. The Town of Jupiter has annexed a small area consisting of 1.53 acres subsequent to the adoption of the original CRA. The Town has identified these parcels to be incorporated into the CRA boundaries. The Board must adopt a resolution granting expansion of the existing Jupiter CRA. The Planning Division staff have reviewed the *Finding of Necessity*, and confirmed that the area meets the criteria considered indicators of blight pursuant to Chapter 163.355, F.S.

Attachments:

1. BCC Resolution
2. Resolution from the Town of Jupiter
3. Resolution from the Jupiter CRA
4. Town of Jupiter "Finding of Necessity"

Recommended by:  7/5/11
 Executive Director Date

Approved By:  7/13/11
 Deputy County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	* See OFMB Comments Below				_____
# ADDITIONAL FTE					
POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____

Budget Account No.: Fund _____ Department _____ Unit _____ Object _____ Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact: There is no fiscal impact to the Planning, Zoning and Building Department. Any impact on the County will be addressed by OFMB.

C. Departmental Fiscal Review: Pat D'Agostino

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments: The fiscal impact to Palm Beach County is indeterminable at this time. In compliance with the terms of the Jupiter CRA any tax revenue based on an increase in "Assessed Value" over the Tax Year 2011 value will be collected by PBC and returned to the CRA for use within the boundaries of the CRA. Since any future increase in taxable property values for the five parcels added to the CRA with this amendment cannot be determined, the loss of tax revenue also cannot be determined. However, the potential for increased costs of providing required services to the Jupiter CRA properties will remain uncompensated for the 30 year term of the CRA or longer if the CRA is again amended in the future. The maximum term of the CRA would be no longer than 60 years after the plan was initially adopted (1/8/2002).

WS 7/6/11
OFMB
7/7/2011
ST 6/17/11

Contract Dev. and Control
7/7/11

B. Legal Sufficiency:

Assistant County Attorney
7/11/11

C. Other Department Review:

Department Director

RESOLUTION NO. R-2011-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, GRANTING THE REQUEST OF THE TOWN OF JUPITER TO EXPAND THE BOUNDARIES OF THE EXISTING JUPITER COMMUNITY REDEVELOPMENT AREA (CRA) TO INCLUDE FIVE ADJACENT PARCELS, KNOWN AS GUANABANAS AND INLET VILLAGE PARK

WHEREAS, Chapter 163, Part III, Florida Statutes (F.S.), known as the Community Redevelopment Act of 1969, provides for a mechanism for local governments to create a Community Redevelopment Agency to deal with conditions of slums and blight; and

WHEREAS, the Board of County Commissioners delegated the exercise of powers conferred by Chapter 163, Part III, F.S., "The Community Redevelopment Area" to allow the Town of Jupiter to create the Community Redevelopment Area (CRA) by Resolution No. 2002-0090; and

WHEREAS, the Board of County Commissioners retained authority to expand boundaries of the CRA as authorized by Resolution No. 2002-0090; and

WHEREAS, the 5 parcels, totaling 1.53 acres, known as Guanabanas and the Inlet Village Park, were unincorporated at the time of the creation of the Jupiter CRA; and

WHEREAS, the Town of Jupiter provided the "Finding of Necessity" report that determined the expanded areas as having slum or blighted areas, as defined by Section 163.340, F.S.; and

WHEREAS, the Jupiter Community Redevelopment Agency (JCRA) adopted the expansion of the boundaries on May 11, 2011 by Resolution No. CRA 3-11; and

WHEREAS, the Town of Jupiter adopted the expansion of the boundaries on May 17, 2011, by Resolution No. 22-11.

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

1. The Board of County Commissioners hereby grants the Town of Jupiter and the Jupiter Community Redevelopment Agency the expansion of the boundaries of the existing CRA to include the parcels identified in Exhibit "A".

2. This resolution is not intended to and does not alter or amend the powers or provisions of Resolution 2002-0090, but is instead intended solely to expand the boundaries as described in Exhibit. "A".

3. Effective Date and Duration. The provisions of this Resolution shall become effective upon adoption by the Board of County Commissioners and shall continue to be effective for a period not to exceed the term of the initial bonds issued to finance the redevelopment identified in the Community Redevelopment Plan prepared pursuant to Section 163.362, F.S., but in no event to exceed thirty (30) years from the adoption of the Community Redevelopment Plan unless otherwise specifically extended by the Board of County Commissioners. It is specifically the intention of the Board of County Commissioners to delegate the herein described powers only for the length of the bonds, and such delegation is not intended to extend to any period of time associated with any amendment of the Community Redevelopment Plan or any refinancing of the bonds.

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 Karen T. Marcus, Chair	-
Commissioner Shelley Vana, Vice Chair	-
Commissioner Paulette Burdick	-
Commissioner Steven L. Abrams	-
Commissioner Burt Aaronson	-
Commissioner Jess R. Santamaria	-
Commissioner Priscilla A. Taylor	-

The Chair thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2011.

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

SHARON R. BOCK, CLERK & COMPTROLLER

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: 
County Attorney

Exhibit A

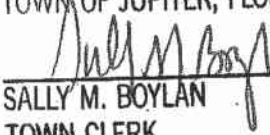
Parcels Identified for the Jupiter CRA

Parcel Number	Owner	Acres	Legal Description
30-43-40-31-00-006-0050	Babalouie Ltd	0.4457	31-40-43, NWLY 200 FT OF SELY 272 FT OF PAR IN OR10329P1296 IN GOV LT 6 LYG BET FEC CNL & SR A-1-A R/WS & NW OF & ADJ TO STA POINT 1180+23.1 PB16P25
30-43-40-31-00-006-0070	Babalouie Ltd	0.1761	31-40-43, SELY 72 FT OF PAR IN OR10329P1296 IN GOV LT 6 LYG BET FEC CNL & SR A-1-A R/WS & NW OF & ADJ TO STA POINT 1180+23.1 PB16P25
30-43-40-31-07-000-0020	Jupiter CRA	0.46	JUPITER INLET ESTS NWLY 104.26 FT FROM A POINT OF CURVE AS MEAS ALONG N LI OF TH PT OF GOV LTS 6, 7, & OLD JUPITER/LAKE WORTH RY R/W LYG BET SR A-1-A & FEC CNL A/K/A TH PT OF TR K
30-43-40-31-07-000-0040	Town of Jupiter	0.17	JUPITER INLEET ESTS SELY 40 FT OF NWLY 144.26 FT AS MEAS FROM POINT OF CURVE ALONG N LI OF TH PT OF GOV LTS 6, 7 & OLD JUPITER/LAKE WORTH RY R/W LYG BET SR 1-1 R/W & FEC CNL A/K/A TH PT OF TR K
30-43-40-31-07-000-0010	Town of Jupiter	0.28	JUPITER INLET ESTS NLY 180.19 FT AS MEAS ALONG E LI OF TH PT OF GOV LTS 6, 7 & OLD JUPITER/LAKE WORTH RY R/W LYG SLY OF SR A-1-A R/W & BET W LI OF E 30 FT OF ABND JUNO ST & FEC CNL A/K/A PT OF TR K
Total:		1.5318	

Source: 2011 Property Appraiser Data

Attachment 2

I HEREBY CERTIFY THE ABOVE AND FOREGOING
IS A TRUE AND CORRECT COPY FROM THE
RECORDS IN THE TOWN CLERK'S OFFICE,
TOWN OF JUPITER, FLORIDA.


SALLY M. BOYLAN
TOWN CLERK



RESOLUTION NO. 22-11

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA, AMENDING THE TOWN OF JUPITER'S COMMUNITY REDEVELOPMENT PLAN BY EXPANDING THE BOUNDARIES OF THE EXISTING COMMUNITY REDEVELOPMENT AREA TO INCLUDE TWO PARCELS OF LAND ADJACENT TO THE EXISTING BOUNDARY, KNOWN AS GUANABANAS AND INLET VILLAGE PARK; PROVIDING FOR A FINDING OF NECESSITY FOR THE EXPANSION OF THE JUPITER COMMUNITY REDEVELOPMENT AGENCY AREA'S BOUNDARIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Planning and Redevelopment Consultants, Inc. ("PRC") has conducted a Necessity Study, copy of which is on file in the Office of the Town Clerk, the purpose of which was to determine if slum or blighted areas, as defined by Section 163.340, Florida Statutes, existed within the boundaries of two parcels which are adjacent to the existing Community Redevelopment Area (Area); and

WHEREAS, the Necessity Study confirmed the existence of slum and blighted areas in the area wherein the two parcels known as Guanabanas and Inlet Village Park are located; and

WHEREAS, Section 163.361, Florida Statutes, empowers and authorizes the Town to amend its Community Redevelopment Agency (Agency) Plan to expand the boundaries of the Area upon the recommendations of the Agency's Board of Commissioners ; and

WHEREAS, the Town of Jupiter, Florida ("Town") has completed a study of an area which is adjacent to the Agency's boundaries; and

WHEREAS, the Town has determined, based on this study that the area adjacent to the Agency's current boundary in the area known as the Inlet Village meets the statutory definition of a slum and blighted area, pursuant to the

"Community Redevelopment Act" of Part III of Chapter 163, Florida Statutes; and

WHEREAS, the Agency's boundaries are located adjacent to and contiguous with an area which includes two separate parcels of land which exhibit slum and blighted conditions and the two parcels are legally described and depicted in Exhibit "1", which is attached hereto and incorporated herein; and

WHEREAS, the rehabilitation, conservation or redevelopment, or any combination thereof of the two parcels legally described herein is necessary and in the best interest of the health, safety, morals, and general welfare of the residents and visitors of the Town of Jupiter; and

WHEREAS, the Town and Agency's staff have recommended the amendment of the Agency's Plan to expand the boundaries of the existing Area, to include the two parcels legally described herein; and

WHEREAS, the Town of Jupiter Town Council finds that it is in the best interest of its residents and visitors to include the two parcels legally described herein within the boundaries of the Agency's Area.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JUPITER, FLORIDA

Section 1. The above recitals are all true and accurate and are incorporated herein and made a part of this resolution.

Section 2. Pursuant to and in accordance with the provisions of Section 163.361, Florida Statutes, as amended, that the Town Council of the Town of Jupiter, Florida hereby, amends the Agency's Community Redevelopment Plan to expand the boundaries of the existing Area to include the following legally described parcels:

ADDITIONAL PARCEL 1:

Legal Description:

A parcel of land lying in Section 31, Township 40 South, Range 43 East, Palm Beach County Florida and being more particularly described as follows:

*From the intersection of the centerline of the State Road A1A with the South line of the said Section 31, run N 31degrees 21minutes and 17 seconds West, making an angle of 58 degrees, 43 minutes and 40 seconds when measured from the West to North, with the South line of said Section 31, a distance of 352.24 feet; thence North 63 degrees, 41 minutes and 17 seconds West, a distance of 329.03 feet to a point in the Southerly right-of-way line of State Road A1A (SR#5), and the **POINT OF BEGINNING** of the herein described parcel. Proceed then South 32 degrees, 14 minutes and 43 seconds West along the Northwesterly line of a parcel of land now or formally owned by William and Mildred Zamperini, as recorded in Deed Book 1339, page 549 records of Palm Beach County, Florida, a distance of 108.73 feet more or less to the waters of the Florida East Coast Canal, thence Westerly meandering the waters of the Florida East Coast Canal, a distance of 230 feet more or less; thence N 12 degrees, 22 minutes and 31 seconds East along the Easterly line of a parcel of land now or formerly the property of Albert and Elsie Derrick, as recorded in Deed Book 963, Page 84 Records of Palm Beach County, Florida, a distance of 129.66 feet more or less, to a point in the Southerly right-of-way line of State Road #5; thence South 63 degrees, 41 minutes and 17 seconds East, along said Southerly right-of-way line a distance of 272.00 feet to the **POINT OF BEGINNING**.*

ADDITIONAL PARCEL 2

Legal Description

Parcels of land in government lots 6 & 7, Section 31, Township 40 South, Range 43 East, described in Palm Beach County, Florida Official Records Book 14665, page 0490, Official Records Book 16227, page 1309, and Official Records Book 14778, page 1277, more particularly described as follows:

Begin at station 1180+23.1 on the southerly right-of-way line of US Highway One (now State Road A1A) as shown on amended plat of Jupiter Inlet Estates, Inc. as recorded in Plat Book 16, page 25, Palm Beach County, Florida Public Records.

Said point being the point of curvature of a curve concave to the Southwest having a radius of 922.40 feet and a tangent having as assumed bearing of N63 degrees, 00 minutes, 00 seconds W, which is the basis of bearings in this in this description;

thence Southeasterly along the arc of said curve 161.50 feet to the Easterly right-of-way line of the Old Jupiter and Lake Worth Railway as shown on the Plat of Jupiter as recorded in Plat Book 1, page 56, Palm Beach County, Florida public records;

*thence S21 degrees, 11 minutes, 28 seconds E along said Easterly right-of-way line 180.51 feet; thence S 83 degrees, 49 minutes, 39 seconds W 140.24 feet, more or less, to the shore of Lake Worth Canal; thence Northwesterly along said shore to a line which bears S32 degrees, 56 minutes and 00 seconds W from the **POINT OF BEGINNING**; thence N 32 degrees, 56 minutes, 00 seconds E, 112.07 feet, more or less, to the **POINT OF BEGINNING**.*

Section 3. The Mayor, Karen J. Golonka, is hereby authorized and directed to sign this Resolution and the Town Clerk is directed to maintain a copy in the Office of the Town Clerk.

Section 4. This Resolution shall be effective upon its adoption.

The foregoing Resolution was offered by Councilor Todd R. Wodraska, who moved its adoption. The motion was seconded by Councilor Robert M. Friedman, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR KAREN J. GOLONKA	X	
VICE-MAYOR JIM KURETSKI	X	
COUNCILOR ROBERT M. FRIEDMAN	X	
COUNCILOR WENDY HARRISON	X	
COUNCILOR TODD R. WODRASKA	X	

The Mayor thereupon declared the foregoing Resolution 22-11 duly passed and adopted this 17th day of May, 2011.

ATTEST:

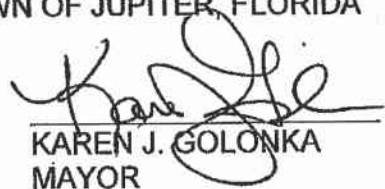

SALLY M. BOYLAN, MMC
TOWN CLERK

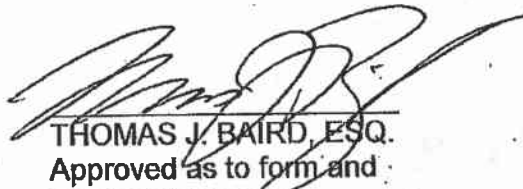
(TOWN SEAL)



TOWN OF JUPITER, FLORIDA


BY:


KAREN J. GOLONKA
MAYOR


THOMAS J. BAIRD, ESQ.
Approved as to form and
legal sufficiency

Attachment 3

I HEREBY CERTIFY THE ABOVE AND FOREGOING
IS A TRUE AND CORRECT COPY FROM THE
RECORDS IN THE TOWN CLERK'S OFFICE,
TOWN OF JUPITER, FLORIDA.


SALLY M. BOYLAN
TOWN CLERK



RESOLUTION NO. CRA 3- 11

A RESOLUTION OF THE JUPITER COMMUNITY REDEVELOPMENT AGENCY RECOMMENDING THAT THE TOWN OF JUPITER FLORIDA AMEND THE JUPITER COMMUNITY REDEVELOPMENT PLAN TO EXPAND THE BOUNDARIES OF THE EXISTING CRA AREA TO INCLUDE TWO PARCELS OF LAND, KNOWN AS GUANABANAS AND INLET VILLAGE PARK, WHICH ARE ADJACENT TO AN EXISTING BOUNDARY; AND PROVIDING FOR A FINDING OF NECESSITY FOR THE EXPANSION OF THE COMMUNITY REDEVELOPMENT AREA'S BOUNDARIES

WHEREAS, Planning and Redevelopment Consultants, Inc. ("PRC") conducted a Necessity Study (the "Necessity Study"), copy of which is on file in the Office of the Director of the CRA and the Office of the City Clerk, each located at 210 Military Trail, Jupiter, Florida 33458, to determine if slum or blighted areas, as defined by Section 163.340, Florida Statutes, existed within the boundaries of the Proposed Expanded CRA Area; and

WHEREAS, the Necessity Study confirmed the existence of slum and blighted areas in the Proposed Expanded CRA Area; and

WHEREAS, Section 163.361, Florida Statutes, empowers and authorizes the Town to amend its CRA Plan to expand the boundaries of the CRA Area upon the recommendations of the CRA Board of Commissioners ; and

WHEREAS, the Town of Jupiter, Florida ("Town") has completed a study on an area which is adjacent to the Jupiter Community Redevelopment Agency's (CRA) boundaries; and

WHEREAS, the Town has determined, based on this study that the area adjacent to the CRA's current boundary in the area known as the Inlet Village meets the statutory definition of a slum and blighted area, pursuant to the "Community Redevelopment Act" of Part III of Chapter 163, Florida Statutes; and

WHEREAS, the boundaries of CRA are located adjacent to and contiguous with an area which includes two separate parcels of land which exhibit slum and blighted conditions and the two parcels are legally described and depicted in Exhibit "1", which is attached hereto and incorporated herein; and

WHEREAS, the rehabilitation, conservation or redevelopment, or any combination thereof of the two parcels legally described herein is necessary and in the best interest of the health, safety, morals, and general welfare of the residents and visitors of the Town of Jupiter; and

WHEREAS, the Town and CRA staff has recommended the amendment of the CRA Plan to expand the boundaries of the existing CRA area, to include the two parcels legally described herein; and

WHEREAS, the CRA Board of Commissioners finds that it is in the best interest of the health, safety, morals or welfare of the residents and citizens of the Town of Jupiter that the CRA Plan be amended to include the two parcels legally described herein within the boundaries of the CRA Area.

NOW, THEREFORE, BE IT RESOLVED BY THE JUPITER COMMUNITY REDEVELOPMENT AGENCY OF THE TOWN OF JUPITER, FLORIDA

Section 1. The above recitals are all true and accurate and are incorporated herein and made a part of this resolution.

Section 2. Pursuant to and in accordance with the provisions of Section 163.361, Florida Statutes, as amended, the CRA Board of Commissioners hereby recommends that the Town Council of the Town of Jupiter, Florida, amend the CRA Plan to expand the boundaries of the present existing CRA Area to include within the CRA Area the following legally described parcels:

CRA ADDITIONAL AREA I.

Legal Description:

A parcel of land lying in Section 31, Township 40 South, Range 43 East, Palm Beach County Florida and being more particularly described as follows:

From the intersection of the centerline of the State Road A1A with the South line of said Section 31, run N 31 degrees 21 minutes and 17 seconds West, making an angle of 58 degrees, 43 minutes and 40 seconds when measured from the West to North, with the South line of said Section 31, a distance of 352.24 feet; thence North 63 degrees, 41 minutes and 17 seconds West, a distance of 329.03 feet to a point in the Southerly right-of-way line of State Road A1A (SR#5), and the **POINT OF BEGINNING** of the herein described parcel. Proceed then South 32 degrees, 14 minutes and 43 seconds West along the Northwesterly line of a parcel of land now or formally owned by William and Mildred Zamperini, as recorded in Deed Book 1339, page 549 records of Palm Beach County, Florida, a distance of 108.73 feet more or less to the waters of the Florida East Coast Canal, thence Westerly meandering the waters of the Florida East Coast Canal, a distance of 230 feet more or less; thence N 12 degrees, 22 minutes and 31 seconds East along the Easterly line of a parcel of land now or formerly the property of Albert and Elsie Derrick, as recorded in Deed Book 963, Page 84 Records of Palm Beach County, Florida, a distance of 129.66 feet more or less, to a point in the Southerly right-of-way line of State Road #5; thence South 63 degrees, 41 minutes and 17 seconds East, along said Southerly right-of-way line a distance of 272.00 feet to the **POINT OF BEGINNING.**

CRA ADDITIONAL AREA II.

Legal Description

Parcels of land in government lots 6 & 7, Section 31, Township 40 South, Range 43

East, described in Palm Beach County, Florida Official Records Book 14665, page 0490, Official Records Book 16227, page 1309, and Official Records Book 14778, page 1277, more particularly described as follows:

Begin at station 1180+23.1 on the southerly right-of-way line of US Highway One (now State Road A1A) as shown on amended plat of Jupiter Inlet Estates, Inc. as recorded in Plat Book 16, page 25, Palm Beach County, Florida Public Records. Said point being the point of curvature of a curve concave to the Southwest having a radius of 922.40 feet and a tangent having as assumed bearing of N63 degrees, 00 minutes, 00 seconds W, which is the basis of bearings in this in this description; thence Southeasterly along the arc of said curve 161.50 feet to the Easterly right-of-way line of the Old Jupiter and Lake Worth Railway as shown on the Plat of Jupiter as recorded in Plat Book 1, page 56, Palm Beach County, Florida public records; thence S21 degrees, 11 minutes, 28 seconds E along said Easterly right-of-way line 180.51 feet; thence S 83 degrees, 49 minutes, 39 seconds W 140.24 feet, more or less, to the shore of Lake Worth Canal; thence Northwesterly along said shore to a line which bears S32 degrees, 56 minutes and 00 seconds W from the **POINT OF BEGINNING**; thence N 32 degrees, 56 minutes, 00 seconds E, 112.07 feet, more or less, to the **POINT OF BEGINNING**.

Section 3. That Karen J. Golonka, Chair, is hereby authorized to sign this resolution for and on behalf of the CRA and the Clerk of the CRA is instructed to furnish a copy hereof to the members of the Town Council and to file a copy in the office of the Town Clerk.

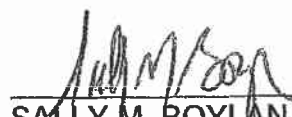
Section 4. This Resolution shall be effective upon its adoption.

The foregoing CRA Resolution was offered by Commissioner Wendy Harrison, who moved its adoption. The motion was seconded by, Commissioner Robert M. Friedman, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
CHAIR KAREN J. GOLONKA	X	
VICE-CHAIR JIM KURETSKI	X	
COMMISSIONER ROBERT M. FRIEDMAN	X	
COMMISSIONER WENDY HARRISON	X	
COMMISSIONER TODD R. WODRASKA	X	

The Mayor thereupon declared the foregoing CRA Resolution 3-11 duly passed and adopted this 11th day of May, 2011.

ATTEST:

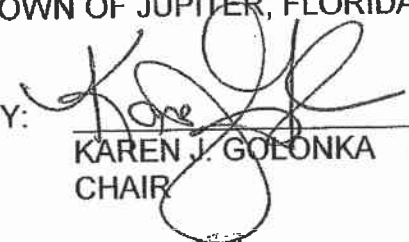

SALLY M. BOYLAN, MMC
BOARD CLERK

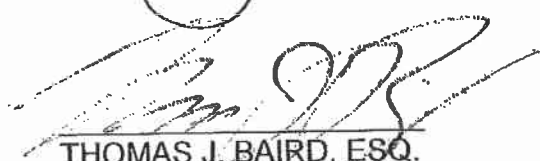
(TOWN SEAL)



TOWN OF JUPITER, FLORIDA

BY:


KAREN J. GOLONKA
CHAIR


THOMAS J. BAIRD, ESQ.
Approved as to form and
legal sufficiency

**TOWN OF JUPITER, FLORIDA
INVESTIGATION OF THE EXISTENCE
OF BLIGHTING CONDITIONS**

AND

**A FINDING OF NECESSITY FOR
REDEVELOPMENT**

FOR PARCELS

**30434031000060050, 30434031000060070,
30434031070000020, 30434031070000040**

AND

30434031070000010

May 4, 2010

Prepared by:

**Planning and Redevelopment
Consultants, Inc.**

**5062 NW 45th Avenue
Coconut Creek, Florida**

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SECTION ONE

BACKGROUND AND OVERVIEW

BACKGROUND

In November 2001, the Jupiter Town Council prepared and adopted a Finding of Necessity for the creation of a Community Redevelopment Agency (CRA) for a defined area within the Town of Jupiter and subsequently approved the creation of the Town of Jupiter CRA. The CRA was legally created upon the approval of Resolution 2001-0090 by the Palm Beach County Board of County Commissioners on January 2, 2002 which delegated powers under Section 163 Part III of the Florida Statutes to the Town of Jupiter (in a chartered county such as Palm Beach, the power to undertake activities outlined in Sec. 163 Part III, Fla. Stat. is vested in the County and not any municipality within its borders). While delegating a majority of powers to Jupiter, the Board of County Commissioner retained for the right to approve expansion of the Jupiter CRA.

In March 2011, the Jupiter Town Council and the Board of Commissioners of the Jupiter CRA determined that there was cause to believe that slum and/or blighting conditions existed in an area comprised of several parcels of land adjacent to the Inlet Village sub-area of CRA. This area consisted of five (5) parcels totaling 1.53 acres. Two (2) of these parcels comprise the property that is currently operated as Guanabanas restaurant and the remaining three (3) make up what is informally known as the Inlet Village Marina. In addition to the belief that blighting conditions exist in this area, the Town Council and CRA believe that investment by the CRA in these parcels could be beneficial to the success of the Inlet Village area and thus the CRA. Both entities believe that it would have been appropriate to include these parcels within CRA when it originally created however, these parcels were part of unincorporated Palm Beach County at the time and were not part of the Town of Jupiter. All five (5) parcels have subsequently been annexed by the Town, the two restaurant parcels on April 16, 2002 (Ordinance No. 27-02) and the three (3) Inlet Village Marina parcel on August 16, 2005 (Ordinance No. 5-05).

The Town of Jupiter and Jupiter CRA engaged Planning and Redevelopment Consultants, Inc. (PARC) in March of 2011 to prepare a study to document what blighting conditions (as defined by Section 163.346 (8)), if any, exist with the five (5) parcel area. PARC was also tasked with determining if there was sufficient justification to request the County allow an expansion of the Jupiter CRA to include this new study area.

FINDING OF NECESSITY

In order for the Town of Jupiter to expand the existing Town of Jupiter CRA to include the area of the subject five (5) parcels into the existing Town of Jupiter CRA, the conditions outlined in F.S. 163.340 (7) and/or F.S. 163.340 (8) must be found to exist just as these same conditions needed to be found when originally creating the CRA.

F.S. 163.340 (7) requires the following be met in order for a determination of “slum” to be verified:

(7) "Slum area" means an area having physical or economic conditions conducive to disease, infant mortality, juvenile delinquency, poverty, or crime because there is a predominance of buildings or improvements, whether residential or nonresidential, which are impaired by reason of dilapidation, deterioration, age, or obsolescence, and exhibiting one or more of the following factors:

- (a) Inadequate provision for ventilation, light, air, sanitation, or open spaces;
- (b) High density of population, compared to the population density of adjacent areas within the county or municipality; and overcrowding, as indicated by government-maintained statistics or other studies and the requirements of the Florida Building Code; or
- (c) The existence of conditions that endanger life or property by fire or other causes.

While some of the conditions that would satisfy subsection (c) above are present (specifically issues related to drainage in rights-of-way, lack of drainage on commercial properties, lack of sidewalks, and non-adherence to the Florida Accessibility Code throughout the neighborhoods and commercial areas), the majority of these conditions are not present within the defined study area.

Given this situation, attention is turned to F.S. 163.340 (8), the definition for the verification of "blight". In order for a finding of "blight" the following criteria must be met:

(8) "Blighted area" means an area in which there are a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained statistics or other studies, are leading to economic distress or endanger life or property, and in which two or more of the following factors are present:

- (a) Predominance of defective or inadequate street layout, parking facilities, roadways, bridges, or public transportation facilities;
- (b) Aggregate assessed values of real property in the area for ad valorem tax purposes have failed to show any appreciable increase over the 5 years prior to the finding of such conditions;
- (c) Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- (d) Unsanitary or unsafe conditions;
- (e) Deterioration of site or other improvements;
- (f) Inadequate and outdated building density patterns;
- (g) Falling lease rates per square foot of office, commercial, or industrial space compared to the remainder of the county or municipality;
- (h) Tax or special assessment delinquency exceeding the fair value of the land;
- (i) Residential and commercial vacancy rates higher in the area than in the remainder of the county or municipality;
- (j) Incidence of crime in the area higher than in the remainder of the county or municipality;
- (k) Fire and emergency medical service calls to the area proportionately higher than in the remainder of the county or municipality;
- (l) A greater number of violations of the Florida Building Code in the area than the number of violations recorded in the remainder of the county or municipality;
- (m) Diversity of ownership or defective or unusual conditions of title which prevent the free alienability of land within the deteriorated or hazardous area; or

(n) Governmentally owned property with adverse environmental conditions caused by a public or private entity.

However, the term "blighted area" also means any area in which at least one of the factors identified in paragraphs (a) through (n) are present and all taxing authorities subject to s. 163.387(2)(a) agree, either by interlocal agreement or agreements with the agency or by resolution, that the area is blighted. Such agreement or resolution shall only determine that the area is blighted. For purposes of qualifying for the tax credits authorized in chapter 220, "blighted area" means an area as defined in this subsection

As the conditions of blight, as defined by the statutes, are more evident and easier to document than the conditions of slum, a very small percentage of CRA's in the State of Florida have been established on the existence of slum conditions. This situation along with the difficulty in showing that slum conditions exist within a non-residential area of only 1.53 acres will cause the review of the potential expansion area to focus on whether blighting conditions alone exist in the area. Due to the need to complete this study within an extremely limited timeline, focus shall be given on physical conditions of blight; review of items requiring comparison to the remainder of the county or municipality shall not be undertaken.

THE POTENTIAL EXPANSION AREA

The potential expansion area consists of five parcels. Two properties are owned by Babalouie LTD, two are owned by the Town of Jupiter and one is under the ownership of the Jupiter Community Redevelopment Agency (purchased under the auspices of Section 163.370 (2) (c) 9). The Babalouie LTD parcels are under singular control and are operated as a single commercial entity, Guanabanas Restaurant. The remaining three parcels, although owned by different governmental entities, are essentially controlled by the Jupiter Town Council and the Jupiter CRA Board which both comprised of the members of the Town Council which, for purposes of this investigation, are considered to be under a singular control. These three government parcels are planned to become a public park/marina facility.

As these five parcels of land are actually operated as two "properties" each with their own use and not five individual parcels, this study will identify them by the two uses, the "Restaurant Site" for the Babalouie LTD parcels, and "Inlet Village Marina" for the remaining three parcels owned by the Town and the CRA (Map 1-1).

The following further identifies the parcels in the potential expansion area by the Parcel Control Number (PCN) and groups them as described above (See Exhibit A for maps and parcel information).

The Restaurant Site:

30434031000060050 (Babalouie LTD)

30434031000060070 (Babalouie LTD)

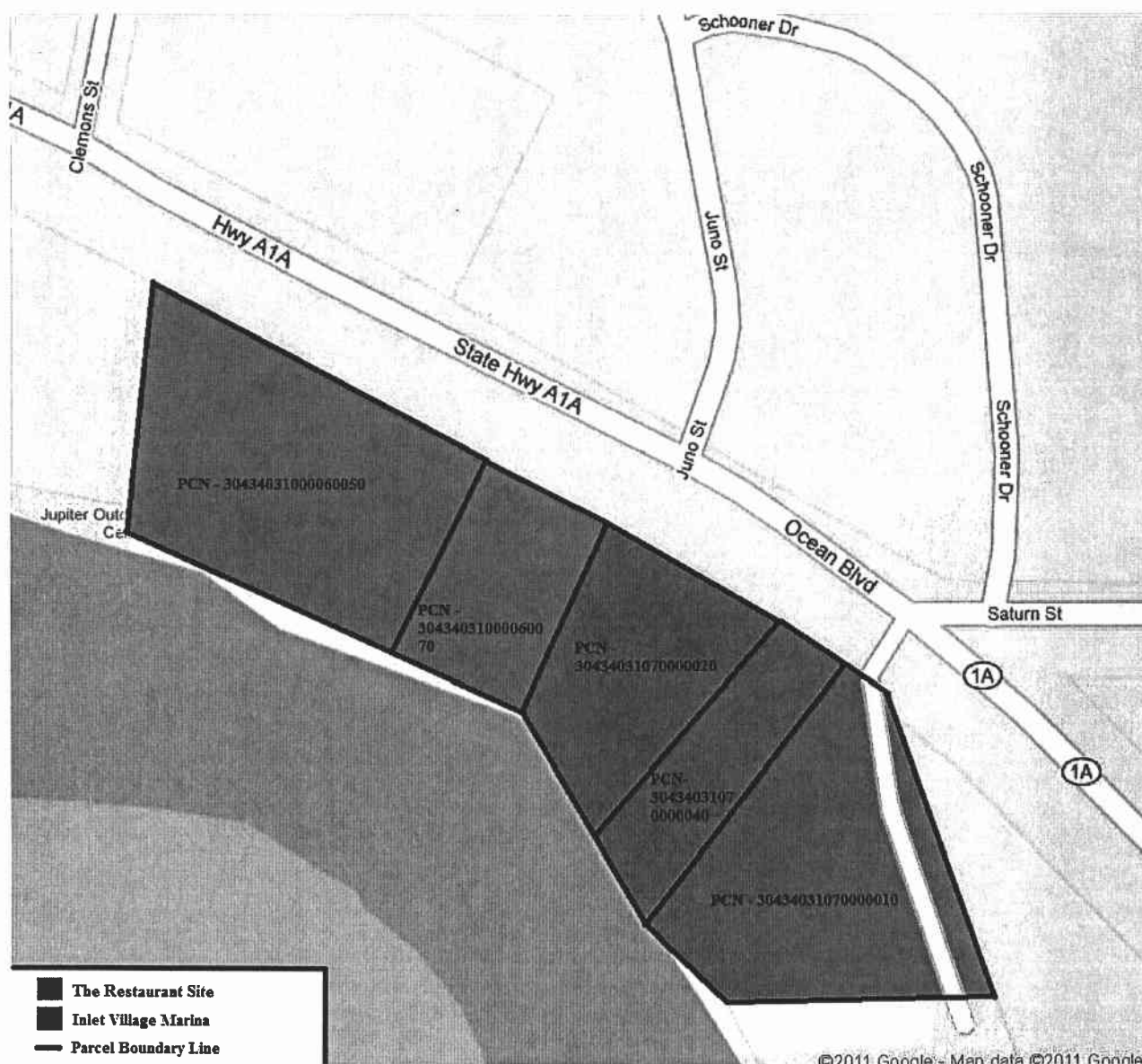
The Inlet Village Marina:

30434031070000020 (Town of Jupiter)

30434031070000040 (Town of Jupiter)

30434031070000010 (Jupiter CRA)

MAP 1-1
PARCELS REVIEWED
(The Restaurant Site and Inlet Village Marina)



SECTION TWO

EXISTING SITE CONDITIONS

SITE VISITATION

On April 6, 2011 and April 26, 2011 representatives of Planning and Redevelopment Consultants, Inc. visited the sites to document the basic conditions as they existed on those days. The following identifies the conditions found on each property.

The Restaurant Site

This site contains two parcels owned by Babalouie LTD. The combined site is approximately .62 acres and is currently occupied by Guanabanas Restaurant with a small portion of the property occupied by a vendor renting kayaks and boats. The site contains several small buildings, docks for small boats and a small customer drop-off driveway. Both parcels are zoned C-2 and have a future land use of Inlet Village Flex. The zoning and future land use are both consistent with surrounding parcels and the current restaurant and boating rental uses are allowable under the zoning and future land use.

Buildings

The restaurant itself is unique in that all the customer seating is not contained within a building(s) but is instead covered outdoor seating. Large, thatched roof structures protect patrons from rain and sun, however there are no walls to the dining areas and thus it is open to the elements. There are several smaller buildings on the site which include a small stage, a bar and restrooms, a small on-site kitchen and dishwashing area, and a small building occupied by the rental vendor. It should also be noted that the kitchen building is not large enough to be a full-kitchen so the restaurant maintains an off-site “prep” kitchen across A1A with food brought to the on-site kitchen by refrigerated truck for cooking and plating.

The main building on the property which houses the kitchen and dishwashing facilities, is experiencing significant deterioration issues. Two issues are of particular concern: the structure’s roof and the floor. The roof is experiencing significant deterioration due to age. In fact, on the date of PARC’s second visitation (April 26, 2011), workmen were undertaking an emergency patching of the roof to repair a failure. The open roof gave insight into the overall deteriorated nature of the roof (Photos 2-1 and 2-2).

This building is also of a raised-wood construction. The structure is not set on a concrete pad and thus in some areas deterioration and settling due to age is causing the floor to sag. The sagging is producing warping in the flooring and a buckling and breaking of flooring tiles which has become a hazard for the restaurant’s employees. (Photos 2-3 and 2-4).

Photo 2-1



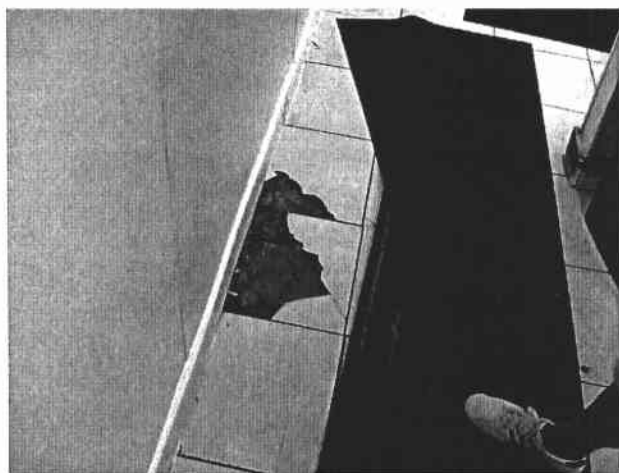
Guanabanas kitchen building emergency roof repair showing underlying deterioration.

Photo 2-2



Roof Shingles of different coloring show extent Multiple repairs (NOTE: Newer shingles at top of photo due to tie-in of a building addition not repairs).

Photo 2-3



Missing tiles due to warping floor in kitchen/dishwashing building.

Photo 2-4



Cracked tiles due to warping floor in the kitchen dishwashing building.

Other Structures/Site Improvements

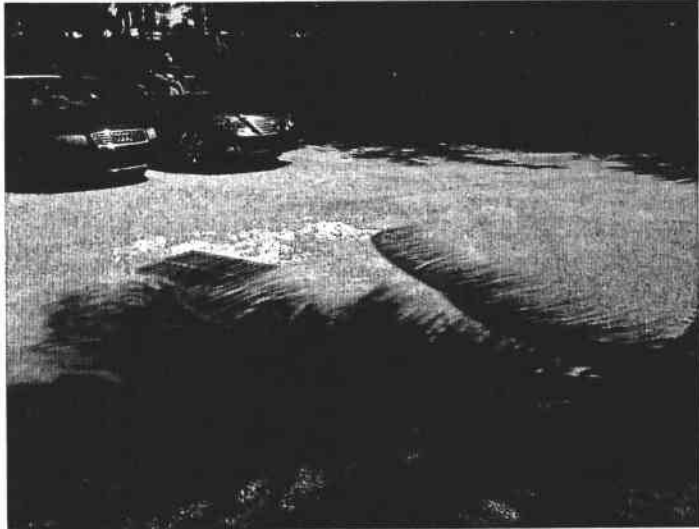
The site includes only two (2) parking spots thus, patrons and employees are forced to park in, or have their vehicles taken by valet to, a temporary parking lot owned by the CRA a block away from the restaurant's front entrance (Photo 2-5). This was allowed as a short-term situation by the Town to promote new activity in the area and it is unlikely any other similar use would receive such treatment. Should the existing user not continue, it is unlikely the Town would approve such an arrangement again as the CRA has long term plans to develop this lot and thus off-site parking could not be guaranteed.

Photo 2-5



CRA Temporary Parking Lot

Photo 2-6



Valet drop-off area with gravel washed from around drain.

There is an existing customer drop-off driveway at the restaurant. This area contains the two on-site parking spaces and a valet stand. The driveway is made of gravel on a coquina-type substrate. These materials have proven a maintenance issue during the rainy season as the gravel tends to wash away. The wash of the gravel plus debris from the extensive area landscaping has had a significant effect on site drainage. Drainage in the drop-off area consists of two connected French drains that collect stormwater from both the drop-off area as well as from within the dining area. These drains have become clogged with debris and this during heavy rains they do not perform as designed and cause overflow into the parking lot, specifically around the southernmost drain which is at a lower elevation. Visual inspection of the driveway shows evidence of these issues (Photos 2-6, 2-7 and 2-8). These conditions were verified by an on-site visit by Thompson & Associates Civil Engineering (Exhibit B).

Photo 2-7



Depression/rut showing damage from stormwater undermining Coquina base of drop-off area.

Photo 2-8



Wash-out of gravel and other debris into drain grate.

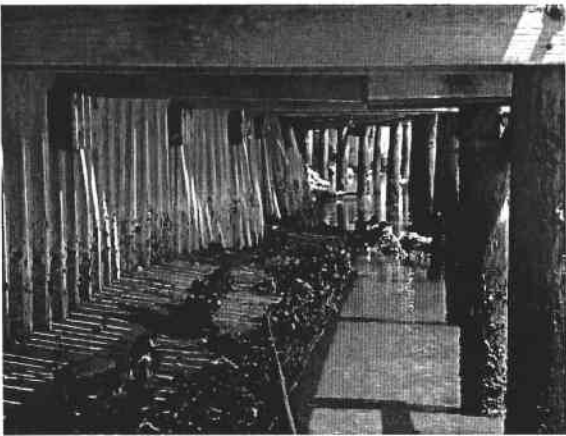
The site also contains a number of boat slips and docks including a walkway along the property's seawall on the river. The seawall which runs the entire length of the property along the Jupiter River Oxbow (approximately 230 feet), is failing. This seawall, which is a set of interlocking metal panels, is deteriorating and significantly corroded (Photo 2-9). The wall is noticeably bowed in several locations with rocks piled along the bows to prevent total failure of the seawall (Photos 2-10 and 2-11). Additionally where the wall is bowed, earth behind the wall has fallen into the void left behind the wall or under the wall into the river leaving significant gaps behind the wall (Photo 2-12, Photo 2-13). The Town Engineering Department identified in a letter dated May 13, 2009 to the restaurant owner, Chad Van Bovan, (Exhibit C) the unsafe nature of the seawall along this property and the remedies required. These conditions were also verified by an on-site visit by Thompson & Associates Civil Engineering (Exhibit B). No action has yet to be taken regarding this situation.

Photo 2-9



Metal Seawall showing significant corrosion including holes in the metal and several inches of at the bottom of the panels missing.

Photo 2-10



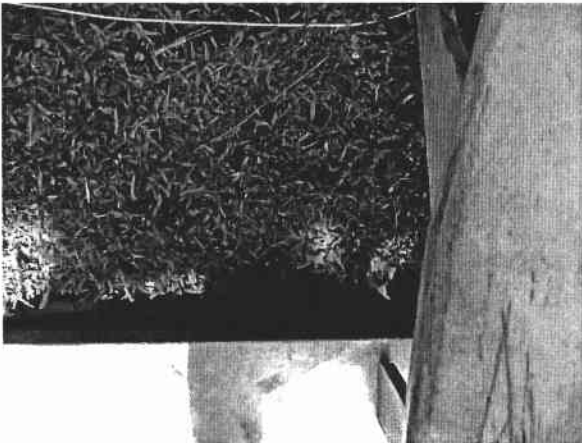
Bowing of The Restaurant site seawall.

Photo 2-11



Bowing of The Restaurant site seawall with rocks placed to prevent total failure and washout.

Photo 2-12



Open gap behind seawall exposing underground irrigation pipes

Photo 2-13



Open gap behind seawall.

The Inlet Village Marina Site

This site contains three parcels of which two are owned by the Town of Jupiter and one by the Jupiter CRA (a dependent special district of the Town). The site is .93 acres in total area. The property is currently vacant and not open for use though the Town recently completed grant-funded work to install public boat docks and replace the seawall along the length of the entire property (approximately 220 feet). The intent of the Town and CRAs is to transform this site into park with boating facilities and other active public uses. All three parcels are zoned C-2 and have a future land use of Inlet Village Flex. The zoning and future land use are both consistent with surrounding parcels and the intended uses as a public park and marina are allowable under the zoning and future land use.

Buildings

There are currently no buildings on this site.

Other Structures/Site Improvements

While the docks have been installed, there are no upland facilities whatsoever on the site to support boating or any other use (Photo 2-14). There are no on-site utilities and thus no running water for cleaning of the boating facilities, showers or restrooms. There are no open pedestrian connections to the adjacent properties which might allow sharing of such facilities and the entire site is enclosed by a chain link fence for safety (Photo 2-15) since the lack of facilities keeps it closed to the public. The chain link fencing along the north and west sides of the property is bent over, has been cut or is otherwise in a state of disrepair in several locations (Photo 2-16, Photo 2-17) and a wooden plank fence along the southern property line is deteriorated with the wood rotting, cracking and falling off the posts (Photo 2-18).

Photo 2-14



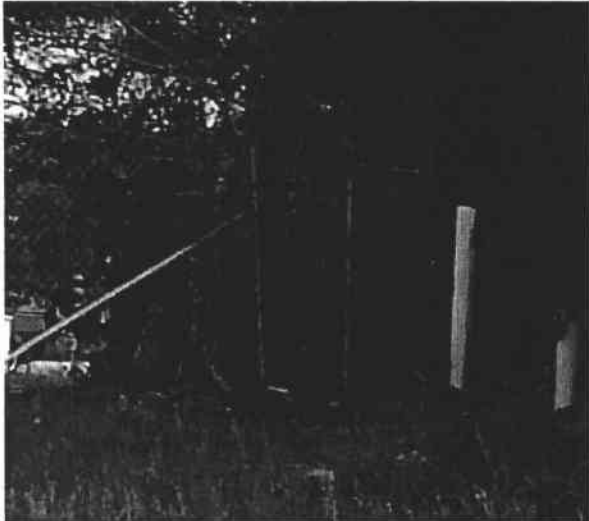
New Boat Docks w/ no Facilities.

Photo 2-15



Fenced marina site w/no upland support facilities

Photo 2-16



Inlet Village Marina fencing in disrepair

Photo 2-17



Inlet Village Marina fencing in disrepair

There are no parking facilities available (on or off-site) to support use of the property as would be required by the Town Zoning Code. Opportunity for use of the CRA owned parcel is hampered by an existing access easement for the adjacent property (Photo 2-19) and the parcel has limited frontage on A1A as the property to the immediate east has a triangular extension along the roadway frontage (Photo 2-20). Access potential to the site is also significantly hampered by anchoring wires stabilizing utility poles across the entire frontage of the site.

Photo 2-18



Dilapidated wooden plank fencing on the east property line of the Inlet Village Marina site

Photo 2-19



Adjacent property and access easement inhibiting use of Inlet Village Marina Property

Photo 2-20



CRA Parcel (Outlined) with Adjacent Property Frontage Topping the Parcel. Access Easement visible along property line.

SECTION THREE

FINDINGS AND RECOMMENDATIONS

FINDINGS OF THE INVESTIGATION

On-site visitations and review of all physical conditions in the Potential Expansion Area found conditions that warrant the labeling of the area as “blighted” according to definitions of blight contained in Section 163.340 (8), Fla. Stat. Existing conditions as documented through the photographs in this reports along with testimony obtained from the Town of Jupiter, Chad Van Bovan (owner of Guanabanas restaurant) and the civil engineering firm of Thompson and Associates, Inc. are proof that the following conditions exist within the Potential Expansion Area:

163.340 (8) – a substantial number of deteriorated or deteriorating structures:

The Restaurant site includes a seriously deteriorated and continuously deteriorating seawall structure as well as a deteriorating valet-drop off lot.

The Inlet Village Marina site is surrounded by chain link fencing which has several sections torn from the posts or in which the chain link has been cut.

These constitute a substantial number of deteriorated or deteriorating structures due to the limited amount of structures in this area.

163.340 (8) (a) – Predominance of defective or inadequate street layout, parking facilities, roadways, bridges or public transportation facilities:

The Restaurant site has no on-site parking and no prospects at this time for off-site parking in the long term as the lot currently being used is slated for future development.

The Inlet Village Marina site has no on-site or off-site parking available to it at this time. Additionally, the inclusion of a significant access roadway, which is shown on some maps as a street easement, to the adjacent lot significantly impedes the use of the Public Marina site.

163.340 (8) (c) – Faulty lot layout in relation to size, adequacy, accessibility, or usefulness:

The Inlet Village Marina site is “topped” by the triangular protrusion of the adjacent parcel to the east which impedes the accessibility and usefulness of the site. Additionally, the inclusion of a significant access roadway to the adjacent lot significantly impedes the usefulness of the Inlet Village Marina site.

163.340 (8) (d) – Unsanitary or unsafe conditions:

The Restaurant Site contains a seawall in a significant state of disrepair. There is a boardwalk area along the docks on the outside of the seawall that is used by patrons of the restaurant and boat owners and there are chairs along the inside of the seawall where significant gaps exist between the land and the seawall. Both of the conditions are unsafe to people utilizing this area as the seawall could fail or patrons could fall in the gaps behind the seawall.

The Inlet Village Marina site is unsanitary in its current condition if it is used or if its docks are utilized by the public as it contains no upland facilities for use by people visiting the site or by

boaters. This could promote boaters to pollute the river with sewage or trash and prevents proper cleaning of the docks. The sections of disrepair to the existing fencing are also safety hazards as the gaps allow people to trespass on the property while it is closed to the public.

163.340 (8) (e) – Deterioration of site or other improvements:

Conditions meeting this provision of the definitions are the same as those outlined in deteriorated or deteriorating structures:

The Restaurant site includes a seriously deteriorated and continuously deteriorating seawall structure as well as a deteriorating valet-drop off lot.

The Inlet Village Marina site is surrounded by chain link fencing which has several sections torn from the posts or in which the chain link has been cut.

Purpose for Inclusion into the CRA

There are several reasons for seeking inclusion of these properties into the CRA even though they will provide little or no direct increment revenue to the CRA in the near term and, in fact, would have resulted in a net decrease in revenue to the CRA over the past two years. Under the appropriate conditions, including these properties within the CRA would allow the CRA to fashion programs and/or purchase land that could alleviate all of the blighting conditions.

The Restaurant Site

Guanabanas Restaurant is a major draw to the Inlet Village area of the CRA as would be expected for any restaurant on this site as it is currently designed. However, the deficiencies on the site, including the condition of the seawall and the lack of a full-sized kitchen are of great concern to the Town and the CRA both as they relate to the health of the existing business and how they would impede the attraction of any new user to the site should this business falter. The CRA would like to find ways to assist the property and business owners remedy these existing deficiencies so that the site will continue to be a major draw to the area.

The Inlet Village Marina Site

This site is being contemplated as a major public gathering site within the CRA. Its purpose would be to serve as the central information point and meet-up site for all visitors to the Inlet Village area of the CRA. Currently there are no public park facilities located within the Inlet Village area that can serve this purpose. Often redevelopment efforts are jump-started by an investment in such a facility that can be used for festivals or other events that promote the area and lead to increased patronage of local businesses (Old School Square in Delray Beach is an excellent example of such investment). The Public Marina site could be such an area if it is included within the CRA.

There may also be opportunity to expand this facility and alleviate the adverse conditions due to the “topping” of the CRA parcel by purchasing the privately held parcel to the east of the site.

Impact on Taxing Authorities

It is important to note that the fiscal impact on the taxing authorities contributing increment to the Jupiter CRA would be minimal if these parcels were to be included in the CRA. The Public Marina site consists of three parcels that are currently held for public use and thus are tax-exempt. The Restaurant Site, while in private hands and generating property taxes, has dropped in value by 21.5% in the last year alone. Had this property been part of the CRA during this decline in value, the CRA would have experienced a loss of revenue and the taxing authorities would actually have had lower increment revenue payments to the CRA in the current year.

While this fiscal condition will not continue infinitum, the increment revenue contribution from the taxing authorities to the CRA would be insignificant while the improvements to the properties would allow the CRA to insure both sites would be draws to the Inlet Village area and would solidify future plans to make the area a major jobs creator and economic generator.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

It is believe that this study shows sufficient evidence and documentation to declare blight, as defined by Sec. 163.346(8), Fla. Stat., exists on the 5 (five) parcels that combined, make up the properties defined in this document as The Restaurant Site and the Inlet Village Marina. The Statute requires that a substantial number of deteriorated or deteriorating structures exist within the study area and at least two other factors from a list of 14 other potential factors. Investigation into the area that is the focus of this report shows a substantial number of deteriorated structures (which also considers the limited number of structures in the area) and four (4) of the other blighting factors as outlined above.

The parcels reviewed also show need for public intervention to promote the uses upon them as destination sites within the CRA that will induce additional activity on other properties in the Inlet Village Area of the CRA. There is a high potential for the minimal fiscal impact on the Town and County to be returned within a short timeframe due to additional private sector investment in the area.

It is recommended that the Town of Jupiter proceed with efforts to expand the Jupiter Community Redevelopment Area to include the five (5) parcels investigated.

EXHIBIT A

PARCEL
INFORMATION
AND MAPS



Gary R. Nikolits, CFA

Property Appraiser's Public Access System

Property Appraiser

PAINT BEACH COUNTY

House

Block

Neighborhood

City



Parcel Information

Search

Results

Tools

Print

Layers

How do I?

Owner Information

PCN: 30434031000060050

[View Property Details](#)

Name: BABALOUIE LTD

Location: 1000 N A 1A

Mailing: 810 SATURN ST STE 20

JUPITER, FL 33477 4456

Appraisal Value

Market Value:

\$634,075

Assessed Value:

\$634,075

Exempt Amnt:

\$0

Taxable:

\$634,075

Tax Value

Ad Valorem:

\$13,649.81

Non ad valorem:

\$851.20

Total:

\$14,501.01

Sales Info

Sale Date

Sale Price

12/15/1997

\$475,000

12/01/1989

\$415,000

01/01/1976

\$100



Gary R. Nikolits, CFA

Property Appraiser's Public Access System

Property Appraiser

PAI M B E A C H C O U N T Y

Home

Property Information

Location Address: 1000 N A1A

Municipality: JUPITER

Parcel Control Number: 30-43-40-31-00-006-0050

Subdivision:

Official Records Book: 10329 Page: 1296 Sale Date: Dec-1997

Legal Description: 31-40-43, NWLY 200 FT OF SELY 272 FT OF PAR IN OR10329P1296 IN GOV LT 6 LYG BET FEC CNL & SR A-1-A R/WS & NW OF & ADJ

View Map

Calculate Portability

2010 Proposed Tax Notice

Reverse Side Help

Owner Information

Name: BABALOUIE LTD

Mailing Address: 810 SATURN ST STE 20
JUPITER FL 33477 4456

All Owners

Sales Information

Sales Date	Book/Page	Price	Sale Type	Owner
Dec-1997	10329/1296	\$475,000	WARRANTY DEED	BABALOUIE LTD
Dec-1989	06310/1968	\$415,000	QUIT CLAIM	

Exemptions

Exemption Information Unavailable.

Appraisals

Tax Year:

2010	2009	2008
Improvement Value: \$100,190	\$116,865	\$0
Land Value: \$533,885	\$718,832	\$740,943
Total Market Value: \$634,075	\$835,697	\$740,943

Use Code: 2100- RESTAURANT

All values are as of January 1st each year

Property Information

Number of Units: 1

*Total Square Feet: 800

Acres: 0.4457

* May indicate living area in residential properties.

Assessed and Taxable Values

Tax Year:

2010	2009	2008
Assessed Value: \$634,075	\$835,697	\$740,943
Exemption Amount: \$0	\$0	\$0
Taxable Value: \$634,075	\$835,697	\$740,943

Structure Detail

Taxes

Tax Year:	2010	2009	2008
Ad Valorem:	\$13,650	\$17,106	\$14,142
Non Ad Valorem:	\$851	\$835	\$0
Total Tax:	\$14,501	\$17,941	\$14,142

Tax Calculator

Details

Tax Collector WebSite

NOTE: Lower the top and bottom margins to 0.25 on File->Page Setup menu option in the browser to print the detail on one page.



Parcel Information	
Search	Results Tools Print Layers
How do I?	
Owner Information	
PCN: 30434031000060070	
View Property Details	
Name: BABALOUIE LTD	
Location: 960 N A1A	
Mailing: 810 SATURN ST STE 20	
JUPITER, FL 33477 4456	
Appraisal Value	
Market Value:	\$271,224
Assessed Value:	\$271,224
Exempt Amnt:	\$0
Taxable:	\$271,224
Tax Value	
Ad Valorem:	\$5,838.67
Non ad valorem:	\$619.36
Total:	\$6,458.03
Sales Info	
Sale Date	Sale Price
12/15/1997	\$475,000
12/01/1989	\$415,000
03/01/1986	\$100

 Gary R. Nikanits, CFA
Property Appraiser
PALM BEACH COUNTY

Property Appraiser's Public Access System
Home

Property Information

Location Address: 960 N A1A

Municipality: JUPITER

Parcel Control Number: 30-43-40-31-00-006-0070

Subdivision:

Official Records Book: 10329 Page: 1296 Sale Date: Dec-1997

Legal Description: 31-40-43, SELY 72 FT OF PAR IN OR10329P1296 IN GOV LT 6 LYG BET
FEC CNL & SR A-1-A R/WS & NW OF & ADJ TO STA POINT

- View Map
- Calculate Portability
- 2010 Proposed Tax Notice
- Reverse Side
- Help

Owner Information

Name: BABALOUIE LTD

Mailing Address: 810 SATURN ST STE 20
JUPITER FL 33477 4456

All Owners

Sales Information

Sales Date	Book/Page	Price	Sale Type	Owner
Dec-1997	<u>10329/1296</u>	\$475,000	WARRANTY DEED	BABALOUIE LTD
Dec-1989	<u>06310/1968</u>	\$415,000	QUIT CLAIM	
Mar-1986	<u>04815/0721</u>	\$100	QUIT CLAIM	

Exemptions

Exemption Information Unavailable.

Appraisals

Tax Year:	2010	2009	2008
Improvement Value:	\$60,216	\$68,085	\$57,141
Land Value:	\$211,008	\$249,981	\$257,670
Total Market Value:	\$271,224	\$318,066	\$314,811

Use Code: 1100- STORES

All values are as of January 1st each year

Property Information

Number of Units: 2
*Total Square Feet: 0
Acres: 0.1761
* May indicate living area in residential properties.

Assessed and Taxable Values

Tax Year:	2010	2009	2008
Assessed Value:	\$271,224	\$318,066	\$314,811
Exemption Amount:	\$0	\$0	\$0
Taxable Value:	\$271,224	\$318,066	\$314,811

Structure Detail

Taxes

Tax Year:	2010	2009	2008
Ad Valorem:	\$5,839	\$6,511	\$6,009
Non Ad Valorem:	\$619	\$607	\$909
Total Tax:	\$6,458	\$7,118	\$6,918

Tax Collector WebSite

Tax Calculator

Details

NOTE: Lower the top and bottom margins to 0.25 on File->Page Setup menu option in the browser to print the detail on one page.



Gary R. Nikolits, CFA

Property Appraiser's Public Access System

Property Appraiser

PALM BEACH COUNTY

House

Block

Neighborhood

Parcel

Parcel Information

SearchResultsToolsPrintLayers

How do I?

Owner Information

PCN: 30434031070000010

[View Property Details](#)

Name: JUPITER CRA

Location: 18085 NA1A

Mailing: 210 MILITARY TRL

JUPITER, FL 33458 5786

Appraisal Value

Market Value:

Assessed Value:

Exempt Amnt:

Taxable:

\$593,868

\$593,868

\$593,868

\$0

Tax Value

Ad Valorem:

Non ad valorem:

Total:

\$.00

\$.00

\$.00

Sales Info

Sale Date

Sale Price

06/24/2009

\$10

08/01/2006

\$3,900,000

08/05/2004

\$10

11/10/2003

\$10

10/16/2003

\$10

01/10/2003

\$750,000

01/01/1988

\$100



Gary R. Nikolits, CFA

Property Appraiser's Public Access System

Property Appraiser

Palm Beach County

Home

Property Information

Location Address: 18085 N A1A

Municipality: JUPITER

Parcel Control Number: 30-43-40-31-07-000-0010

Subdivision: JUPITER INLET ESTS IN

Official Records Book: 23525 Page: 748 Sale Date: Jun-2009

Legal Description: JUPITER INLET ESTS NLY 180.19 FT AS MEAS ALONG E LI OF TH PT OF GOV LTS 6, 7 & OLD JUPITER/LAKE WORTH RY

View Map

Calculate Portability

2010 Proposed Tax Notice

Reverse Side Help

Owner Information

Name: JUPITER CRA

Mailing Address: 210 MILITARY TRL
JUPITER FL 33458 5786

All Owners

Sales Information

Sales Date	Book/Page	Price	Sale Type	Owner
Jun-2009	23525/0748	\$10	QUIT CLAIM	JUPITER CRA
Aug-2006	20741/1285	\$3,900,000	WARRANTY DEED	JUPITER TOWN OF
Aug-2004	17395/0591	\$10	QUIT CLAIM	COLEMAN WILLIAM A IV

All Sales

Exemptions

Applicant/Owner	Year	Detail
JUPITER CRA	2011	FULL: CRA'S AND DDA'S

Appraisals

Tax Year:	2010	2009	2008
Improvement Value:	\$0	\$0	\$0
Land Value:	\$593,868	\$659,832	\$680,249
Total Market Value:	\$593,868	\$659,832	\$680,249

Property Information
Number of Units: 0
Acres: 0.46

Use Code: 1000- VACANT COMMERCIAL

All values are as of January 1st each year

Assessed and Taxable Values

Tax Year:	2010	2009	2008
Assessed Value:	\$593,868	\$659,832	\$680,249
Exemption Amount:	\$593,868	\$659,832	\$680,249
Taxable Value:	\$0	\$0	\$0

Structure Detail

Taxes

Tax Year:	2010	2009	2008
Ad Valorem:	\$0	\$0	\$0
Non Ad Valorem:	\$0	\$0	\$0
Total Tax:	\$0	\$0	\$0

Tax Collector WebSite

Tax Calculator

Details

NOTE: Lower the top and bottom margins to 0.25 on File->Page Setup menu option in the browser to print the detail on one page.



Gary R. Nikolits, CFA

Property Appraiser's Public Access System

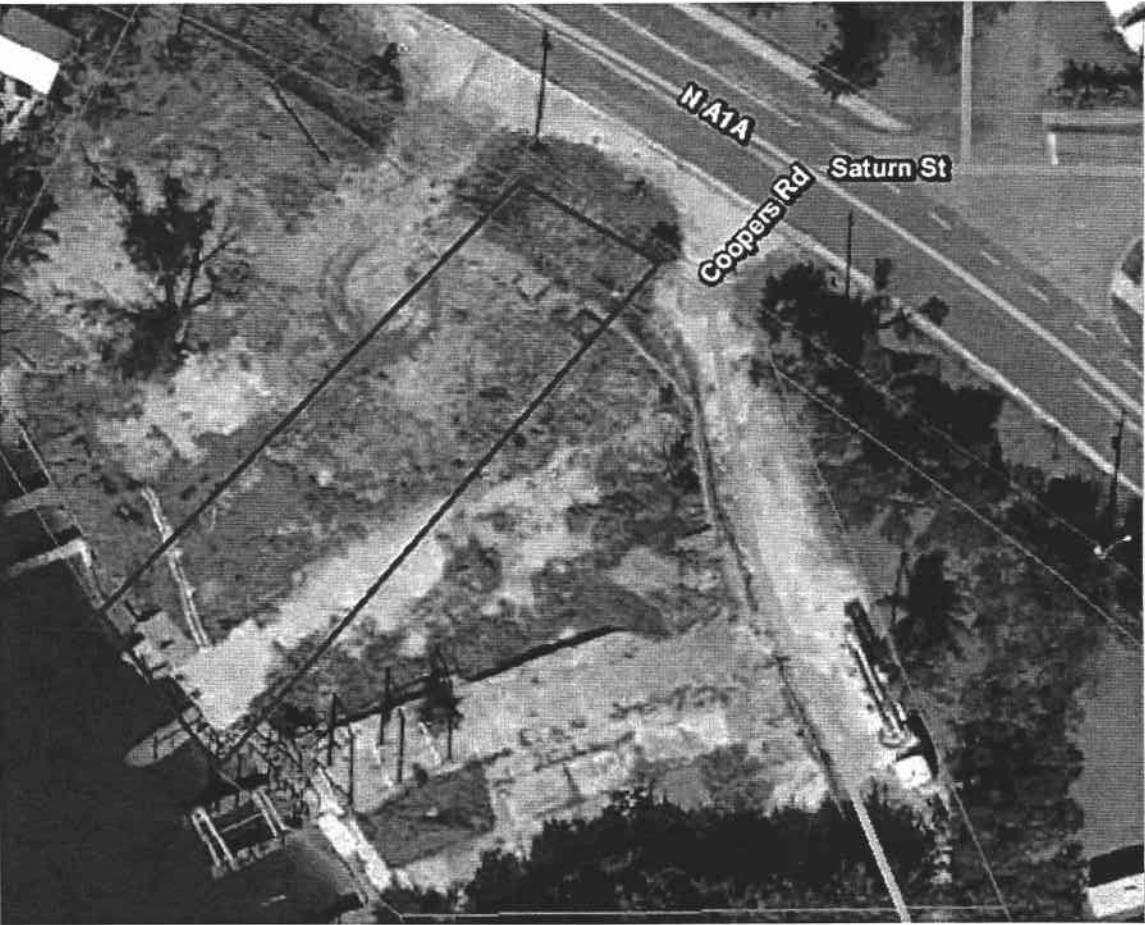
Property Appraiser

House

Block

Neighborhood

City



Parcel Information

Search

Results

Tools

Print

Layers

How do I?

Owner Information

PCN: 30434031070000040

[View Property Details](#)

Name: JUPITER TOWN OF

Location: NA1A

Mailing: 210 MILITARY TRL

JUPITER, FL 33458 5786

Appraisal Value

Market Value:

Assessed Value:

Exempt Amnt:

Taxable:

\$224,001

\$224,001

\$224,001

\$0

Tax Value

Ad Valorem:

Non ad valorem:

Total:

\$.00

\$.00

\$.00

Sales Info

Sale Date

Sale Price

08/01/2006

\$3,900,000

11/10/2003

\$10

01/24/2003

\$435,000

09/01/1984

\$100

 Gary R. Nikolett, CFA
Property Appraiser Palm Beach County
Property Appraiser's Public Access System

Home

Property Information

Location Address: N A1A

Municipality: JUPITER

Parcel Control Number: 30-43-40-31-07-000-0040

Subdivision: JUPITER INLET ESTS IN

Official Records Book: 20741 Page: 1285 Sale Date: Aug-2006

Legal Description: JUPITER INLEET ESTS SELY 40 FT OF NWLY 144.26 FT AS MEAS FROM POINT OF CURVE ALONG N LI OF TH PT OF GOV

View Map

Calculate Portability

2010 Proposed Tax Notice

Reverse Side Help

Owner Information

Name: JUPITER TOWN OF

Mailing Address: 210 MILITARY TRL
JUPITER FL 33458 5786

All Owners

Sales Information

Sales Date	Book/Page	Price	Sale Type	Owner
Aug-2006	20741/1285	\$3,900,000	WARRANTY DEED	JUPITER TOWN OF
Nov-2003	16187/0117	\$10	QUIT CLAIM	INLET VILLAGE MARINA INC
Jan-2003	14778/1277	\$435,000	WARRANTY DEED	COLEMAN WILLIAM IV

All Sales

Exemptions

Applicant/Owner	Year	Detail
JUPITER TOWN OF	2011	FULL: MUNICIPAL GOVERNMENT

Appraisals

Tax Year:	2010	2009	2008
Improvement Value:	\$0	\$0	\$0
Land Value:	\$224,001	\$248,882	\$256,583
Total Market Value:	\$224,001	\$248,882	\$256,583

Use Code: 8900- MUNICIPAL

All values are as of January 1st each year

Property Information

Number of Units: 0

Acres: 0.17

Assessed and Taxable Values

Tax Year:	2010	2009	2008
Assessed Value:	\$224,001	\$248,882	\$256,583
Exemption Amount:	\$224,001	\$248,882	\$256,583
Taxable Value:	\$0	\$0	\$0

Structure Detail

Taxes

Tax Year:	2010	2009	2008
Ad Valorem:	\$0	\$0	\$0
Non Ad Valorem:	\$0	\$0	\$0
Total Tax:	\$0	\$0	\$0

Tax Calculator

Details

Tax Collector WebSite

NOTE: Lower the top and bottom margins to 0.25 on File->Page Setup menu option in the browser to print the detail on one page.



Gary R. Nikolits, CFAProperty Appraiser's Public Access SystemProperty Appraiser

House

Block

Neighborhood

City



Parcel Information

Search

Results

Tools

Print

Layers

How do I?

Owner Information

PCN: 30434031070000020

[View Property Details](#)

Name: JUPITER TOWN OF

Location: 18089 N A1A

Mailing: 210 MILITARY TRL

JUPITER, FL 33458 5786

Appraisal Value

Market Value:

\$389,473

Assessed Value:

\$389,473

Exempt Amnt:

\$389,473

Taxable:

\$0

Tax Value

Ad Valorem:

\$.00

Non ad valorem:

\$.00

Total:

\$.00

Sales Info

Sale Date

Sale Price

08/01/2006

\$3,900,000

11/18/2003

\$1,000,000

03/01/1966

\$100

 Gary R. Nikolits, CFA
Property Appraiser's Public Access System
Property Appraiser
Palm Beach County

Home

Property Information

Location Address: 18089 N A1A

Municipality: JUPITER

Parcel Control Number: 30-43-40-31-07-000-0020

Subdivision: JUPITER INLET ESTS IN

Official Records Book: 20741 Page: 1285 Sale Date: Aug-2006

Legal Description: JUPITER INLET ESTS NWLY 104.26 FT FROM A POINT OF CURVE AS MEAS ALONG N LI OF TH PT OF GOV LTS 6, 7, &

View Map

Calculate Portability

2010 Proposed Tax Notice

Reverse Side Help

Owner Information

Name: JUPITER TOWN OF

Mailing Address: 210 MILITARY TRL
JUPITER FL 33458 5786

All Owners

Sales Information

Sales Date	Book/Page	Price	Sale Type	Owner
Aug-2006	20741/1285	\$3,900,000	WARRANTY DEED	JUPITER TOWN OF
Nov-2003	16227/1309	\$1,000,000	WARRANTY DEED	COLEMAN WILLIAM A IV
Mar-1966	01339/0549	\$100	WARRANTY DEED	

Exemptions

Applicant/Owner	Year	Detail
JUPITER TOWN OF	2011	FULL: MUNICIPAL GOVERNMENT

Appraisals

Tax Year:

	2010	2009	2008
Improvement Value:	\$20,514	\$22,606	\$34,375
Land Value:	\$368,959	\$409,941	\$422,626
Total Market Value:	\$389,473	\$432,547	\$457,001

Use Code: 8900- MUNICIPAL

All values are as of January 1st each year

Property Information

Number of Units: 2

*Total Square Feet: 0

Acres: 0.28

* May indicate living area in residential properties.

Assessed and Taxable Values

Tax Year:

	2010	2009	2008
Assessed Value:	\$389,473	\$432,547	\$457,001
Exemption Amount:	\$389,473	\$432,547	\$457,001
Taxable Value:	\$0	\$0	\$0

Structure Detail

Taxes

Tax Year:	2010	2009	2008
Ad Valorem:	\$0	\$0	\$0
Non Ad Valorem:	\$0	\$0	\$0
Total Tax:	\$0	\$0	\$0

[Tax Collector WebSite](#)

[Tax Calculator](#)

[Details](#)

NOTE: Lower the top and bottom margins to 0.25 on File->Page Setup menu option in the browser to print the detail on one page.

E X H I B I T B

VERIFICATION

LETTER FROM

THOMPSON &

ASSOCIATES

RE: SEAWALL &

DRAINAGE



Thompson & Associates

Civil Engineering

May 4, 2011

Town of Jupiter
c/o Jeffrey L. Oris, CEcD
Planning and Redevelopment Consultants, Inc.
5062 NW 45th Avenue
Coconut Creek, FL 33073

Reference: Statement of Engineer's Opinion

Dear Mr. Oris,

Please allow this Statement of Engineer's Opinion to clarify the integrity of the infrastructure for the commercial property located at 960 North AIA, Jupiter, Florida 33477. Currently operating on the property is Guanabanas Restaurant. The facility offers valet parking, off-site self parking, off-site prep-kitchen, and marina docking for small vessels. The following opinions are based on a site visit completed on April 26, 2011:

BULKHEAD INFRASTRUCTURE

The existing bulkhead is comprised of aluminum sheet piling which is showing significant signs of failure at several locations. The water interface of the bulkhead is pitted with corrosion which allows soil to migrate to the inter-coastal. In addition to the corrosion problem, the bottom of the bulkhead is noticeably bowing out demonstrating loss of toe support which usually means undermining of the sheet pile. It seems that most of the structural support provided for the upland property is directly from the original concrete bulkhead that was left intact when the aluminum sheet pile bulkhead was installed. Although attempts have been made to correct the problems, such as rip-rap placement at key locations and placement of fill behind the bulkhead, the bulkhead continues to deteriorate and soil continues to migrate into the inter-coastal. The loss of soil is undermining the property's infrastructure and filling in the marina portion of the inter-coastal which may require maintenance dredging to bring it back to its intended cross-section. In order to rectify this issue, a new bulkhead system needs to be installed in order to stop the migration of soil to the inter-coastal.

DRAINAGE INFRASTRUCTURE

The only existing drainage system on the site is located in the small valet drop-off area and handicapped parking lot. There are two (2) large catch basins connected with a short exfiltration trench system. After years of accepting stormwater runoff from the right-of-way, the system appears to be over-burdened and clogged with sediment. Simply cleaning the catch basins and perforated pipe would slightly improve the system's performance during a storm event; however the exfiltration trench portion outside of the pipe cannot be cleaned. The localized flooding that occurs on this area of the property can be avoided by either replacing the exfiltration trench in its entirety, or connecting the small drainage system to an outfall to provide positive discharge.

If you have any questions regarding this opinion letter, please contact me any time.

Respectfully submitted,

James F. Thompson, PE, LEED-AP
President, Thompson & Associates, Inc.

EXHIBIT C

TOWN OF JUPITER

LETTER TO CHAD

VAN BOVAN

RE: SEAWALL



TOWN OF JUPITER

DPIC
Tom D
file

in at Village
11/20/09

c: Tom L ✓

Chad Von Bovan
997 North A1A
Jupiter FL, 33477

John Zimmerman
997 North A1A
Jupiter FL, 33477

Rick Clegg
Babalouie, Ltd.
810 Saturn Street, suite 20
Jupiter, FL 33477-4456

RE: Guanabanas's Sea Wall
960 North A1A, Jupiter FL 33477

Gentlemen:

The Town's Engineering Department has identified several concerns regarding the condition of the sea wall at Guanabanas. Field observation indicates the sea wall is bowing and tilting in several locations.

The following immediate actions are necessary to mitigate these concerns.

1. Provide an independent engineering analysis of the sea wall to verify it is functionally capable of sustaining the current loading without failure.
2. Provide a mitigation plan which provides for repair of the sea wall as determined by the engineer.
3. Provide a separate engineering analysis on the functional stability of the existing deck and dock.
4. Acquire the necessary permits for all repairs identified within the two requested engineering reports.

Please provide this office with the requested reports and mitigation plan prepared by a state certified professional engineer within 10 days of receipt of this letter.

If you have any questions contact this office immediately.

Sincerely,

Robert Lecky, CBO
Building Department Director

C: Doug Koennicke, Town Engineer
Brenda Arnold, Riverwalk Project Manager