

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

5D-1

Meeting Date: 10/22/2013

[] 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 recommends motion to: **A) adopt** a resolution of the Board of County Commissioners (BCC) of Palm Beach County, Florida, granting a County tax exemption for four (4) historic properties located within the Town of Palm Beach; and **B) approve** restrictive covenant for the historic properties, requiring the qualifying improvements be maintained during the period that the tax exemption is granted.

Summary: The resolution will authorize a County tax exemption for the following historic properties located within the Town of Palm Beach:

- Address: 1 South County Road /The Breakers Palm Beach, Inc. (Commercial-Hotel)
- Address: 350 Worth Avenue /The Everglades Club, Inc. (Commercial-Private Club)
- Address: 691 North County Road (Residential)
- Address: 300 Barton Avenue (Residential)

If granted the tax exemption shall take effect January 1, 2014, and shall remain in effect for ten (10) years, or until December 31, 2023. 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. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$87,625 tax dollars will be exempted annually based on the 2014 Countywide Millage Rate. Accompanying each resolution is a restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. District 1 (RPB)

Background and Policy Issues: On October 17, 1995, the BCC adopted a historic property tax exemption ordinance, Ordinance No. 95-41, applicable countywide. 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.

The 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 ad valorem town tax exemption to the historic property.

The properties are for commercial and residential use.

Copies of the Town of Palm Beach Landmarks Preservation Commission and other back-up information for the properties are available for review at the County's Planning Division.

Attachments for each property:

1. Property Owner List
2. Resolution (2 copies)
3. Historic Preservation Property Tax Exemption Covenant (1 copy)
4. Town of Palm Beach Historic Tax Exemption Resolution (1 copy)

Recommended By: Rebecca D. Caldwell 10/1/13
Executive Director Date

Approved By: J. Baker 10/3/13
Deputy County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2014</u>	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	<u>\$87,625</u>	<u>\$87,625</u>	<u>\$87,625</u>	<u>\$87,625</u>	<u>\$87,625</u>
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	<u>\$87,625</u>	<u>\$87,625</u>	<u>\$87,625</u>	<u>\$87,625</u>	<u>\$87,625</u>
# 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 each 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 the structure. The estimated improvement costs attributed solely to work on these historic buildings totals \$18,325,843. Estimated exemption will be based upon the Countywide Millage Rate (4.7815), it is estimated that approximately \$87,625 tax dollars will be exempted annually.

The estimated total tax exempted for the ten years ending December 31, 2023 is \$876,250 (\$87,625 x 10).

C. Departmental Fiscal Review: *Pat DiGirolano*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

<u><i>Shaz</i></u> OFMB <i>8/20</i> <i>9/20</i> <i>9/20</i> <i>9/20/13</i>	<u><i>Dr. J. Jacobson</i></u> Contract Dev. and Control <i>10-1-13 B. Checkin</i>
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B. Legal Sufficiency:

[Signature]
 Assistant County Attorney

C. Other Department Review:

 Department Director

PROPERTY OWNER LIST

2014 Town of Palm Beach Historic Property Tax Exemption

Property Owner - Address - Use of Building

Owners: The Breakers Palm Beach, Inc.

Property: 1 South County Road
Palm Beach, FL 33480-0910

Use: Commercial Hotel

**RESOLUTION NO. R-2013-
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 1 SOUTH
COUNTY ROAD, 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 (31-93); and

WHEREAS, the property owner(s) The Breakers Palm Beach, Inc., filed a Preconstruction Application and received preliminary approval from the Town of Palm Beach Historic Preservation Board on April 7, 2011, for an ad valorem tax

exemption for the historic renovation and restoration of the property located at 1 South County Road, Palm Beach and

WHEREAS, the Town of Palm Beach Historic Preservation Board reviewed the Final Application on May 18 2011, 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 City tax exemption to The Breakers Palm Beach, Inc., for the restoration, renovation, and improvement to the property located at 1 South County Road, Palm Beach, and

WHEREAS, the Town of Palm Beach Commission on September 11, 2012 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 The Breakers Palm Beach, Inc., for the restoration, renovation, and improvement to the property located at 1 South County Road, 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, The Breakers Palm Beach, Inc., for a ten year period, commencing on January 1, 2014 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 at 1 South County Road, Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 96-08:

Tract 4 of Breakers Row Plat No. 1 – Replat, as recorded in Plat Book 46, page 188, Public Records of Palm Beach County.

2. Prior to the ad valorem tax exemption described herein being effective, The Breakers Palm Beach, 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:

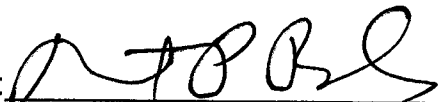
Commissioner Steven L. Abrams, Mayor
Commissioner Priscilla A. Taylor, Vice Mayor
Commissioner Hal R. Valeche
Commissioner Paulette Burdick
Commissioner Shelley Vana
Commissioner Mary Lou Berger
Commissioner Jess R. Santamaria

The Mayor there upon declared the Resolution duly passed and adopted this _____ Day of _____, 20__.

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

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FURTHER LEGALLY DESCRIBED HEREIN;
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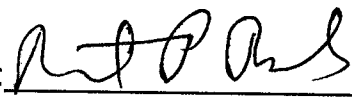
Commissioner Steven L. Abrams, Mayor
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Commissioner Paulette Burdick
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Commissioner Mary Lou Berger
Commissioner Jess R. Santamaria

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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

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made this _____ day of _____, 20__, by The Breakers Palm Beach, Inc. (hereinafter referred to as the Owner(s) 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 1 South County Road, Palm Beach, FL 33480, which is owned in fee simple by the Owners 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:

Tract 4 of Breakers Row Plat No 1-Replat, as recorded in Plat
Book 46, page 188, on file in the office of the Clerk of the Circuit
Court in and for Palm Beach County, Florida.

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, 2014 to December 31, 2023

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:

Town of Palm Beach
Planning, Zoning and Building Department
60 South County Road
Palm Beach, FL 33480
Telephone Number: (561) 227-6414

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): The Breakers Palm Beach, Inc.

Alex Gilmurray
Name

[Signature] U.P.
Signature / Title Finance

5/2/13
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: _____
Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: [Signature]
County Attorney

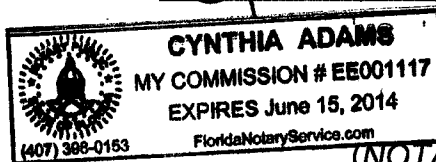
STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 2nd day of May, 2013 by Alex Gilman, who are personally known to me or who have produced _____, and _____, respectively, (indicate form of identification) (if left blank personal knowledge existed) as identification.

Cynthia Adams
Notary Public State of Florida

Notary Print Name:
Cynthia Adams



(NOTARY SEAL)

My Commission Expires:
6-15-14

RESOLUTION NO.105-2012

BREAKERS HOTEL
ONE SOUTH COUNTY ROAD

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 ARTICLE V OF CHAPTER 54, 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 Article V of Chapter 54 of the 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, 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 of 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 property hereinafter described in Section 2 of this Resolution, being listed in the National Register of Historic Places, is hereby approved for the Ad Valorem Tax Exemptions for Historic Properties, pursuant to the provisions of Article V of Chapter 54 of the Code of Ordinances of the Town of Palm Beach.

Section 2. The landmark is owned by The Breakers Palm Beach, Inc. and is located at One South County Road, Palm Beach. The property is legally described as follows:

Tax Folio Number: 50-43-43-22-24-004-0000

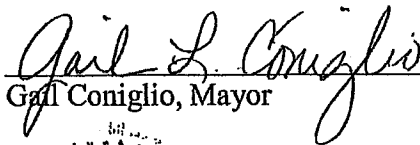
Legal Description: That part of Tract 4, Breakers Row Plat No. 1 - Replat, according to the Plat thereof as recorded in Plat Book 46, Page 188, Public Records of Palm Beach County, Florida which lies north of the following line:
Commencing at the northwest corner of said Tract 4 thence South 0 42'09" E a distance of 643.61 feet to a corner of said Tract 4 and the beginning of

the described line: thence N 89 17'56" a distance of 299.49 feet and thence N 85 32'03" E along a line of said Tract 4 and its easterly extension thereof to the Ordinary Highwater Line of the Atlantic Ocean and the end of said described line.

Section 3. The Town Clerk is hereby ordered to furnish the owner of the property a copy of this Resolution.

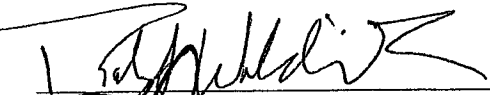
Section 4. By March 1, 2013, a copy of this Resolution with completed application for Ad Valorem Tax Exemptions will be filed with the Property Appraiser's Office as defined in and subject to the provision of Article V of Chapter 54 of the Code of Ordinances of the Town of Palm Beach, Florida.

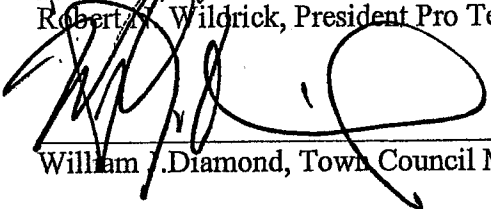
PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of September, 2012.


Gail Coniglio, Mayor


David A. Rosow, Town Council President



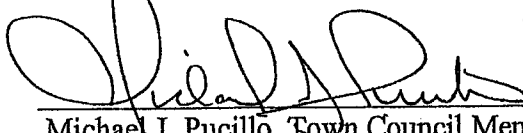

Robert Wildrick, President Pro Tem


William Diamond, Town Council Member

ATTEST:


Richard M. Kleid, Town Council Member


Susan A. Owens, MMC, Town Clerk


Michael J. Pucillo, Town Council Member

PROPERTY OWNER LIST

2014 Town of Palm Beach Historic Property Tax Exemption

Property Owner - Address - Use of Building

Owners: The Everglades Club, Inc.

Property: 350 Worth Avenue
Palm Beach, FL 33480

Use: Commercial- Private Club

**RESOLUTION NO. R-2013-
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BEACH COUNTY, FLORIDA, GRANTING
AN AD VALOREM TAX EXEMPTION FOR
THE HISTORIC REHABILITATION OF THE
PROPERTY LOCATED AT 350 WORTH
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LEGALLY DESCRIBED HEREIN;
PROVIDING AN EFFECTIVE DATE; AND
FOR OTHER PURPOSES.**

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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 (31-93); and

WHEREAS, the property owner(s) The Everglades Club, Inc., filed a Preconstruction Application and received preliminary approval from the Town of Palm Beach Historic Preservation Board on October 20, 2010, for an ad valorem tax

exemption for the historic renovation and restoration of the property located at 350 Worth Avenue, Palm Beach and

WHEREAS, the Town of Palm Beach Historic Preservation Board reviewed the Final Application on November 8, 2012, 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 City tax exemption to The Everglades Club, Inc., for the restoration, renovation, and improvement to the property located at 350 Worth Avenue, Palm Beach, and

WHEREAS, the Town of Palm Beach Commission on November 8, 2012, 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 The Everglades Club, Inc., for the restoration, renovation, and improvement to the property located at 350 Worth Avenue, Palm Beach.

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

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Royal Park ADD LTS 1 to 18 & 19 UN#D LT LYG BET BLKS 19 7 20 (LESS W 25 FT) & 27-43-43, FILLED LANDS LYG WLY OF & ADJ TO LT 1 BLK 19 & SLY OF & ADJ TO UN#D LT LYG BET BLKS 19 & 20 (LESS W 25 FT), according to the plat thereof, as recorded in the Public Records of Palm Beach County, Florida.

2. Prior to the ad valorem tax exemption described herein being effective, The Everglades Club, 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 Steven L. Abrams, Mayor
- Commissioner Priscilla A. Taylor, Vice Mayor
- Commissioner Hal R. Valeche
- Commissioner Paulette Burdick
- Commissioner Shelley Vana
- Commissioner Mary Lou Berger
- Commissioner Jess R. Santamaria

The Mayor there upon declared the Resolution duly passed and adopted this _____ Day of _____, 20__.

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

**RESOLUTION NO. R-2013-
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 350 WORTH
AVENUE, 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 (31-93); and

WHEREAS, the property owner(s) The Everglades Club, Inc., filed a Preconstruction Application and received preliminary approval from the Town of Palm Beach Historic Preservation Board on October 20, 2010, for an ad valorem tax

exemption for the historic renovation and restoration of the property located at 350 Worth Avenue, Palm Beach and

WHEREAS, the Town of Palm Beach Historic Preservation Board reviewed the Final Application on November 8, 2012, 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 City tax exemption to The Everglades Club, Inc., for the restoration, renovation, and improvement to the property located at 350 Worth Avenue, Palm Beach, and

WHEREAS, the Town of Palm Beach Commission on November 8, 2012, 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 The Everglades Club, Inc., for the restoration, renovation, and improvement to the property located at 350 Worth 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, The Everglades Club, Inc., for a ten year period, commencing on January 1, 2014 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 at 350 Worth Avenue, Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 96-08:

Royal Park ADD LTS 1 to 18 & 19 UN#D LT LYG BET BLKS 19 7 20 (LESS W 25 FT) & 27-43-43, FILLED LANDS LYG WLY OF & ADJ TO LT 1 BLK 19 & SLY OF & ADJ TO UN#D LT LYG BET BLKS 19 & 20 (LESS W 25 FT), according to the plat thereof, as recorded in the Public Records of Palm Beach County, Florida.

2. Prior to the ad valorem tax exemption described herein being effective, The Everglades Club, 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 Steven L. Abrams, Mayor
Commissioner Priscilla A. Taylor, Vice Mayor
Commissioner Hal R. Valeche
Commissioner Paulette Burdick
Commissioner Shelley Vana
Commissioner Mary Lou Berger
Commissioner Jess R. Santamaria

The Mayor there upon declared the Resolution duly passed and adopted this _____ Day of _____, 20__.

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

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made this _____ day of _____, 20___, by The Everglades Club, Inc., (hereinafter referred to as the Owner(s) 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 350 Worth 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:

Royal Park Add LTS 1 to 18 BLK 19 & UN#D LT LYG BET BLKS 19 & 20 (LESS W 25 FT) & 27-43-43, FILLED LANDS LYG WLY OF & ADJ TO LT 1 BLK 19 & SLY OF & ADJ TO UN#D LT LYG BET BLKS 19 & 20 (LESS W 25 FT), according to the plat thereof, as recorded in the Public Records of Palm Beach County, Florida.

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 which is from January 1, 2014 to December 31, 2023.

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:

Town of Palm Beach
Planning, Zoning and Building Department
60 South County Road
Palm Beach, FL 33480
Telephone Number: (561) 227-6414

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.

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.

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 11th day of April, 2013 by Scott Lese, who are personally known to me or who have produced _____, and _____, respectively, (indicate form of identification) (if left blank personal knowledge existed) as identification.

Padron

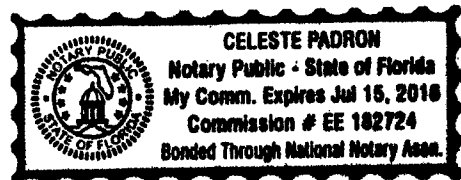
Notary Public State of Florida

Notary Print Name

Celeste Padron

My Commission Expires:

(NOTARY SEAL)



RESOLUTION NO. 174-2012

Everglades Club, 350 Worth Avenue
Kitchen Renovation, Phase I

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 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 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 of 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 property hereinafter described in Section 2 of this Resolution, being listed as a Landmark of the Town of Palm Beach, is hereby approved for the Ad Valorem Tax Exemptions for Historic Properties, pursuant to the provisions of Chapter 54, Article V.

Section 2. The landmark is owned by The Everglades Club and is located at 350 Worth Avenue, Palm Beach, Florida. The property is legally described as follows:

Tax Folio Number: 50-43-43-23-05-019-0010

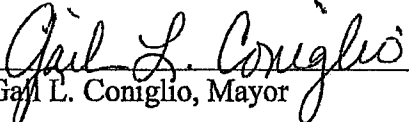
Legal Description: ROYAL PARK ADD LTS 1 TO 18 & UNMBRD LT W
OF LT1/LESS TR IN OR786P535/BK 19

Section 3. The Town Clerk is hereby ordered to furnish the owner of the property a copy of this Resolution.

Section 4. By March 1, a copy of this Resolution with completed application for Ad

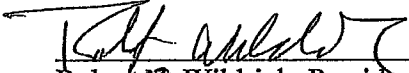
Valorem Tax Exemptions will be filed with the Property Appraiser's Office as defined in and subject to the provision of Chapter 54 of the Code of Ordinances of the Town of Palm Beach, Florida.

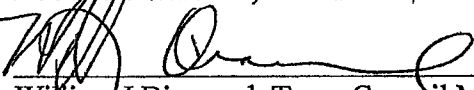
PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of December 2012.


Gail L. Coniglio, Mayor



David A. Rosow, Town Council President

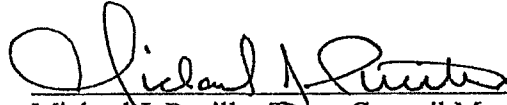



Robert M. Wildrick, President Pro-Tem


William J. Diamond, Town Council Member


Richard M. Kleid, Town Council Member


Susan A. Owens, MMC, Town Clerk


Michael J. Pucillo, Town Council Member

PROPERTY OWNER LIST

2014 Town of Palm Beach Historic Property Tax Exemption

Property Owner - Address - Use of Building

Owners: Peter E. Madden

Property: 300 Barton Avenue
Palm Beach, FL 33480

Use: Residential

RESOLUTION NO. R-2013-

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 300 BARTON AVENUE, 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 (31-93); and

WHEREAS, the property owner(s) Peter E. Madden, filed a Preconstruction Application and received preliminary approval from the Town of Palm Beach Historic Preservation Board on April 19, 2011, for an ad valorem tax

exemption for the historic renovation and restoration of the property located at 300 Barton Avenue, Palm Beach and

WHEREAS, the Town of Palm Beach Historic Preservation Board reviewed the Final Application on March 19, 2012, 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 City tax exemption to Peter E. Madden, for the restoration, renovation, and improvement to the property located at 300 Barton Avenue, Palm Beach, and

WHEREAS, the Town of Palm Beach Commission on March 19, 2012, 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 Peter E. Madden, for the restoration, renovation, and improvement to the property located at 300 Barton 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, Peter E. Madden, for a ten year period, commencing on January 1, 2014 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 at 300 Barton Avenue, Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 96-08:

PRIMAVERA ESTS (MIDDLE SEC) LT 40, according to the Plat thereof as recorded in Plat Book 7, Page 39 of the Public Records of Palm Beach County, Florida.

2. Prior to the ad valorem tax exemption described herein being effective, Peter E. Madden, 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 Steven L. Abrams, Mayor
Commissioner Priscilla A. Taylor, Vice Mayor
Commissioner Hal R. Valeche
Commissioner Paulette Burdick
Commissioner Shelley Vana
Commissioner Mary Lou Berger
Commissioner Jess R. Santamaria

The Mayor there upon declared the Resolution duly passed and adopted this _____ Day of _____, 2013.

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

RESOLUTION NO. R-2013-

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 300 BARTON AVENUE, 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 (31-93); and

WHEREAS, the property owner(s) Peter E. Madden, filed a Preconstruction Application and received preliminary approval from the Town of Palm Beach Historic Preservation Board on April 19, 2011, for an ad valorem tax

exemption for the historic renovation and restoration of the property located at 300 Barton Avenue, Palm Beach and

WHEREAS, the Town of Palm Beach Historic Preservation Board reviewed the Final Application on March 19, 2012, 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 City tax exemption to Peter E. Madden, for the restoration, renovation, and improvement to the property located at 300 Barton Avenue, Palm Beach, and

WHEREAS, the Town of Palm Beach Commission on March 19, 2012, 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 Peter E. Madden, for the restoration, renovation, and improvement to the property located at 300 Barton 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, Peter E. Madden, for a ten year period, commencing on January 1, 2014 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 at 300 Barton Avenue, Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 96-08:

PRIMAVERA ESTS (MIDDLE SEC) LT 40, according to the Plat thereof as recorded in Plat Book 7, Page 39 of the Public Records of Palm Beach County, Florida.

2. Prior to the ad valorem tax exemption described herein being effective, Peter E. Madden, 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 Steven L. Abrams, Mayor
Commissioner Priscilla A. Taylor, Vice Mayor
Commissioner Hal R. Valeche
Commissioner Paulette Burdick
Commissioner Shelley Vana
Commissioner Mary Lou Berger
Commissioner Jess R. Santamaria

The Mayor there upon declared the Resolution duly passed and adopted this _____ Day of _____, 2013.

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

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made this _____ day of _____, 20___, by Peter E. Madden, (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 300 Barton 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:

LOT 40, PRIMAVERA ESTATES (MIDDLE SECTION) according to the Plat thereof, as recorded in Plat Book 7, Page 39 of the Public Records of Palm Beach County, Florida.

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 which is from January 1, 2014 to December 31, 2023.

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:

Town of Palm Beach
Planning, Zoning and Building Department
60 South County Road
Palm Beach, FL 33480
Telephone Number: (561) 227-6414

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):

Peter E. Madden
Name


Signature

6-24-13
Date

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

ATTEST:

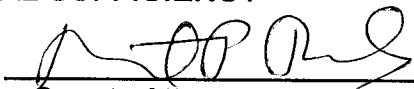
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock, Clerk & Comptroller

BY: _____
Deputy Clerk

BY: _____
Mayor

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 24th day of June, 2013 by Peter E. Menden, who are personally known to me or who have produced FLA DRIVER LICENSE, and BoFA card, respectively, (indicate form of identification) (if left blank personal knowledge existed) as identification.

Jeffrey L. Byrd
Notary Public State of Florida
BoFA card

JEFFREY L. BYRD
NOTARY PUBLIC
STATE OF RHODE ISLAND
MY COMMISSION EXPIRES MARCH 16, 2016

Notary Print Name:
Jeffrey L. Byrd

My Commission Expires:

03/16/2016

(NOTARY SEAL)

RESOLUTION NO.104-2012

300 BARTON 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 ARTICLE V OF CHAPTER 54 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 Article V of Chapter 54 of the 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, 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 of 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 property hereinafter described in Section 2 of this Resolution, listed as a Landmark of the Town of Palm Beach, is hereby approved for the Ad Valorem Tax Exemptions for Historic Properties, pursuant to the provisions of Article V of Chapter 54 of the Code of Ordinances of the Town of Palm Beach.

Section 2. The landmark is owned by Peter E. Madden and is located at 300 Barton Avenue, Palm Beach. The property is legally described as follows:

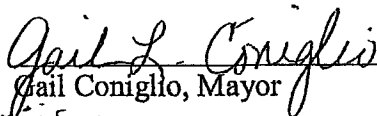
Tax Folio Number: 50-43-43-22-04-000-0400

Legal Description: Lot 40, Primavera Estates (Middle Section) according to the Plat thereof, as recorded in Plat Book 7, Page 39, of the Public Records of Palm Beach, County.

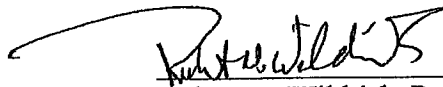
Section 3. The Town Clerk is hereby ordered to furnish the owner of the property a copy of this Resolution.

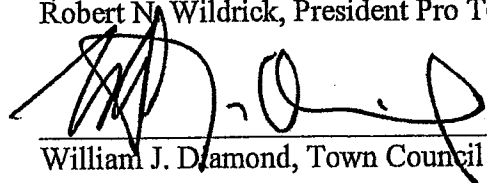
Section 4. By March 1, 2013, a copy of this Resolution with completed application for Ad Valorem Tax Exemptions will be filed with the Property Appraiser's Office as defined in and subject to the provision of Article V of Chapter 54 of the Code of Ordinances of the Town of Palm Beach, Florida.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 11th day of September, 2012.

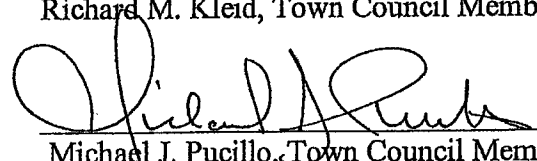

Gail Coniglio, Mayor


David A. Rosow, Town Council President


Robert N. Wildrick, President Pro Tem


William J. Diamond, Town Council Member


Richard M. Kleid, Town Council Member


Michael J. Pucillo, Town Council Member

ATTEST:


Susan A. Owens, MMC, Town Clerk

PROPERTY OWNER LIST

2014 Town of Palm Beach Historic Property Tax Exemption

Property Owner - Address - Use of Building

Owners: Harriet S. Cohen, James S. Cohen, Robert B. Cohen

Property: 691 North County Road
Palm Beach, FL 33480

Use: Residential

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made this _____ day of _____, 20____, by Harriet S. Cohen, James S. Cohen, Estate of Robert B. Cohen, (hereinafter referred to as the Owner(s) 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 691 North County Road, 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, x 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:

Leightons SUB LT 1 & N 905 FT LT 2 IN OR 2962 P1694 E CO RD & 11-43-43, S 140.12 FT of NLY 990 FT of GOV LT 2 LYG E of CO RD, according to the plat thereof, as recorded in the Public Records of Palm Beach County, Florida.

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 which is from January 1, 2014 to December 31, 2023.

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:

Town of Palm Beach
Planning, Zoning and Building Department
60 South County Road
Palm Beach, FL 33480
Telephone Number: (561) 227-6414

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.

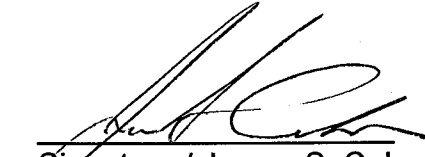
8. If it appears that the historical integrity of the features, materials, appearance, workmanship, and environment, or archaeological integrity which made the Property eligible for listing in the National Register of Historic Places or designation under the terms of the local preservation ordinance 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):

Harriet S. Cohen
Name


Signature / James S. Cohen
as Attorney in Fact for Harriet
S. Cohen

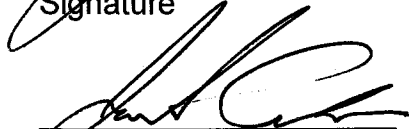
6/26/13
Date

James S. Cohen
Name


Signature

6/26/13
Date

Robert B. Cohen
Name


Signature / James S. Cohen
as Executor Estate of Robert
B. Cohen

6/26/13
Date

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

ATTEST:

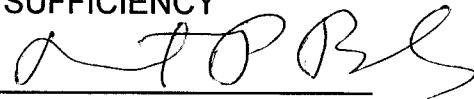
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Sharon R. Bock, Clerk & Comptroller

BY: _____
Deputy Clerk

BY: _____
Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: 
County Attorney

STATE OF ~~FLORIDA~~ NEW JERSEY

COUNTY OF ~~PALM BEACH~~ BERGEN

The foregoing instrument was acknowledged before me this 26th day of June, 2013 by James S. Cohen, 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~~ New Jersey

Notary Print Name:

Donna S. Fornal

My Commission Expires:

DONNA S FORNAL
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires January 16, 2014

(NOTARY SEAL)

RESOLUTION NO. 173-2012

691 North County Road

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 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 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 of 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 property hereinafter described in Section 2 of this Resolution, being listed as a Landmark of the Town of Palm Beach, is hereby approved for the Ad Valorem Tax Exemptions for Historic Properties, pursuant to the provisions of Chapter 54, Article V.

Section 2. The landmark is owned by Harriet S. Cohen, James S. Cohen & Robert B. Cohen and is located at 691 North County Road, Palm Beach, Florida. The property is legally described as follows:

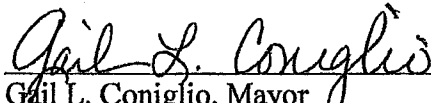
Tax Folio Number: 50-43-43-10-05-000-0010

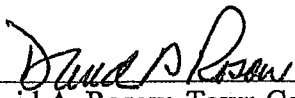
Legal Description: LEIGHTONS SUB LT 1 & N 9.5 FT LT 2 IN OR2962
PI694 E CO RD & 11-43-43, S 140.12 FT OF NLY 990 FT OF GOV LT
2 LYG E OF CO RD

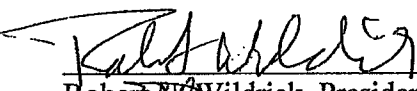
Section 3. The Town Clerk is hereby ordered to furnish the owner of the property a copy of this Resolution.

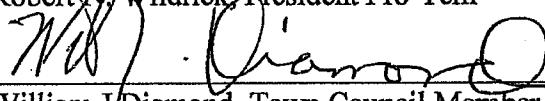
Section 4. By March 1, a copy of this Resolution with completed application for Ad Valorem Tax Exemptions will be filed with the Property Appraiser's Office as defined in and subject to the provision of Chapter 54 of the Code of Ordinances of the Town of Palm Beach, Florida.

PASSED AND ADOPTED in a regular, adjourned session of the Town Council of the Town of Palm Beach assembled this 12th day of December 2012.

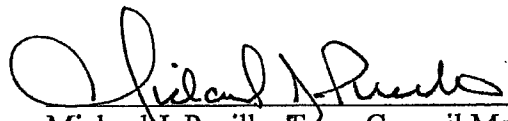

Gail L. Coniglio, Mayor


David A. Rosow, Town Council President


Robert W. Wildrick, President Pro-Tem


William J. Diamond, Town Council Member


Richard M. Kleid, Town Council Member


Michael J. Pucillo, Town Council Member




Susan A. Owens, MMC Town Clerk

RESOLUTION NO. R-2013-

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 691 NORTH COUNTY ROAD, 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 (31-93); and

WHEREAS, the property owner(s) Harriet S. Cohen, James S. Cohen, Robert B. Cohen, filed a Preconstruction Application and received preliminary approval from the Town of Palm Beach Historic Preservation Board on June 16,

2010, for an ad valorem tax exemption for the historic renovation and restoration of the property located at 691 North County Road, Palm Beach and

WHEREAS, the Town of Palm Beach Historic Preservation Board reviewed the Final Application on December 6, 2012, 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 City tax exemption to Harriet S. Cohen, James S. Cohen, Robert B. Cohen, for the restoration, renovation, and improvement to the property located at 691 North County Road, Palm Beach, and

WHEREAS, the Town of Palm Beach Commission on December 12, 2012, 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 Harriet S. Cohen, James S. Cohen, Robert B. Cohen, for the restoration, renovation, and improvement to the property located at 691 North County Road, 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, Harriet S. Cohen, James S. Cohen, Robert B. Cohen, for a ten year period, commencing on January 1, 2014 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 at 691 North County Road, Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 96-08:

Leightons SUB LT 1 & N 9.5 FT LT 2 IN OR 2962 P1694 E CO RD
& 11-43-43, S 140.12 FT of NLY 990 FT OF GOV LT 2 LYG E OF
CO RD according to the plat thereof, as recorded in the Public
Records of Palm Beach County.

2. Prior to the ad valorem tax exemption described herein being effective, Harriet S. Cohen, James S. Cohen, Robert B. Cohen, 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 Steve L. Abrams, Mayor
Commissioner Priscilla A. Taylor, Vice Mayor
Commissioner Hal R. Valeche
Commissioner Paulette Burdick
Commissioner Shelley Vana
Commissioner Mary Lou Berger
Commissioner Jess R. Santamaria

The Mayor there upon declared the Resolution duly passed and adopted this _____ Day of _____, 20__.

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

RESOLUTION NO. R-2013-

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 691 NORTH COUNTY ROAD, 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 (31-93); and

WHEREAS, the property owner(s) Harriet S. Cohen, James S. Cohen, Robert B. Cohen, filed a Preconstruction Application and received preliminary approval from the Town of Palm Beach Historic Preservation Board on June 16,

2010, for an ad valorem tax exemption for the historic renovation and restoration of the property located at 691 North County Road, Palm Beach and

WHEREAS, the Town of Palm Beach Historic Preservation Board reviewed the Final Application on December 6, 2012, 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 City tax exemption to Harriet S. Cohen, James S. Cohen, Robert B. Cohen, for the restoration, renovation, and improvement to the property located at 691 North County Road, Palm Beach, and

WHEREAS, the Town of Palm Beach Commission on December 12, 2012, 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 Harriet S. Cohen, James S. Cohen, Robert B. Cohen, for the restoration, renovation, and improvement to the property located at 691 North County Road, 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, Harriet S. Cohen, James S. Cohen, Robert B. Cohen, for a ten year period, commencing on January 1, 2014 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 at 691 North County Road, Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 96-08:

Leightons SUB LT 1 & N 9.5 FT LT 2 IN OR 2962 P1694 E CO RD
& 11-43-43, S 140.12 FT of NLY 990 FT OF GOV LT 2 LYG E OF
CO RD according to the plat thereof, as recorded in the Public
Records of Palm Beach County.

2. Prior to the ad valorem tax exemption described herein being effective, Harriet S. Cohen, James S. Cohen, Robert B. Cohen, 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 Steve L. Abrams, Mayor
Commissioner Priscilla A. Taylor, Vice Mayor
Commissioner Hal R. Valeche
Commissioner Paulette Burdick
Commissioner Shelley Vana
Commissioner Mary Lou Berger
Commissioner Jess R. Santamaria

The Mayor there upon declared the Resolution duly passed and adopted this _____ Day of _____, 20__.

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