

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY

Agenda Item #: 3J-4

Meeting Date: May 03, 2022

<input checked="" type="checkbox"/>	Consent	<input type="checkbox"/>	Regular
<input type="checkbox"/>	Workshop	<input type="checkbox"/>	Public Hearing

Department: Planning, Zoning, and Building Department

Submitted By: Planning Division

Submitted For: Planning Division

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to:

- A) **Adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 224 Almeria Road, West Palm Beach.
- B) **Approve** a tax exemption covenant for 224 Almeria Road, West Palm Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted.
- C) **Adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 406 35th Street, West Palm Beach.
- D) **Approve** a tax exemption covenant for 406 35th Street, West Palm Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted.
- E) **Adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 823 38th Street, West Palm Beach.
- F) **Approve** a tax exemption covenant for 823 38th Street, West Palm Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted.
- G) **Adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 3101 Washington Road, West Palm Beach.
- H) **Approve** a tax exemption covenant for 3101 Washington Road, West Palm Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted.
- I) **Adopt** a resolution of the Board of County Commissioners of Palm Beach County, Florida, granting a County tax exemption for the historic rehabilitation of the property located at 3815 Eastview Avenue, West Palm Beach.
- J) **Approve** a tax exemption covenant for 3815 Eastview Avenue, West Palm Beach, requiring the qualifying improvements be maintained during the 10-year period that the tax exemption is granted.

(Continued on page 3)

Attachments: Included are 3 sets for each of the listed properties.

- 1. Property Owner List
- 2. Resolution (2 copies)
- 3. Historic Preservation Property Tax Exemption Covenant (1 copy)
- 4. City of West Palm Beach Historic Tax Exemption Resolution (1 copy)
- 5. Tax Break Down by Property, Annual and 10 Year Total

Recommended by: A.W.F. [Signature]

Department Director

3/28/22
Date

Approved By: [Signature]

Assistant County Administrator

4/25/22
Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2022	2023	2024	2025	2026
Capital Expenditures					
Operating Costs					
External Revenues	\$17,237	\$17,237	\$17,237	\$17,237	\$17,237
Program Income(County)					
In-Kind Match(County)					
NET FISCAL IMPACT	\$17,237	\$17,237	\$17,237	\$17,237	\$17,237
#ADDITIONAL FTE POSITIONS (CUMULATIVE)					

Is Item Included in Current Budget? Yes No X
Does this item include the use of federal funds? Yes No X

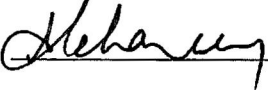
Budget Account No:
Fund Agency Organization Object

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 the most by the tax on the improvements made to the structure. The estimated improvement costs attributed solely to work to these historic buildings totals \$3,605,000.00 Estimated exemption will be based upon the Countywide Millage Rate (4.7815), it is estimated that approximately \$17,237.31 tax dollars will be exempted annually.

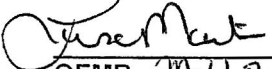
The estimated total tax exempted for the 10 years ending December 31, 2031, is \$172,373.08 (\$17,237.31 x 10).

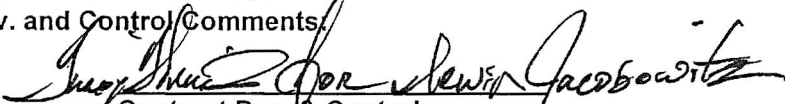
C. Departmental Fiscal Review:



III. REVIEW COMMENTS:

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


OFMB 4/7/22
MG 4/7/22


Contract Dev. & Control

B. Legal Sufficiency


Assistant County Attorney

4-14-22 TW

C. Other Department Review

Department Director

(THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT)

(Continued from page 1)

Summary: The resolution will authorize a County tax exemption for the following historic properties located within the City of West Palm Beach: 224 Almeria Road, (property is privately owned for residential use); 406 35th Street, (property is privately owned for residential use); 823 38th Street, (property is privately owned for residential use); 3101 Washington Road, (property is owned for residential use); and 3815 Eastview Avenue (property is privately owned for residential use).

If granted, the tax exemptions shall take effect January 1, 2022, and shall remain in effect for 10 years, or until December 31, 2031. The exemption shall apply to 100 percent of the assessed value of all improvements to the historic property, which resulted from restoration, renovation, or rehabilitation of the property. The estimated total tax exempted for the 10 years ending December 31, 2031, is \$172,373.08. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$17,237.31 tax dollars will be exempted annually based on the 2022 Countywide Millage Rate. Accompanying each resolution is a City of West Palm Beach approved restrictive covenant, which requires the qualifying improvements be maintained during the period that each tax exemption is granted. District 2 & 7 (DL)

Background and Justification: 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 Board of County Commissioners on April 2, 1996, R 96 442 D, authorizing the City of West Palm Beach Historic Preservation Board to perform the required review to implement the tax exemption ordinance on improvements to historic landmark properties within the City.

Copies of the City of West Palm Beach Landmarks Preservation Commission and other backup information for the properties are available for review at the County's Planning Division.

PROPERTY OWNER LIST

**2022 City of West Palm Beach
Historic Property Tax Exemption**

Property Owner - Address - Use of Building

Owners: Morgan Chong

Property: 224 Almeria Road
 West Palm Beach, FL 33405

Use: Residential

RESOLUTION NO. R-2022-

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 224 ALMERIA ROAD, WEST 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 have 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 have approved an Interlocal agreement with the City of West 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 City of West Palm Beach to the municipal historic preservation agency; and,

WHEREAS, this property has been certified as a qualified property by the City of West Palm Beach based on the fact that the property is a locally designated historic property or landmark, in accordance with local historic preservation ordinance (WPB Ordinance No. 3554-02); and,

WHEREAS, the property owner(s), Morgan Chong, filed a Preconstruction Application and received preliminary approval from the West Palm Beach Historic Preservation Board on February 27, 2018, for an ad valorem tax exemption for the

historic renovation and restoration of the property located at, 224 Almeria Road , West Palm Beach; and,

WHEREAS, the West Palm Beach Historic Preservation Board reviewed the Final Application on June 22, 2021, 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, Morgan Chong, for the restoration, renovation, and improvement to the property located at 224 Almeria Road, West Palm Beach; and,

WHEREAS, the West Palm Beach City Commission on January 24, 2022, determined that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation, and granted an ad valorem City tax exemption to, Morgan Chong, for the restoration, renovation, and improvement to the property located at, 224 Almeria Road, West 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 approve an ad valorem County tax exemption to the property owner(s), Morgan Chong, for a 10 year period, commencing on the January 1, 2022, 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, 224 Almeria Road, West Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 18-04C:

ALMERIA ADD LTS 10 & 11 BLK 2, according to the
Public Records of Palm Beach County, Florida.

2. Prior to the ad valorem tax exemption described herein being effective, Morgan Chong, 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 Robert S. Weinroth, Mayor
Commissioner Gregg K. Weiss, Vice Mayor
Commissioner Maria G. Marino
Commissioner Dave Kerner
Commissioner Maria Sachs
Commissioner Melissa McKinlay
Commissioner Mack Bernard

The Mayor thereupon 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 COMMISSIONER

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: _____
Asst. County Attorney

BY: _____
Deputy Clerk

DOS Form No. HR3E111292

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made this _____ day of _____, 20____, by Morgan Chong, (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 224 Almeria Road, West Palm Beach, FL, 33405 which is owned in fee simple by the Owner(s) 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:

ALMERIA ADD LTS 10 & 11 BLK 2, according to the Public Records of Palm Beach County, Florida.

In consideration of the tax exemption granted by the Local Government, the Owner(s) hereby agrees to the following for the period of the tax exemption, which is from January 1, 2022 to December 31, 2031

1. The Owner(s) 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(s) agrees that no structural alterations will be made to the Property without prior written permission of the Local Historic Preservation Office. The address of the certified Local Historic Preservation Office is, if one exists in the jurisdiction:

City of West Palm Beach
 Historic Preservation
 401 Clematis Street, Second Floor
 West Palm Beach, Florida 33401
 Telephone Number: (561) 822-1435

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(s) agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s).

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(s), the Local Historic Preservation Office shall notify the Owner(s) in writing. For the purpose of this Covenant, "gross negligence" means omission

of care which even inattentive and thoughtless persons never fail to take of their own property. The Owner(s) 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(s) 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(s) 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(s) and the Local Historic Preservation Office. If the Owner(s) 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(s) 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(s), transferees, and their heirs, successors, or assigns.

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

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

ATTEST:

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Joseph Abruzzo, Clerk & Comptroller

BY: _____
Deputy Clerk

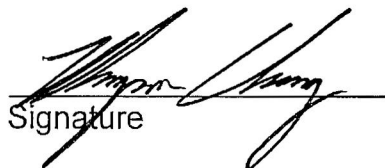
BY: _____
Robert S. Weinroth, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____
County Attorney

OWNER(S):


Morgan Chong
Name


Signature

2-18-2022
Date

WITNESS: (Signature)

(Print name)


DAVID W. LOCH

WITNESS: (Signature)

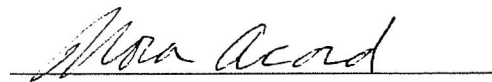
(Print name)


Jorge Perez

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [☒] physical presence or [] online notarization, this 18th day of February, 2022 by Morgan Chong, who are personally known to me or who have produced FL DL, and N/A, respectively, (indicate form of identification) (if left blank personal knowledge existed) as identification.


Notary Public State of Florida

Notary Print Name:

Nora Acord

My Commission Expires:

01-08-2023

(NOTARY SEAL)



NORA ACORD
Commission # GG 299283
Expires January 8, 2023
Bonded Thru Budget Notary Services

RESOLUTION NO. 12-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE PROPERTY LOCATED AT 224 ALMERIA ROAD, WEST PALM BEACH, FLORIDA, AS A RESULT OF THE HISTORIC REHABILITATION OF THE PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the Historic Preservation Program of the City of West Palm Beach, Florida, is designed to preserve, protect, enhance, and perpetuate resources which represent distinctive and significant elements of the City's historical, cultural, social, economic, political, archaeological, and architectural identity; and/or serve as visible reminders of the City's culture and heritage; and

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

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, Section 196.1997, Florida Statutes, establishes the process by which such exemption may be granted; and

WHEREAS, by Ordinance No. 3554-02, the City of West Palm Beach City Commission has approved an ad valorem tax exemption for the restoration, renovation, and/or improvement of historic properties, which Ordinance provides that on completion of the review of a Final Application/Request for Review of Completed Work, the Historic Preservation Planner shall present such Final Application in a regularly scheduled meeting of the Historic Preservation Board and shall recommend that the Historic Preservation Board grant or deny the exemption; and

WHEREAS, the property owner filed a preconstruction application and received preliminary approval from the Historic Preservation Board on February 27, 2018 for an ad valorem tax exemption upon completion of the historic renovation and restoration of the property located at 224 Almeria Road, West Palm Beach (the "Property"); and

WHEREAS, on June 22, 2021, the Historic Preservation Board reviewed the Completed Work Application and made a determination that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation, that the requirements of Sec. 196.1997 Florida Statutes have been met, and recommended granting an ad valorem City tax exemption for the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, that:

SECTION 1: The City Commission of the City of West Palm Beach, Florida, hereby finds

RESOLUTION NO. 12-22

that the completed improvements to the Property, as described in the application for ad valorem tax exemption filed with the City and in HPB Case No. 18-04 is consistent with the United States Secretary of Interior's Standards for Rehabilitation and the property meets the requirements of Florida Statutes Sec. 196.1997.

SECTION 2: In accordance with this finding, the City Commission hereby approves an ad valorem tax exemption for a ten-year period, commencing on January 1, 2022, and expiring December 31, 2031, from that portion of ad valorem taxes levied on the increase in assessed value resulting from the improvements, between the years 2018 and 2021, for the real property described as:

Property Owner: MORGAN CHONG
Address: 224 ALMERIA ROAD

Legal Description: ALMERIA ADD LTS 10 & 11 BLK 2

SECTION 3: Prior to the ad valorem tax exemption described herein being effective, the Property Owner shall execute and record in the Public Records of Palm Beach County, a restrictive covenant in a form established by the State of Florida, Department of State, Division of Historical Resources, requiring that the qualifying improvements must be maintained during the period for which the tax exemption is granted. A copy of the recorded covenant shall be provided to the City's Historic Preservation Planner.

SECTION 4: The City Clerk shall provide a certified copy of this Resolution to the City's Historic Preservation Planner, who shall forward it to the Palm Beach County Property Appraiser upon receipt of evidence that the restrictive covenant has been recorded.

SECTION 5: This Resolution shall take effect in accordance with law.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED THIS 24TH DAY OF JANUARY, 2022.



ATTEST:

X *Hazeline F. Carson*

CITY CLERK
Signed by: Hazeline F Carson

CITY OF WEST PALM BEACH BY
ITS CITY COMMISSION:

X *Keith A. James*

PRESIDING OFFICER
Signed by: Keith Alan James

APPROVED AS TO FORM AND
LEGALITY:

1/20/2022

X *Arlene J. Franconero*

CITY ATTORNEY
Signed by: Arlene J Franconero

PROPERTY OWNER LIST

2022 City of West Palm Beach
Historic Property Tax Exemption

Property Owner - Address - Use of Building

Owners: Michael Lichko and Lauren Lichko
Property: 406 35th Street
West Palm Beach, FL 33407
Use: Residential

RESOLUTION NO. R-2022-

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 406 35th STREET, WEST 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 have 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 have approved an Interlocal agreement with the City of West 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 City of West Palm Beach to the municipal historic preservation agency; and,

WHEREAS, this property has been certified as a qualified property by the City of West Palm Beach based on the fact that the property is a locally designated historic property or landmark, in accordance with local historic preservation ordinance (WPB Ordinance No. 3554-02); and,

WHEREAS, the property owner(s), Michael Lichko and Lauren Linchko, filed a Preconstruction Application and received preliminary approval from the West Palm Beach Historic Preservation Board on December 18, 2019, for an ad valorem tax

exemption for the historic renovation and restoration of the property located at, 406 35th Street, West Palm Beach; and,

WHEREAS, the West Palm Beach Historic Preservation Board reviewed the Final Application on July 23, 2021, 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, Michael Lichko and Lauren Lichko, for the restoration, renovation, and improvement to the property located at 406 35th Street, West Palm Beach; and,

WHEREAS, the West Palm Beach City Commission on January 24, 2022, determined that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation, and granted an ad valorem City tax exemption to, Michael Lichko and Lauren Lichko, for the restoration, renovation, and improvement to the property located at, 406 35th Street, West 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 approve an ad valorem County tax exemption to the property owner(s), Michael Lichko and Lauren Lichko, for a 10 year period, commencing on the January 1, 2022, 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, 406 35th Street, West Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 19-57

NORTHWOOD ADD LT 7 BLK 6 as recorded in the
Public Records of Palm Beach County, Florida.

2. Prior to the ad valorem tax exemption described herein being effective, Michael Lichko and Lauren Lichko, 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 Robert S. Weinroth, Mayor
- Commissioner Gregg K. Weiss, Vice Mayor
- Commissioner Maria G. Marino
- Commissioner Dave Kerner
- Commissioner Maria Sachs
- Commissioner Melissa McKinlay
- Commissioner Mack Bernard

The Mayor thereupon 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 COMMISSIONER

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: _____
Asst. County Attorney

BY: _____
Deputy Clerk

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made this _____ day of _____, 20____, by Michael Lichko and Lauren Lichko, (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 406 35th Street, West Palm Beach, FL, 33407 which is owned in fee simple by the Owner(s) 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:

NORTHWOOD ADD LT 7 BLK 6, as recorded in the Public Records of Palm Beach County, Florida.

In consideration of the tax exemption granted by the Local Government, the Owner(s) hereby agrees to the following for the period of the tax exemption, which is from January 1, 2022 to December 31, 2031

1. The Owner(s) 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(s) agrees that no structural alterations will be made to the Property without prior written permission of the Local Historic Preservation Office. The address of the certified Local Historic Preservation Office is, if one exists in the jurisdiction:

City of West Palm Beach
Historic Preservation
401 Clematis Street, Second Floor
West Palm Beach, Florida 33401
Telephone Number: (561) 822-1435

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(s) agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s).

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(s), the Local Historic Preservation Office shall notify the

Owner(s) in writing. For the purpose of this Covenant, "gross negligence" means omission of care which even inattentive and thoughtless persons never fail to take of their own property. The Owner(s) 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(s) 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(s) 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(s) and the Local Historic Preservation Office. If the Owner(s) 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(s) 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(s), transferees, and their heirs, successors, or assigns.

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

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

ATTEST:

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Joseph Abruzzo, Clerk & Comptroller

BY: _____
Deputy Clerk

BY: _____
Robert S. Weinroth, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____
County Attorney

OWNER(S):

Michael Lichko
Name

Michael Lichko
Signature

3/3/22
Date

Lauren Lichko
Name

Lauren Lichko
Signature

3/3/2022
Date

WITNESS: (Signature)

Cory Kether

(Print name)

Cory Kether

WITNESS: (Signature)

Chris DeCastro

(Print name)

Chris DeCastro

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 3 day of March, 2022 by Michael & Lauren Lichko, who are personally known to me or who have produced FLDL, and FLDL, respectively, (indicate form of identification) (if left blank personal knowledge existed) as identification.

Nilesh K. Parikh

Notary Public State of Florida

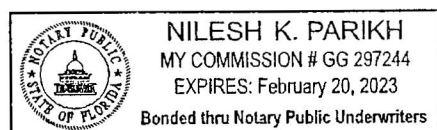
Notary Print Name:

NILESH PARIKH

My Commission Expires:

02/20/2023

(NOTARY SEAL)



RESOLUTION NO. 13-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE PROPERTY LOCATED AT 406 35th STREET, WEST PALM BEACH, FLORIDA, AS A RESULT OF THE HISTORIC REHABILITATION OF THE PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the Historic Preservation Program of the City of West Palm Beach, Florida, is designed to preserve, protect, enhance, and perpetuate resources which represent distinctive and significant elements of the City's historical, cultural, social, economic, political, archaeological, and architectural identity; and/or serve as visible reminders of the City's culture and heritage; and

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

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, Section 196.1997, Florida Statutes, establishes the process by which such exemption may be granted; and

WHEREAS, by Ordinance No. 3554-02, the City of West Palm Beach City Commission has approved an ad valorem tax exemption for the restoration, renovation, and/or improvement of historic properties, which Ordinance provides that on completion of the review of a Final Application/Request for Review of Completed Work, the Historic Preservation Planner shall present such Final Application in a regularly scheduled meeting of the Historic Preservation Board and shall recommend that the Historic Preservation Board grant or deny the exemption; and

WHEREAS, the property owner filed a preconstruction application and received preliminary approval from the Historic Preservation Board on December 18, 2019 for an ad valorem tax exemption upon completion of the historic renovation and restoration of the property located at 406 35th Street, West Palm Beach (the "Property"); and

WHEREAS, on July 23, 2021, the Historic Preservation Board reviewed the Completed Work Application and made a determination that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation, that the requirements of Sec. 196.1997 Florida Statutes have been met, and recommended granting an ad valorem City tax exemption for the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, that:

SECTION 1: The City Commission of the City of West Palm Beach, Florida, hereby finds

RESOLUTION NO. 13-22

that the completed improvements to the Property, as described in the application for ad valorem tax exemption filed with the City and in HPB Case No. 19-57 is consistent with the United States Secretary of Interior's Standards for Rehabilitation and the property meets the requirements of Florida Statutes Sec. 196.1997.

SECTION 2: In accordance with this finding, the City Commission hereby approves an ad valorem tax exemption for a ten-year period, commencing on January 1, 2022, and expiring December 31, 2031, from that portion of ad valorem taxes levied on the increase in assessed value resulting from the improvements, between the years 2019 and 2021, for the real property described as:

Property Owner: MICHAEL & LAUREN LICHKO

Address: 406 35th STREET

Legal Description: NORTHWOOD ADD LT 7 BLK 6

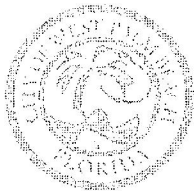
SECTION 3: Prior to the ad valorem tax exemption described herein being effective, the Property Owner shall execute and record in the Public Records of Palm Beach County, a restrictive covenant in a form established by the State of Florida, Department of State, Division of Historical Resources, requiring that the qualifying improvements must be maintained during the period for which the tax exemption is granted. A copy of the recorded covenant shall be provided to the City's Historic Preservation Planner.

SECTION 4: The City Clerk shall provide a certified copy of this Resolution to the City's Historic Preservation Planner, who shall forward it to the Palm Beach County Property Appraiser upon receipt of evidence that the restrictive covenant has been recorded.

SECTION 5: This Resolution shall take effect in accordance with law.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED THIS 24TH DAY OF JANUARY, 2022.



ATTEST:

X *Hazeline F. Carson*

CITY CLERK
Signed by: Hazeline F Carson

CITY OF WEST PALM BEACH BY
ITS CITY COMMISSION:

X *Keith A. James*

PRESIDING OFFICER
Signed by: Keith Alan James

APPROVED AS TO FORM AND
LEGALITY:

1/20/2022

X *Arlene J. Franconero*

CITY ATTORNEY
Signed by: Arlene J Franconero

PROPERTY OWNER LIST

2022 City of West Palm Beach
Historic Property Tax Exemption

Property Owner - Address - Use of Building

Owners: Austin McDaniel
Property: 823 38th Street
West Palm Beach, FL 33407
Use: Residential

RESOLUTION NO. R-2022-

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 823 38th STREET, WEST 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 have 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 have approved an Interlocal agreement with the City of West 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 City of West Palm Beach to the municipal historic preservation agency; and,

WHEREAS, this property has been certified as a qualified property by the City of West Palm Beach based on the fact that the property is a locally designated historic property or landmark, in accordance with local historic preservation ordinance (WPB Ordinance No. 3554-02); and,

WHEREAS, the property owner(s), Austin McDaniel, filed a Preconstruction Application and received preliminary approval from the West Palm Beach Historic Preservation Board on October 1, 2020, for an ad valorem tax exemption

for the historic renovation and restoration of the property located at, 823 38th Street, West Palm Beach; and,

WHEREAS, the West Palm Beach Historic Preservation Board reviewed the Final Application on March 23, 2021, 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, Austin McDaniel, for the restoration, renovation, and improvement to the property located at 823 38th Street, West Palm Beach; and,

WHEREAS, the West Palm Beach City Commission on January 24, 2022, determined that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation, and granted an ad valorem City tax exemption to, Austin McDaniel, for the restoration, renovation, and improvement to the property located at, 823 38th Street, West 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 approve an ad valorem County tax exemption to the property owner(s), Austin McDaniel, for a 10 year period, commencing on the January 1, 2022, 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, 823 38th Street, West Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 20-50:

NORTHWOOD ADD LTS 7 & 8 BLK 62, as recorded in
the Public Records of Palm Beach County, Florida.

2. Prior to the ad valorem tax exemption described herein being effective, Austin McDaniel, 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 Robert S. Weinroth, Mayor
Commissioner Gregg K. Weiss, Vice Mayor
Commissioner Maria G. Marino
Commissioner Dave Kerner
Commissioner Maria Sachs
Commissioner Melissa McKinlay
Commissioner Mack Bernard

The Mayor thereupon 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 COMMISSIONER

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: _____
Asst. County Attorney

BY: _____
Deputy Clerk

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made this _____ day of _____, 20____, by Austin McDaniel, (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 823 38th Street, West Palm Beach, FL, 33407 which is owned in fee simple by the Owner(s) 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:

NORTHWOOD ADD LTS 7 & 8 BLK 62, as recorded in the Public Records of Palm Beach County, Florida.

In consideration of the tax exemption granted by the Local Government, the Owner(s) hereby agrees to the following for the period of the tax exemption, which is from January 1, 2022 to December 31, 2031

1. The Owner(s) 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(s) agrees that no structural alterations will be made to the Property without prior written permission of the Local Historic Preservation Office. The address of the certified Local Historic Preservation Office is, if one exists in the jurisdiction:

City of West Palm Beach
Historic Preservation
401 Clematis Street, Second Floor
West Palm Beach, Florida 33401
Telephone Number: (561) 822-1435

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(s) agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s).
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(s), the Local Historic Preservation Office shall notify the

Owner(s) in writing. For the purpose of this Covenant, "gross negligence" means omission of care which even inattentive and thoughtless persons never fail to take of their own property. The Owner(s) 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(s) 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(s) 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(s) and the Local Historic Preservation Office. If the Owner(s) 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(s) 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(s), transferees, and their heirs, successors, or assigns.

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

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

ATTEST:

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Joseph Abruzzo, Clerk & Comptroller

BY: _____
Deputy Clerk

BY: _____
Robert S. Weinroth, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____
County Attorney

OWNER(S):

Austin McDaniel
Name

[Signature]
Signature

2-17-22
Date

WITNESS: (Signature) [Signature]
(Print name) APRIL DEAN PADUA

WITNESS: (Signature) [Signature]
(Print name) Nora Acord

STATE OF FLORIDA

COUNTY OF PALM BEACH

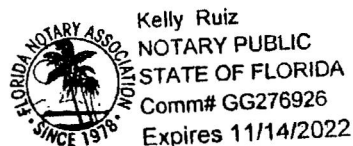
The foregoing instrument was acknowledged before me by means of [☒] physical presence or [] online notarization, this 17th day of February, 2022 by Austin McDaniel, who are personally known to me or who have produced A Driver's License, and N/A, respectively, (indicate form of identification) (if left blank personal knowledge existed) as identification.

[Signature]
Notary Public State of Florida

Notary Print Name:
Kelly Ruiz

My Commission Expires:
11/14/2022

(NOTARY SEAL)



RESOLUTION NO. 10-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE PROPERTY LOCATED AT 823 38th STREET, WEST PALM BEACH, FLORIDA, AS A RESULT OF THE HISTORIC REHABILITATION OF THE PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the Historic Preservation Program of the City of West Palm Beach, Florida, is designed to preserve, protect, enhance, and perpetuate resources which represent distinctive and significant elements of the City's historical, cultural, social, economic, political, archaeological, and architectural identity; and/or serve as visible reminders of the City's culture and heritage; and

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

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, Section 196.1997, Florida Statutes, establishes the process by which such exemption may be granted; and

WHEREAS, by Ordinance No. 3554-02, the City of West Palm Beach City Commission has approved an ad valorem tax exemption for the restoration, renovation, and/or improvement of historic properties, which Ordinance provides that on completion of the review of a Final Application/Request for Review of Completed Work, the Historic Preservation Planner shall present such Final Application in a regularly scheduled meeting of the Historic Preservation Board and shall recommend that the Historic Preservation Board grant or deny the exemption; and

WHEREAS, the property owner filed a preconstruction application and received preliminary approval from the Historic Preservation Section on October 1, 2020 for an ad valorem tax exemption upon completion of the historic renovation and restoration of the property located at 823 38th Street, West Palm Beach (the "Property"); and

WHEREAS, on March 23, 2021, the Historic Preservation Board reviewed the Completed Work Application and made a determination that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation, that the requirements of Sec. 196.1997 Florida Statutes have been met, and recommended granting an ad valorem City tax exemption for the Property.

RESOLUTION NO. 10-22

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, that:

SECTION 1: The City Commission of the City of West Palm Beach, Florida, hereby finds that the completed improvements to the Property, as described in the application for ad valorem tax exemption filed with the City and in HPB Case No. 20-50 is consistent with the United States Secretary of Interior's Standards for Rehabilitation and the property meets the requirements of Florida Statutes Sec. 196.1997.

SECTION 2: In accordance with this finding, the City Commission hereby approves an ad valorem tax exemption for a ten-year period, commencing on January 1, 2022, and expiring December 31, 2031, from that portion of ad valorem taxes levied on the increase in assessed value resulting from the improvements, between the years 2020 and 2021, for the real property described as:

Property Owner: AUSTIN MCDANIEL

Address: 823 38th STREET

Legal Description: NORTHWOOD ADD LTS 7 & 8 BLK 62

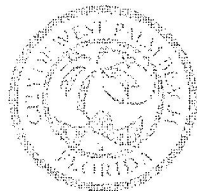
SECTION 3: Prior to the ad valorem tax exemption described herein being effective, the Property Owner shall execute and record in the Public Records of Palm Beach County, a restrictive covenant in a form established by the State of Florida, Department of State, Division of Historical Resources, requiring that the qualifying improvements must be maintained during the period for which the tax exemption is granted. A copy of the recorded covenant shall be provided to the City's Historic Preservation Planner.

SECTION 4: The City Clerk shall provide a certified copy of this Resolution to the City's Historic Preservation Planner, who shall forward it to the Palm Beach County Property Appraiser upon receipt of evidence that the restrictive covenant has been recorded.

SECTION 5: This Resolution shall take effect in accordance with law.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED THIS 24TH DAY OF JANUARY, 2022.



ATTEST:

X *Hazeline F. Carson*

CITY CLERK
Signed by: Hazeline F Carson

CITY OF WEST PALM BEACH BY
ITS CITY COMMISSION:

X *Keith A. James*

PRESIDING OFFICER
Signed by: Keith Alan James

APPROVED AS TO FORM AND
LEGALITY:

1/20/2022

X *Arlene J. Franconero*

CITY ATTORNEY
Signed by: Arlene J Franconero

PROPERTY OWNER LIST

**2022 City of West Palm Beach
Historic Property Tax Exemption**

Property Owner - Address - Use of Building

Owners: Optober Investments IV LLC.

Property: 3101 Washington Road
 West Palm Beach, FL 33405

Use: Residential

RESOLUTION NO. R-2022-

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 3101 WASHINGTON ROAD, WEST 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 have 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 have approved an Interlocal agreement with the City of West 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 City of West Palm Beach to the municipal historic preservation agency; and,

WHEREAS, this property has been certified as a qualified property by the City of West Palm Beach based on the fact that the property is a locally designated historic property or landmark, in accordance with local historic preservation ordinance (WPB Ordinance No. 3554-02); and,

WHEREAS, the property owner(s), Optober Investments IV LLC., filed a Preconstruction Application and received preliminary approval from the West Palm Beach Historic Preservation Board on December 19, 2018, for an ad valorem tax

exemption for the historic renovation and restoration of the property located at, 3101 Washington Road, West Palm Beach; and,

WHEREAS, the West Palm Beach Historic Preservation Board reviewed the Final Application on September 28, 2021, 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, Optober Investments IV LLC., for the restoration, renovation, and improvement to the property located at 3101 Washington Road, West Palm Beach; and,

WHEREAS, the West Palm Beach City Commission on January 24, 2022, determined that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation, and granted an ad valorem City tax exemption to, Optober Investments IV LLC., for the restoration, renovation, and improvement to the property located at, 3101 Washington Road, West 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 approve an ad valorem County tax exemption to the property owner(s), Optober Investments IV LLC., for a 10 year period, commencing on the January 1, 2022, 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, 3101 Washington Road, West Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 187-77:

PROSPECT PARK SOUTH LT BLK 0, as recorded in the
Public Records of Palm Beach County, Florida.

2. Prior to the ad valorem tax exemption described herein being effective, Optober Investments IV LLC., 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 Robert S. Weinroth, Mayor
Commissioner Gregg K. Weiss, Vice Mayor
Commissioner Maria G. Marino
Commissioner Dave Kerner
Commissioner Maria Sachs
Commissioner Melissa McKinlay
Commissioner Mack Bernard

The Mayor thereupon 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 COMMISSIONER

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: _____
Asst. County Attorney

BY: _____
Deputy Clerk

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made this _____ day of _____, 20____, by Optober Investments IV LLC, (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 3101 Washington Road, West Palm Beach, FL, 33405 which is owned in fee simple by the Owner(s) 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:

PROSPECT PARK SOUTH LT 1 BLK 0, as recorded in the Public Records of Palm Beach County, Florida.

In consideration of the tax exemption granted by the Local Government, the Owner(s) hereby agrees to the following for the period of the tax exemption, which is from January 1, 2022 to December 31, 2031

1. The Owner(s) 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(s) agrees that no structural alterations will be made to the Property without prior written permission of the Local Historic Preservation Office. The address of the certified Local Historic Preservation Office is, if one exists in the jurisdiction:

City of West Palm Beach
Historic Preservation
401 Clematis Street, Second Floor
West Palm Beach, Florida 33401
Telephone Number: (561) 822-1435

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(s) agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s).

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(s), the Local Historic Preservation Office shall notify the Owner(s) in writing. For the purpose of this Covenant, "gross negligence" means omission

of care which even inattentive and thoughtless persons never fail to take of their own property. The Owner(s) 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(s) 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(s) 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(s) and the Local Historic Preservation Office. If the Owner(s) 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(s) 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(s), transferees, and their heirs, successors, or assigns.

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

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

ATTEST:

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Joseph Abruzzo, Clerk & Comptroller

BY: _____
Deputy Clerk

BY: _____
Robert S. Weinroth, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____
County Attorney

OWNER(S): Optober Investments IV, LLC

Robert P. Jewell
Managing Member
Name/Title

Signature

Date

3/4/22

Barbara A. Jewell
Managing Member
Name/Title

Signature

Date

3/4/22

WITNESS: (Signature)

(Print name)

Derek A. Moses SR
Derek A. Moses SR

WITNESS: (Signature)

(Print name)

D. Thompson
Diamond Thompson

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence

or ☐ online notarization, this 4 day of March, 2022 by Robert Jewell, Barb

as Managing Member

(title of officer/member/partner)

and Barbara Jewell as Managing Member

(title of officer/member/partner)

for Optober Investments IV, LLC

(name of corporation/company/partnership)

on behalf of the corporation company/partnership, who is ☐ personally known to me or

(Circle one of the above)

has produced Drivers License and _____ (type of identification) as identification.

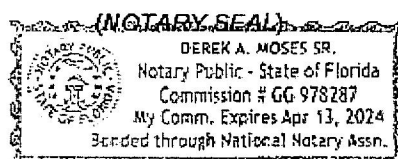
Derek A. Moses SR
Notary Public State of Florida

Notary Print Name:

Derek A. Moses SR

My Commission Expires:

13 April 2024



Name:
Address:



CFN 20220059608
QR BK 33290 PG 0754
RECORDED 02/08/2022 07:11:25
Palm Beach County, Florida
Joseph Abruzzo, Clerk
Pgs 0754 - 7591 (4pgs)

RESOLUTION NO. 14-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE PROPERTY LOCATED AT 3101 WASHINGTON ROAD, WEST PALM BEACH, FLORIDA, AS A RESULT OF THE HISTORIC REHABILITATION OF THE PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the Historic Preservation Program of the City of West Palm Beach, Florida, is designed to preserve, protect, enhance, and perpetuate resources which represent distinctive and significant elements of the City's historical, cultural, social, economic, political, archaeological, and architectural identity; and/or serve as visible reminders of the City's culture and heritage; and

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

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, Section 196.1997, Florida Statutes, establishes the process by which such exemption may be granted; and

WHEREAS, by Ordinance No. 3554-02, the City of West Palm Beach City Commission has approved an ad valorem tax exemption for the restoration, renovation, and/or improvement of historic properties, which Ordinance provides that on completion of the review of a Final Application/Request for Review of Completed Work, the Historic Preservation Planner shall present such Final Application in a regularly scheduled meeting of the Historic Preservation Board and shall recommend that the Historic Preservation Board grant or deny the exemption; and

WHEREAS, the property owner filed a preconstruction application and received preliminary approval from the Historic Preservation Board on December 19, 2018 for an ad valorem tax exemption upon completion of the historic renovation and restoration of the property located at 3101 Washington Road, West Palm Beach (the "Property"); and

WHEREAS, on September 28, 2021, the Historic Preservation Board reviewed the Completed Work Application and made a determination that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation, that the requirements of Sec. 196.1997 Florida Statutes have been met, and recommended granting an ad valorem City tax exemption for the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, that:

SECTION 1: The City Commission of the City of West Palm Beach, Florida, hereby finds

RESOLUTION NO. 14-22

that the completed improvements to the Property, as described in the application for ad valorem tax exemption filed with the City and in HPB Case No. 18-77 is consistent with the United States Secretary of Interior's Standards for Rehabilitation and the property meets the requirements of Florida Statutes Sec. 196.1997.

SECTION 2: In accordance with this finding, the City Commission hereby approves an ad valorem tax exemption for a ten-year period, commencing on January 1, 2022, and expiring December 31, 2031, from that portion of ad valorem taxes levied on the increase in assessed value resulting from the improvements, between the years 2018 and 2021, for the real property described as:

Property Owner: OPTOBER INVESTMENTS IV LLC

Address: 3101 WASHINGTON ROAD

Legal Description: PROSPECT PARK SOUTH LT 1 BLK 0

SECTION 3: Prior to the ad valorem tax exemption described herein being effective, the Property Owner shall execute and record in the Public Records of Palm Beach County, a restrictive covenant in a form established by the State of Florida, Department of State, Division of Historical Resources, requiring that the qualifying improvements must be maintained during the period for which the tax exemption is granted. A copy of the recorded covenant shall be provided to the City's Historic Preservation Planner.

SECTION 4: The City Clerk shall provide a certified copy of this Resolution to the City's Historic Preservation Planner, who shall forward it to the Palm Beach County Property Appraiser upon receipt of evidence that the restrictive covenant has been recorded.

SECTION 5: This Resolution shall take effect in accordance with law.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED THIS 24TH DAY OF JANUARY, 2022.



ATTEST:

X *Hazeline F. Carson*

CITY CLERK
Signed by: Hazeline F Carson

CITY OF WEST PALM BEACH BY
ITS CITY COMMISSION:

X *Keith A. James*

PRESIDING OFFICER
Signed by: Keith Alan James

APPROVED AS TO FORM AND
LEGALITY:

1/20/2022

X *Arlene J. Franconero*

CITY ATTORNEY
Signed by: Arlene J Franconero

STATE OF FLORIDA
COUNTY OF PALM BEACH
CITY OF WEST PALM BEACH

This copy is a true copy of the original
on file in this office. WITNESS my hand
and Official Seal: This 25th day of

January 20 22
City of West Palm Beach
By: *[Signature]* Deputy Clerk

Parcel Control Number: 74-43-43-34-05-015-0010

Location Address: 3101 WASHINGTON RD

Owner: OPTOBER INVESTMENTS IV LLC

Mailing Address: 17795 W 106TH ST STE 204,OLATHE KS 66061 3155

1st Sale: AUG-2018

Book/Page#: 30079 / 18

Price: \$895,000

Property Use Code: 0100 - SINGLE FAMILY

Zoning: SF14-C3 - Hist. SF High Density Cont. 3 (74-WEST PALM BEACH)

Legal Description: PROSPECT PARK SOUTH LT 1 BLK O

Total SF: 4056

Acres: 0.2591

2021 Values (Current)

Improvement Value: \$180,028

Land Value: \$638,000

Assessed Market Value: \$818,028

Assessed Value: \$774,522

Exemption Amount: \$0

Assessable Value: \$774,522

Values are as of January 1st each year.

2021 Taxes

Ad Valorem: \$17,142

Non Ad Valorem: \$278

Total Tax: \$17,420

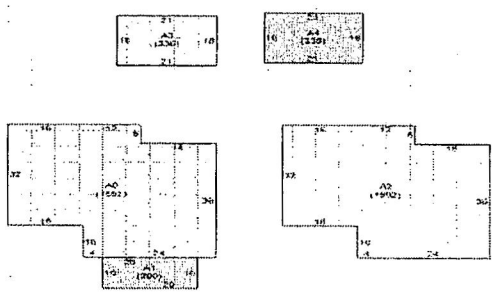
2022 Qualified Exemptions

No Details Found

Applicants

No Details Found

Building Footprint (Building 1)



Subarea and Square Footage (Building 1)

Description	Area Sq. Footage
UDG Unfinished Det. Garage	336
BAS Base Area	200
FUS Finished Upper Story	336
FUS Finished Upper Story	1592
BAS Base Area	1592
Total Square Footage :	4056
Total Area Under Air :	3720

Extra Features

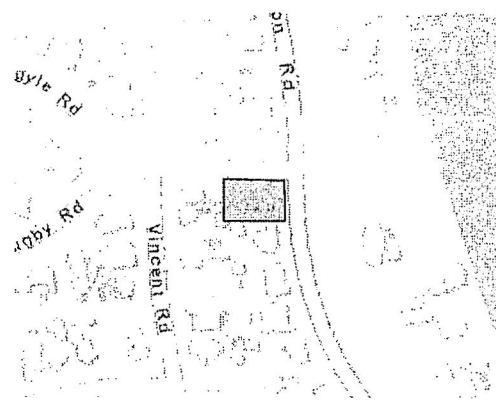
Description	Year Built	Unit
Pool - In-Ground	2021	1

Unit may represent the perimeter, square footage, linear footage, total number or other measurement.

Structural Details (Building 1)

Description	
1. Exterior Wall 1	WSF: STUCCO
2. Year Built	1920
3. Air Condition Desc.	HTG & AC
4. Heat Type	FORCED AIR DUCT
5. Heat Fuel	ELECTRIC
6. Bed Rooms	3
7. Full Baths	2
8. Half Baths	1
9. Exterior Wall 2	NONE
10. Roof Structure	GABLE/HIP
11. Roof Cover	ASPHALT/COMPOSITION
12. Interior Wall 1	DRYWALL
13. Interior Wall 2	N/A
14. Floor Type 1	HARDWOOD
15. Floor Type 2	N/A
16. Stories	2

MAP



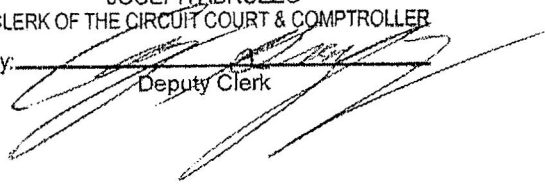
rothy Jacks, CFA, AAS PALM BEACH COUNTY PROPERTY APPRAISER

www.pbegov.org/PAPA

2/2/2022

Owner: OPTOBER INVESTMENTS IV LLC PCN: 74434334050150010 1 of 1



STATE OF FLORIDA - PALM BEACH COUNTY
I hereby certify that the foregoing is a true copy of the record in my office with redactions, if any as required by law.
THIS 8th DAY OF feb, 20 22
JOSEPH ABRUZZO
CLERK OF THE CIRCUIT COURT & COMPTROLLER
By: 
Deputy Clerk

PROPERTY OWNER LIST

2022 City of West Palm Beach
Historic Property Tax Exemption

Property Owner - Address - Use of Building

Owners: 3815 Eastview Ave LLC
Property: 3815 Eastview Avenue
West Palm Beach, FL 33407
Use: Residential

RESOLUTION NO. R-2022-

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 3815 EASTVIEW AVENUE, WEST 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 have 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 have approved an Interlocal agreement with the City of West 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 City of West Palm Beach to the municipal historic preservation agency; and,

WHEREAS, this property has been certified as a qualified property by the City of West Palm Beach based on the fact that the property is a locally designated historic property or landmark, in accordance with local historic preservation ordinance (WPB Ordinance No. 3554-02); and,

WHEREAS, the property owner(s), 3815 Eastview Ave LLC, filed a Preconstruction Application and received preliminary approval from the West Palm Beach Historic Preservation Board on October 10, 2020, for an ad valorem tax

exemption for the historic renovation and restoration of the property located at, 3815 Eastview Avenue, West Palm Beach; and,

WHEREAS, the West Palm Beach Historic Preservation Board reviewed the Final Application on November 17, 2021, 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, 3815 Eastview Ave LLC, for the restoration, renovation, and improvement to the property located at 3815 Eastview Avenue, West Palm Beach; and,

WHEREAS, the West Palm Beach City Commission on January 24, 2022, determined that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation, and granted an ad valorem City tax exemption to, 3815 Eastview Ave LLC, for the restoration, renovation, and improvement to the property located at, 3815 Eastview Avenue, West 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 approve an ad valorem County tax exemption to the property owner(s), 3815 Eastview Ave LLC, for a 10 year period, commencing on the January 1, 2022, 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, 3815 Eastview Avenue, West Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 20-53:

NORTHWOOD ADD LTS 56 THRU 58 BLK 67, as
recorded in the Public Records of Palm Beach County,
Florida.

2. Prior to the ad valorem tax exemption described herein being effective, 3815 Eastview Ave LLC, 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 Robert S. Weinroth, Mayor
Commissioner Gregg K. Weiss, Vice Mayor
Commissioner Maria G. Marino
Commissioner Dave Kerner
Commissioner Maria Sachs
Commissioner Melissa McKinlay
Commissioner Mack Bernard

The Mayor thereupon 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 COMMISSIONER

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: _____
Asst. County Attorney

BY: _____
Deputy Clerk

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made this _____ day of _____, 20____, by 3815 Eastview Ave LLC, (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 3815 Eastview Avenue, West Palm Beach, FL, 33407 which is owned in fee simple by the Owner(s) 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:

NORTHWOOD ADD LTS 56 THRU 58 BLK 67, as recorded in the Public Records of Palm Beach County, Florida.

In consideration of the tax exemption granted by the Local Government, the Owner(s) hereby agrees to the following for the period of the tax exemption, which is from January 1, 2022 to December 31, 2031

1. The Owner(s) 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(s) agrees that no structural alterations will be made to the Property without prior written permission of the Local Historic Preservation Office. The address of the certified Local Historic Preservation Office is, if one exists in the jurisdiction:

City of West Palm Beach
Historic Preservation
401 Clematis Street, Second Floor
West Palm Beach, Florida 33401
Telephone Number: (561) 822-1435

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(s) agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s) 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(s).

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(s), the Local Historic Preservation Office shall notify the

Owner(s) in writing. For the purpose of this Covenant, "gross negligence" means omission of care which even inattentive and thoughtless persons never fail to take of their own property. The Owner(s) 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(s) 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(s) 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(s) and the Local Historic Preservation Office. If the Owner(s) 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(s) 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(s), transferees, and their heirs, successors, or assigns.

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

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

ATTEST:

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

Joseph Abruzzo, Clerk & Comptroller

BY: _____ BY: _____
Deputy Clerk Robert S. Weinroth, Mayor

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

BY: _____
County Attorney

OWNER(S): 3815 Eastview Avenue

Anne Marie Sincavage, owner
Name / Title

[Signature]
Signature

3/15/2022
Date

WITNESS: (Signature)

(Print name)

[Signature]
Jose Perez

WITNESS: (Signature)

(Print name)

[Signature]
DAVID W. LOCH

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence
or ☐ online notarization, this 15th day of March, 2022, by Anne Marie Sincavage
(name of person)

as owner for 3815 Eastview Ave LLC., on behalf of
(title of officer/member/partner) (name of corporation/company/partnership)

the [choose one] corporation/company/partnership, who is ☐ personally known to me or

has produced FL DL (type of identification) as identification.

[Signature]
Notary Public State of Florida

Notary Print Name:
Nora Acord

My Commission Expires:
January 8, 2023

(NOTARY SEAL)



NORA ACORD
Commission # GG 299283
Expires January 8, 2023
Bonded Thru Budget Notary Services

RESOLUTION NO. 16-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE PROPERTY LOCATED AT 3815 EASTVIEW AVENUE, WEST PALM BEACH, FLORIDA, AS A RESULT OF THE HISTORIC REHABILITATION OF THE PROPERTY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the Historic Preservation Program of the City of West Palm Beach, Florida, is designed to preserve, protect, enhance, and perpetuate resources which represent distinctive and significant elements of the City's historical, cultural, social, economic, political, archaeological, and architectural identity; and/or serve as visible reminders of the City's culture and heritage; and

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

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, Section 196.1997, Florida Statutes, establishes the process by which such exemption may be granted; and

WHEREAS, by Ordinance No. 3554-02, the City of West Palm Beach City Commission has approved an ad valorem tax exemption for the restoration, renovation, and/or improvement of historic properties, which Ordinance provides that on completion of the review of a Final Application/Request for Review of Completed Work, the Historic Preservation Planner shall present such Final Application in a regularly scheduled meeting of the Historic Preservation Board and shall recommend that the Historic Preservation Board grant or deny the exemption; and

WHEREAS, the property owner filed a preconstruction application and received preliminary approval from the Historic Preservation Section in October 2020 for an ad valorem tax exemption upon completion of the historic renovation and restoration of the property located at 3815 Eastview Avenue, West Palm Beach (the "Property"); and

WHEREAS, on November 17, 2021, the Historic Preservation Board reviewed the Completed Work Application and made a determination that the completed improvements were consistent with the United States Secretary of Interior's Standards for Rehabilitation, that the requirements of Sec. 196.1997 Florida Statutes have been met, and recommended granting an ad valorem City tax exemption for the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, that:

SECTION 1: The City Commission of the City of West Palm Beach, Florida, hereby finds

RESOLUTION NO. 16-22

that the completed improvements to the Property, as described in the application for ad valorem tax exemption filed with the City and in HPB Case No. 20-53 is consistent with the United States Secretary of Interior's Standards for Rehabilitation and the property meets the requirements of Florida Statutes Sec. 196.1997.

SECTION 2: In accordance with this finding, the City Commission hereby approves an ad valorem tax exemption for a ten-year period, commencing on January 1, 2022, and expiring December 31, 2031, from that portion of ad valorem taxes levied on the increase in assessed value resulting from the improvements, between the years 2020 and 2021, for the real property described as:

Property Owner: PACECON INSPECTIONS & CONSULTING LLC

Address: 3815 EASTVIEW AVENUE

Legal Description: NORTHWOOD ADD LTS 56 THRU 58 BLK 67

SECTION 3: Prior to the ad valorem tax exemption described herein being effective, the Property Owner shall execute and record in the Public Records of Palm Beach County, a restrictive covenant in a form established by the State of Florida, Department of State, Division of Historical Resources, requiring that the qualifying improvements must be maintained during the period for which the tax exemption is granted. A copy of the recorded covenant shall be provided to the City's Historic Preservation Planner.

SECTION 4: The City Clerk shall provide a certified copy of this Resolution to the City's Historic Preservation Planner, who shall forward it to the Palm Beach County Property Appraiser upon receipt of evidence that the restrictive covenant has been recorded.

SECTION 5: This Resolution shall take effect in accordance with law.

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED THIS 24TH DAY OF JANUARY, 2022.



ATTEST:

X *Hazeline F. Carson*

CITY CLERK
Signed by: Hazeline F Carson

CITY OF WEST PALM BEACH BY
ITS CITY COMMISSION:

X *Keith A. James*

PRESIDING OFFICER
Signed by: Keith Alan James

APPROVED AS TO FORM AND
LEGALITY:

1/20/2022

X *Arlene J. Franconero*

CITY ATTORNEY
Signed by: Arlene J Franconero

Attachment 5
Tax Break Down By Property, Annual and 10 Year Total
2022 City of West Palm Beach County Tax Exemption

Property	Total Cost of Improvements	Estimated Improvement Costs to Historic Buildings	Annual	10 YearTotal
224 Almeria Road	\$100,000.00	\$100,000.00	\$478.15	\$4,781.50
406 35th Street	\$245,000.00	\$185,000.00	\$884.58	\$8,845.78
823 38th Street	\$270,000.00	\$270,000.00	\$1,291.01	\$12,910.05
3101 Washington Road	\$2,200,000.00	\$1,900,000.00	\$9,084.85	\$90,848.50
3815 Eastview Avenue	\$1,150,000.00	\$1,150,000.00	\$5,498.73	\$54,987.25
Total	3,965,000.00	3,605,000.00	\$17,237.31	\$172,373.08

Local government millage rate = 4.7815

\$17,237.31

(estimated improvement cost) x (.0047815) = (annual estimated tax dollars exempted)

Note: Annual Total amount is rounded up after the decimal.