Agenda Item #: 3J-3

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: May 02, 2023 [X] Consent [] Regular
[] Workshop [] 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 <u>218 Edgewood Drive</u>, <u>West Palm Beach</u>.
- B) **Approve** a tax exemption covenant for <u>218 Edgewood Drive</u>, <u>West Palm Beach</u>, 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 <u>221 Wildermere Road</u>, <u>West Palm Beach</u>.
- D) **Approve** a tax exemption covenant for <u>221 Wildermere Road, West Palm Beach,</u> 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 <u>233 Belmonte Road</u>, West Palm Beach.
- F) **Approve** a tax exemption covenant for <u>233 Belmonte Road</u>, <u>West Palm Beach</u>, 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 <u>3215 Vincent Road</u>, West Palm Beach.
- H) **Approve** a tax exemption covenant for <u>3215 Vincent Road</u>, <u>West Palm Beach</u>, 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: | Kw. f. hand | 3 30 12023 |
|-----------------|--------------------------------|-------------------|
| · | Department Director | Ďate ^t |
| Approved By: | fall | 4/25/23 |
| | Assistant County Administrator | Date |

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

| Fiscal Years | 2023 | 2024 | 2025 | 2026 | 2027 |
|-----------------|----------|----------|----------|----------|----------|
| | | | | | |
| Capital | | | | | |
| Expenditures | | | | | |
| Operating Costs | | | | | |
| External | \$10,398 | \$10,398 | \$10,398 | \$10,398 | \$10,398 |
| Revenues | Ψ10,530 | ψ10,530 | \$10,530 | Ψ10,030 | \$10,000 |
| Program | | | | | |
| Income(County) | | | | | |
| In-Kind | | | | | |
| Match(County | | | | | |
| NET FISCAL | \$10,398 | \$10,398 | \$10,398 | \$10,398 | \$10,398 |
| IMPACT | ψ10,530 | \$10,590 | \$10,590 | ψ10,530 | Ψ10,090 |
| #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 \$2,205,249.00 Estimated exemption will be based upon the Countywide Millage Rate (4.715), it is estimated that approximately \$10,397.75 tax dollars will be exempted annually.

The estimated total tax exempted for the 10 years ending December 31, 2032, is \$103,977.49 (\$10,397.75 x 10).

| D | echenay | | |
|----|--|---|--------------|
| Α. | III. REV OFMB, Fiscal and/or Contract Dev. ar | VIEW COMMENTS: | |
| В. | of MB GA-UIU M6 414 Legal Sufficiency | $\mathcal{A} \mathcal{A} \mathcal{A} \mathcal{A}$ | ela /4/19/23 |
| | Assistant County Attorney | | |

C. Other Department Review

C. Departmental Fiscal Review:

Department Director

(Continued from page 1)

Summary: The resolutions will authorize a County tax exemption for the following historic properties located within the City of West Palm Beach: 218 Edgewood Drive, (property is privately owned for residential use); 221 Wildermere Road, (property is privately owned for residential use); 223 Belmonte Road, (property is owned for residential use); and 3215 Vincent Road (property is privately owned for residential use).

If granted, the tax exemptions shall take effect January 1, 2023, and shall remain in effect for 10 years, or until December 31, 2032. 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 \$103,977.49. Actual exemption amounts will be based upon the Countywide Millage rate on a yearly basis. It is estimated that approximately \$10,397.75 tax dollars will be exempted annually based on the 2023 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 Historic Preservation Board and other backup information for the properties are available for review at the County's Planning Division.

PROPERTY OWNER LIST

2023 City of West Palm Beach Historic Property Tax Exemption

Property Owner - Address - Use of Building

Owners:

Gustav and Amber Renny

Property:

218 Edgewood Drive

West Palm Beach, FL 33405

Use:

Residential

RESOLUTION NO. R-2023-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE **HISTORIC** REHABILITATION OF PROPERTY LOCATED AT 218 EDGEWOOD DRIVE, 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 owners, Gustav and Amber Renny, filed a Preconstruction Application and received preliminary approval from the West Palm Beach Historic Preservation Board on July 23, 2019, for an ad valorem tax exemption

for the historic renovation and restoration of the property located at, 218 Edgewood Drive, West Palm Beach; and,

WHEREAS, the West Palm Beach Historic Preservation Board reviewed the Final Application on April 26, 2022, 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, Gustav and Amber Renny, for the restoration, renovation, and improvement to the property located at 218 Edgewood Drive, West Palm Beach; and,

WHEREAS, the West Palm Beach City Commission on January 9, 2023, 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, Gustav and Amber Renny, for the restoration, renovation, and improvement to the property located at, 218 Edgewood Drive, 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 owners, Gustav and Amber Renny, for a 10 year period, commencing on the January 1, 2023, 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, 218 Edgewood Drive, West Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 19-35:

SOUTHLAND PARK LTS 25 TO 28 INC BLK 9, West Palm Beach Florida according to the plat thereof, as recorded in Plat book 9, Page 18, the Public Records of Palm Beach County, Florida.

| BY:Asst. Co | unty Attorney | BY:Deputy Clerk |
|----------------------------|--|--|
| | | JOSEPH ABRUZZO, CLERK & COMPTROLLER |
| APPROVED AS LEGAL SUFFICII | TO FORM AND ENCY | PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONER |
| adopted this | day of | , 20 |
| | The Mayor the | reupon declared the Resolution duly passed and |
| | Commissioner N Commissioner N Commissioner N | Michael Barnett Marci Woodward Sara Baxter |
| and upon being p | out to a vote, the vo | te was as follows: |
| who moved its a | doption. The motic | on was seconded by Commissioner, |
| | The foregoing Reso | olution was offered by Commissioner, |
| Circuit Court in a | nd for Palm Beach | County. |
| | 5. One copy of th | nis agreement shall be filed with the Clerk of the |
| execution of this | agreement. | |
| | 4. The provisions | of this resolution shall become effective upon the |
| exemption under | Section 196.1997, | Florida Statutes. |
| | | s that the property meets the requirements for tax |
| the tax exemption | | improvemente se maintainea admig the period that |
| | - | improvements be maintained during the period that |
| | | Florida, Department of State, Division of Historical |
| effective. Gustav | and Amber Renny | , shall execute and record a restrictive covenant in a |
| () | | |

DOS Form No. HR3E111292

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

| This Covenant is made this day of | , 20 , by |
|--|---|
| Gustav & Amber Renny, (hereinafter referred to a | s 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 | n Property located at 218 Edgewood |
| Drive, West Palm Beach, FL,33405 which is owned | I in fee simple by the Owner(s) and is |
| listed in the National Register of Historic Places or Id | ocally designated under the terms of a |
| local preservation ordinance or is a contributing p | 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 propert | y, as defined in the National Register |
| nomination or local designation report for the prope | erty or the district in which it is located |
| are X architecture, X history, a | rchaeology. |
| | |

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:

SOUTHLAND PARK LTS 25 TO 28 INC BLK 9, West Palm Beach Florida according to the plat thereof, as recorded in Plat book 9, Page 18, of 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, 2023 to December 31, 2032

- 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 & Comptrolle | r |
|--|----------------------------|
| BY: BY | : Gregg K. Weiss, Mayor |
| APPROVED AS TO FORM AND LEGAL SUFFICIENCY | |
| BY:County Attorney | |

| OWNER(S): | | , , |
|----------------------------|------------------------------------|---|
| Gustav Reni Name | ny Signature | <u> 2/27/23</u> Date |
| Amber Renr Name | Signature | 2/27/23 Date |
| WITNESS: | (Signature) (Print name) Ses Cula? | |
| WITNESS: | (Signature) Lason Sims | |
| STATE OF I | FLORIDA F PALM BEACH | |
| The foregoir | ng instrument was acknowledged | before me by means of [⋉] physical |
| presence or | [] online notarization, this | 27 day of february, 2023, by |
| Gustav Ren | my and Amber Renny, | who is [水] personally known to me or who |
| has produce identification | n. | , (type of identification) as |
| | | |
| | | John Com |
| | | Notary Public State of Florida |
| | | Notary Print Name: |
| | | Ashley Cariseo |
| My Commis | ssion Expires: องวฯ | Notary Public-State of Florida Commission # HH 48344 My Commission Expires September 29, 2024 |

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 218 EDGEWOOD DRIVE, 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 July 23, 2019, for an ad valorem tax exemption upon completion of the historic renovation and restoration of the property located at 218 Edgewood Drive, West Palm Beach (the "Property"); and

WHEREAS, on April 26, 2022, 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 <u>Standards for Rehabilitation</u>, 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 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. 19-35 is consistent with the United States Secretary of Interior's <u>Standards for Rehabilitation</u> 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, 2023, and expiring December 31, 2032, from that portion of ad valorem taxes levied on the increase in assessed value resulting from the improvements, between the years 2019 and 2022, for the real property described as:

Property Owner: GU

GUSTAV & AMBER RENNY

Address:

218 EDGEWOOD DRIVE

Legal Description:

SOUTHLAND PARK LTS 25 TO 28 INC BLK 9

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 9TH DAY OF JANUARY, 2023.



ATTEST:

X Jaymen H. Jusey

CITY CLERK

Signed by: Jacqueline Helena Mobley

APPROVED AS TO FORM AND LEGALITY:

X agranyhun

1/6/2023

CITY ATTORNEY

Signed by: Arlene J Franconero

CITY OF WEST PALM BEACH BY ITS CITY COMMISSION:

PRESIDING OFFICER

Signed by: Keith Alan James

PROPERTY OWNER LIST

2023 City of West Palm Beach Historic Property Tax Exemption

Property Owner - Address - Use of Building

Owners:

Andrew Hankin and Bethany Oudersluys

Property:

221 Wildermere Road

West Palm Beach, FL 33401

Use:

Residential

RESOLUTION NO. R-2023-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE **REHABILITATION** HISTORIC PROPERTY LOCATED AT 221 WILDERMERE 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 owners, Andrew Hankin and Bethany Oudersluys filed a Preconstruction Application and received preliminary approval from the West Palm Beach Historic Preservation Board on June 24, 2021, for an ad valorem

tax exemption for the historic renovation and restoration of the property located at, 221 Wildermere Road, West Palm Beach; and,

WHEREAS, the West Palm Beach Historic Preservation Board reviewed the Final Application on November 16, 2022, 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, Andrew Hankin and Bethany Oudersluys, for the restoration, renovation, and improvement to the property located at 221 Wildermere Road, West Palm Beach; and,

WHEREAS, the West Palm Beach City Commission on January 9, 2023, 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, Andrew Hankin and Bethany Oudersluys, for the restoration, renovation, and improvement to the property located at, 221 Wildermere 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 owners, Andrew Hankin and Bethany Oudersluys, for a 10 year period, commencing on the January 1, 2023, 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, 221 Wildermere Road, West Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 21-60:

ADD NO 1 TO CARLBERG COURT LT 12, West Palm Beach Florida according to the plat thereof, as recorded in Plat Book 5, Page 45 the Public Records of Palm Beach County, Florida.

| 2. Prior to the ad valorem tax exemption described herein bein |
|--|
| effective, Andrew Hankin and Bethany Oudersluys, shall execute and record |
| 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 ta |
| 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 Gregg K. Weiss, Mayor Commissioner Maria Sachs, Vice Mayor Commissioner Maria G. Marino Commissioner Michael Barnett Commissioner Marci Woodward Commissioner Sara Baxter Commissioner Mack Bernard |
| The Mayor thereupon declared the Resolution duly passed an |
| adopted this day of, 20 |
| |
| APPROVED AS TO FORM AND PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONER |
| JOSEPH ABRUZZO, CLERK & COMPTROLLER |
| BY: BY: Deputy Clerk |

DOS Form No. HR3E111292

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

| Andrew Hankin & Bethany Oudersluys, (hereinafter referred to as the Owner(s) and 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 22 Wildermere Road, West Palm Beach, FL,33401 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 Nation Register listed district or a contributing property to a historic district under the terms of 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 which it is located areX architecture,X history, archaeology. | This Covenant is made this | day of | | , 20 ,by |
|---|--|-----------------------|-------------------------------|---------------|
| purpose of the restoration, renovation or rehabilitation, of a certain Property located at <u>22 Wildermere Road</u> , <u>West Palm Beach</u> , <u>FL,33401</u> 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 Nation Register listed district or a contributing property to a historic district under the terms of 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 | Andrew Hankin & Bethany Ouders | sluys, (hereinafte | er referred to as the Own | er(s) and in |
| Wildermere Road, West Palm Beach, FL,33401 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 Nation Register listed district or a contributing property to a historic district under the terms of 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 | favor of Palm Beach County (here | einafter referred | to as the Local Governm | ent) for the |
| Owner(s) and is listed in the National Register of Historic Places or locally designate under the terms of a local preservation ordinance or is a contributing property to a Nation Register listed district or a contributing property to a historic district under the terms of 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 | purpose of the restoration, renovati | ion or rehabilitation | on, of a certain Property lo | cated at 221 |
| under the terms of a local preservation ordinance or is a contributing property to a Nation Register listed district or a contributing property to a historic district under the terms of 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 | Wildermere Road, West Palm Be | each, FL,33401 v | which is owned in fee sir | mple by the |
| Register listed district or a contributing property to a historic district under the terms of 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 | Owner(s) and is listed in the National | onal Register of | Historic Places or locally | designated |
| 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 | under the terms of a local preservat | tion ordinance or | is a contributing property | to a National |
| National Register nomination or local designation report for the property or the district | Register listed district or a contribu | uting property to | a historic district under the | e terms of a |
| | | | | |
| which it is located are X architecture, X history, archaeology. | | _ | | |
| | which it is located are X are | chitecture, <u>X</u> | history, archaed | ology. |

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:

ADD NO 1 TO CARLBERG COURT LT 12, West Palm Beach Florida according to the plat thereof, as recorded in Plat Book 5, Page 45, of 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, 2023 to December 31, 2032

- 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 & Compti | roller | |
|--|--------|-----------------------|
| BY: | BY: | |
| Deputy Clerk | | Gregg K. Weiss, Mayor |
| | | |
| APPROVED AS TO FORM AND LEGAL SUFFICIENCY | | |
| BY: County Attorney | | |
| | | |

| OWNER(S): | | | | ć |
|---|--------------------------|---|---|-------------------|
| Andrew Han Name | kin_ | Signature | | 2/25/2023 Date |
| Bethany Oud Name | <u>dersluys</u> | Signature | | 2/25/2023 Date |
| WITNESS: | (Signature) (Print name) | S/Winogra 5.H. Winog | | |
| WITNESS: | (Signature) (Print name) | Alluelling Jennifer McQu | JWN | |
| STATE OF F | FLORIDA F PALM BEACH | -1 | | |
| The foregoing presence or the fland Hank has produce identification | in and Andr | rization, this 25 th FL DL # H525-00 FL DL# H525-00 |] personally kno | own to me or who |
| | | | Notary Public S | Otate of Florida |
| | | 4 | Notary Print Na | ame: T. Moreno |
| My Commiss | sion Expires: | | (NOTAR | RY SEAL) |
| | | | NAME OF THE PARTY | TARA T. MORENO |



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 221 WILDERMERE 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 Section on June 24, 2021, for an ad valorem tax exemption upon completion of the historic renovation and restoration of the property located at 221 Wildermere Road, West Palm Beach (the "Property"); and

WHEREAS, on November 16, 2022, 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 <u>Standards for Rehabilitation</u>, 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 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. 21-60 is consistent with the United States Secretary of Interior's <u>Standards for Rehabilitation</u> 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, 2023, and expiring December 31, 2032, from that portion of ad valorem taxes levied on the increase in assessed value resulting from the improvements, between the years 2021 and 2022, for the real property described as:

Property Owner:

ANDREW

HANKIN

& BETHANY

OUDERSLUYS

Address:

221 WILDERMERE ROAD

Legal Description:

ADD NO 1 TO CARLBERG COURT LT 12

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 9TH DAY OF JANUARY, 2023.



ATTEST:

X Jaguela H. Justey

CITY CLERK

Signed by: Jacqueline Helena Mobley

CITY OF WEST PALM BEACH BY ITS CITY COMMISSION:

PRESIDING OFFICER

Signed by: Keith Alan James

APPROVED AS TO FORM AND

LEGALITY:

1/6/2023

CITY ATTORNEY

Signed by: Arlene J Franconero

PROPERTY OWNER LIST

2023 City of West Palm Beach Historic Property Tax Exemption

Property Owner - Address - Use of Building

Owners:

Herbert and Julia May

Property:

223 Belmonte Road

West Palm Beach, FL 33405

Use:

Residential

RESOLUTION NO. R-2023-

RESOLUTION OF THE BOARD OF COMMISSIONERS COUNTY OF PALM BEACH COUNTY, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE HISTORIC REHABILITATION OF PROPERTY LOCATED AT 223 BELMONTE 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 owners Herbert A. May III and Julia B. May, filed a Preconstruction Application and received preliminary approval from the West Palm Beach Historic Preservation Board on November 18, 2020, for an ad valorem tax

exemption for the historic renovation and restoration of the property located at, 223 Belmonte Road, West Palm Beach; and,

WHEREAS, the West Palm Beach Historic Preservation Board reviewed the Final Application on September 27, 2022, 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, Herbert A. May III and Julia B. May, for the restoration, renovation, and improvement to the property located at 223 Belmonte Road, West Palm Beach; and,

WHEREAS, the West Palm Beach City Commission on January 9, 2023, 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, Herbert A. May III and Julia B. May, for the restoration, renovation, and improvement to the property located at, 223 Belmonte 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 advalorem County tax exemption to the property owners, Herbert A. May III and Julia B. May, for a 10 year period, commencing on the January 1, 2023, from that portion of advalorem County taxes levied on the increase in assessed value resulting from the renovation, restoration, and rehabilitation of the property located at, 223 Belmonte Road, West Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 20-66:

EL CID PARK LTS 10 TO 13 INC BLK 7, West Palm Beach Florida according to the plat thereof, as recorded in Plat Book 11, Page 7, of the Public Records of Palm Beach County, Florida.

| 2. Prior to the ad valorem tax exemption described herein being |
|--|
| effective, Herbert A. May III and Julia B. May, 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 Gregg K. Weiss, Mayor Commissioner Maria Sachs, Vice Mayor Commissioner Maria G. Marino Commissioner Michael Barnett Commissioner Marci Woodward Commissioner Sara Baxter Commissioner Mack Bernard |
| The Mayor thereupon declared the Resolution duly passed and |
| adopted this day of, 20 |
| APPROVED AS TO FORM AND LEGAL SUFFICIENCY JOSEPH ABRUZZO, CLERK & COMPTROLLER |
| BY: BY: BY: Deputy Clerk |

DOS Form No. HR3E111292

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

| This Covenant is made this | | | 20 , by |
|---|--------------------------|---------------------------------------|-----------------|
| <u>Herbert A. May III & Julia B. May,</u> | (hereinafter refer | red to as the Owner(s) and in | ı favor of |
| Palm Beach County (hereinafter re | eferred to as the I | _ocal Government) for the pu | irpose of |
| the restoration, renovation or rehal | bilitation, of a cert | tain Property located at <u>223 B</u> | <u>selmonte</u> |
| Road, West Palm Beach, FL, 3340 | <u>05</u> which is owned | d in fee simple by the Owner(| s) and is |
| listed in the National Register of Hi | istoric Places or lo | ocally designated under the te | erms of a |
| local preservation ordinance or is | s a contributing p | roperty to a National Regist | ter listed |
| district or a contributing property to | a historic district | under the terms of a local pres | servation |
| ordinance. The areas of significan | ice of this propert | y, as defined in the National | Register |
| nomination or local designation re | port for the prope | erty or the district in which it is | s located |
| are X architecture, X | history, a | rchaeology. | |
| | | | |

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:

EL CID PARK LTS 10 TO 13 INC BLK 7, West Palm Beach Florida according to the plat thereof, as recorded in Plat Book 11, Page 7, of 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, 2023 to December 31, 2032

- 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 & Comptr | roller | |
|---|--------------------------|--|
| BY: Deputy Clerk | BY:Gregg K. Weiss, Mayor | |
| ADDDOVED AS TO FORM AND | | |
| APPROVED AS TO FORM AND LEGAL SUFFICIENCY | | |
| BY: County Attorney | | |

| OWNER(S): Herbert A. May III | 2/28/23 |
|--|---|
| Name Signature Julia B. May Name Signature | 1 2-28-33 Date |
| WITNESS: (Signature) ORD (Print name) | Poses SR |
| WITNESS: (Signature) THE (Print name) TESUS Hernande | 22 |
| STATE OF FLORIDA COUNTY OF PALM BEACH | |
| | me by means of [N] physical day of Feb , 2027 by [] personally known to me or who (type of identification) as |
| | Notary Public State of Florida |
| | Notary Print Name; Delek A- Moses SR |
| My Commission Expires: | DEREK A. MOSES SR. Notary Public - State of Florida Commission # GG 978287 My Comm. Expires Apr 13, 2024 Bonded through National Notary Assn. |

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 223 BELMONTE 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 November 18, 2020, for an ad valorem tax exemption upon completion of the historic renovation and restoration of the property located at 223 Belmonte Road, West Palm Beach (the "Property"); and

WHEREAS, on September 27, 2022, 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 <u>Standards for Rehabilitation</u>, 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 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. 20-66 is consistent with the United States Secretary of Interior's <u>Standards for Rehabilitation</u> 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, 2023, and expiring December 31, 2032, from that portion of ad valorem taxes levied on the increase in assessed value resulting from the improvements, between the years 2020 and 2022, for the real property described as:

Property Owner:

HERBERT A III & JULIA MAY

Address:

223 BELMONTE ROAD

Legal Description:

EL CID PARK LTS 10 TO 13 INC BLK 7

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 9TH DAY OF JANUARY, 2023.



ATTEST:

V Jayuh H. Sarkey

CITY CLERK

Signed by: Jacqueline Helena Mobley

CITY OF WEST PALM BEACH BY ITS CITY COMMISSION:

PRESIDING OFFICER

Signed by: Keith Alan James

APPROVED AS TO FORM AND

LEGALITY:

1/6/2023

CITY ATTORNEY

Signed by: Arlene J Franconero

PROPERTY OWNER LIST

2023 City of West Palm Beach Historic Property Tax Exemption

Property Owner - Address - Use of Building

Owners:

Damien and Kimberly Barr

Property:

3215 Vincent Road

West Palm Beach, FL 33405

Use:

Residential

RESOLUTION NO. R-2023-

A RESOLUTION OF THE BOARD OF COMMISSIONERS COUNTY OF PALM BEACH COUNTY, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION FOR THE **HISTORIC** REHABILITATION OF PROPERTY LOCATED AT 3215 VINCENT 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 owners, Damien and Kimberly Barr, filed a Preconstruction Application and received preliminary approval from the West Palm Beach Historic Preservation Board on May 128 2019, for an ad valorem tax exemption

for the historic renovation and restoration of the property located at, 3215 Vincent Road, West Palm Beach; and,

WHEREAS, the West Palm Beach Historic Preservation Board reviewed the Final Application on December 21, 2022, 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, Damien and Kimberly Barr, for the restoration, renovation, and improvement to the property located at 3215 Vincent Road, West Palm Beach; and,

WHEREAS, the West Palm Beach City Commission on February 6, 2023, 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, Damien and Kimberly Barr, for the restoration, renovation, and improvement to the property located at, 3215 Vincent 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 owners, Damien and Kimberly Barr, for a 10 year period, commencing on the January 1, 2023, 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, 3215 Vincent Road, West Palm Beach, which property is as legally described as follows and which improvements are described in HPB Case No. 19-28:

PROSPECT PARK RESUB BLKS G & H LT 11& N 58 FT OF E 25 OF LT 15, West Palm Beach according to the plat thereof, as recorded in Plat Book 8, Page 60 of the Public Records of Palm Beach County, Florida.

| 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 | | |
| he 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 th | is agreement shall be filed with the Clerk of the | | |
| Circuit Court in and for Palm Beach | County. | | |
| The foregoing Resc | olution was offered by Commissioner, | | |
| who moved its adoption. The motio | n was seconded by Commissioner, | | |
| and upon being put to a vote, the vo | te was as follows: | | |
| Commissioner Gregg K. Weiss, Mayor Commissioner Maria Sachs, Vice Mayor Commissioner Maria G. Marino Commissioner Michael Barnett Commissioner Marci Woodward Commissioner Sara Baxter Commissioner Mack Bernard | | | |
| | reupon 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 |
|---|-----------------|
| Damien & Kimberly Barr, (hereinafter referred to as the Owner(s) and in fa | |
| Beach County (hereinafter referred to as the Local Government) for the pul | rpose of the |
| restoration, renovation or rehabilitation, of a certain Property located at 3215 Vi | ncent Road, |
| West Palm Beach, FL,33405 which is owned in fee simple by the Owner(s) ar | nd is listed in |
| the National Register of Historic Places or locally designated under the term | าร of a local |
| preservation ordinance or is a contributing property to a National Register lister | d district or a |
| contributing property to a historic district under the terms of a local preservatio | n ordinance. |
| The areas of significance of this property, as defined in the National Register n | omination or |
| local designation report for the property or the district in which it is located | d areX |
| 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 RESUB BLKS G & H LT 11 & N 58 FT OF E 25 OF LT 15, West Palm Beach Florida according to the plat thereof, as recorded in Plat book 8, Page 60, of 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, 2023 to December 31, 2032

- 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 & Comptr | oller | |
|---|-------|-----------------------|
| BY: Deputy Clerk | BY: | Gregg K. Weiss, Mayor |
| APPROVED AS TO FORM AND LEGAL SUFFICIENCY | | |
| BY:County Attorney | | |

| OWNER(S): | |
|-----------------------------|---|
| <u>Damien Barr</u> Name | |
| <u>Kimberly Bar</u> Name | r Anipula June 2/27/23 Signature Date 3 |
| WITNESS: | (Signature) (Print name) (Print name) |
| WITNESS: | (Signature) Sara candela (Print name) Sara candela |
| STATE OF F | LORIDA PALM BEACH |
| The foregoin | g instrument was acknowledged before me by means of [★] physical |
| presence or | online notarization, this 27 day of February, 2023 by |
| | and Limberly Bacs, who is [] personally known to me or who |
| has produce identification | |
| | |
| | Merkat |
| | Notary Public State of Florida |
| | Notary Print Name: Mandy Burkart |
| My Commiss | MANDY BURKART Commission # HH 334533 Sion Expires: Expires March 21, 2027 (NOTARY SEAL) |

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF WEST PALM BEACH, FLORIDA, GRANTING AN HISTORIC AD VALOREM TAX EXEMPTION FOR THE PROPERTY LOCATED AT 3215 VINCENT 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, codified at Section 94-51 of the Zoning and Land Development Regulations of the City Code of Ordinances, the City of West Palm Beach City Commission 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 May 28, 2019 for an ad valorem tax exemption upon completion of the historic renovation and restoration of the property located at 3215 Vincent Road West Palm Beach (the "Property"); and

WHEREAS, on December 21, 2022, 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 <u>Standards for Rehabilitation</u>, 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. 12-23

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 an historic ad valorem tax exemption filed with the City and in HPB Case No. 19-28 is consistent with the United States Secretary of Interior's <u>Standards for Rehabilitation</u> 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 historic ad valorem tax exemption for a ten year period, commencing on January 1, 2023, and expiring December 31, 2032, from that portion of ad valorem taxes levied on the increase in assessed value resulting from the improvements, between the years 2019 and 2022, for the real property described as:

Property Owner: DAMIEN & KIMBERLY BARR

Address: 3215 VINCENT ROAD

Legal Description: PROSPECT PARK RESUB BLKS G & H LT 11 & N 58

FT OF E 25 OF LT 15

PCN No. 74-43-43-34-07-000-0110

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 Restrictive Covenant shall be provided bny the Property Owner to Friederike Mittner, City's Historic Preservation Planner.

SECTION 4:

The City Clerk shall provide a certified copy of this Resolution to Friederike Mittner, City's Historic Preservation Planner, who shall forward it to the Palm Beach County Property Appraiser upon receipt of the recorded Restrictive Covenant.

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

[SIGNATURES ON FOLLOWING PAGE]

PASSED AND ADOPTED THIS 6TH DAY OF FEBRUARY, 2023.



ATTEST:

X Jaguela H. Surley

CITY CLERK

Signed by: Jacqueline Helena Mobley

APPROVED AS TO FORM AND LEGALITY:

1/6/2023 Vancy Urcheck

CITY ATTORNEY

Signed by: Nancy DeSimone Urcheck

CITY OF WEST PALM BEACH BY ITS CITY COMMISSION:

PRESIDING OFFICER

Signed by: Keith Alan James

Attachment 5
Tax Break Down By Property, Annual and 10 Year Total
2023 City of West Palm Beach County Tax Exemption

| 7 | otal 3,615,249.00 | 2,205,249.00 | \$10,397.75 | \$103,977.49 |
|---------------------|----------------------|--|-------------|--------------|
| 3215 Vincent Road | \$650,000.00 | \$100,000.00 | \$2,546.10 | \$25,461.00 |
| 223 Belmonte Road | \$2,165,249.0 | 0 \$1,415,249.00 | \$6,672.90 | \$66,728.99 |
| 221 Wildermere Road | \$700,000.00 | \$100,000.00 | \$471.50 | \$4,715.00 |
| 218 Edgewood Drive | \$700,000.00 | \$150,000.00 | \$707.25 | \$7,072.50 |
| Property | Total Cost of Improv | Estimated Improvement vements Costs to Historic Buildings | Annual | 10 YearTotal |

Local government millage rate = 4.715

\$10,397.75

(estimated improvement cost) x (.004715) = (annual estimated tax dollars exempted)

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