

RESOLUTION APPROVING ZONING PETITION
PURSUANT TO COURT ORDER AND CONTINGENT
UPON APPEAL OF COURT ORDER

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested by Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, Petition No. 77-165 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on December 29, 1977; and

WHEREAS, the Board of County Commissioners executed Resolution R-78-292 on March 7, 1978, denying Petition No. 77-165 which petition had been approved by formal vote on December 29, 1977; and

WHEREAS, Final Judgment in the Circuit Court case of JIB Club, Inc. vs. Palm Beach County entered the 21st day of March 1979, directs the Board of County Commissioners to formalize in resolution form the action it took at the December 29, 1977 meeting relating to Petition No. 77-165; and

WHEREAS, the Final Judgment in the JIB Club case has been appealed to the 4th District Court of Appeal; and

WHEREAS, this resolution is contingent upon the outcome of said appeal; and

WHEREAS, this resolution shall become null and void if the Circuit Court Judgment entered the 21st day of March 1979, is overturned on appeal.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the day of that petition No. 77-165 the petition of the JIB Club, Inc. by William R. Boose, III, Attorney for the Rezoning, from CN-Neighborhood Commercial District to RH-Residential Multiple Family District (High Density) of Lot B, Jupiter Inlet Beach

Colony, in Section 31, Township 40 South, Range 43 East, as recorded in Plat Book 24, page 139; together with a parcel of land in said Section 31, Gomez Grant, being more particularly described as follows: Beginning at Northeasterly corner of Lot B, Jupiter Inlet Beach Colony, as recorded in Plat Book 24, page 139; thence Westerly along the Northerly line of said Lot B, to its intersection with the Southerly right-of-way line of State Road No. 707, according to the right-of-way map thereof recorded in Road Plat Book 2, pages 70, 71, and 72, said point of intersection being in the arc of a curve concave to the Northwest and having a radius of 337.94 feet; thence Northeasterly along said right-of-way line, and along the arc of said curve, to a point in a line parallel to and 13 feet Northerly from (measured at right angles to) the Northerly line of said Lot B, which is also the Westerly extension of the Northerly line of Lot 1 of said Jupiter Inlet Beach Colony; thence Easterly along said parallel line to its intersection with the Northerly extension of the Westerly right-of-way line of Colony Road, as shown on said plat of Jupiter Inlet Beach Colony; thence Southerly along said Northerly extension to the Northeast corner of said Lot B, and the Point of Beginning; Less the following described parcel of land: that part of Lot B, said plat of Jupiter Inlet Beach Colony, lying southerly of the westerly extension of the north right-of-way line of Lighthouse Drive; said property located at the northwest corner of the intersection of S. R. A-1-A and Colony Road is approved subject to the following conditions:

1. This resolution is enacted pursuant to and in accordance with the order of the Circuit Court in the case of JIB Club, Inc. vs. Palm Beach County entered the 21st day of March 1979. Because the order of the Circuit Court in the JIB Club case has been appealed to the 4th District Court of Appeal this resolution is contingent upon the outcome of said appeal.

2. This resolution shall become null and void and there shall be no vesting of development rights if the Circuit Court Judgment entered the 21st day of March 1979, is overturned on appeal.

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

BILL BAILEY	Aye
DENNIS P. KOEHLER	Aye
PEGGY B. EVATT	Absent
FRANK H. FOSTER	Absent
NORMAN R. GREGORY	Aye

The Chairman thereupon declared the resolution duly passed and adopted this 16th day of October, 1979.

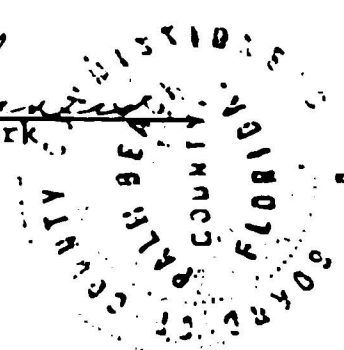
PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

By John B. Dunkle
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Charles P. Wood
COUNTY ATTORNEY



FILED THIS 16th DAY OF October, 1979
AND RECORDED IN RESOLUTION
MINUTE BOOK NO. 1164 AT
PAGE 190-192 RECORD VERIFIED