

RESOLUTION APPROVING ZONING PETITION PURSUANT TO COURT ORDER AND CONTINGENT UPON APPEAL OF COURT ORDER; RESCINDING RESOLUTION NO. R-79-1433.

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 No. 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. v. 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 Fourth District Court of 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, assembled in regular session the 13th day of November, 1979, 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 North-easterly 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., v. Palm Beach County, entered the 21st day of March, 1979.

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.

BE IT FURTHER RESOLVED that Resolution No. R-79-1433, adopted by this Board the 16th day of October, 1979, is hereby rescinded.

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

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

The Chairman thereupon declared the resolution duly passed and adopted this 13th day of November, 1979.

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

JOHN B. DUNKLE, Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*Charles H. ...*  
County Attorney

By: *John B. Dunkle*  
Deputy Clerk

FILED THIS 13th DAY OF November, 1979  
AND RECORDED IN RESOLUTION  
MINUTE BOOK NO: 109 AT  
PAGE 19-20 RECORD VERIFIED  
JOHN B. DUNKLE, CLERK

