

Demolishing Royal Poinciana Playhouse tantamount to contempt of court

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The rights to the Royal Poinciana Playhouse were sold in the March 6, 1979, agreement between Poinciana Properties and the Town of Palm Beach. In return, valuable consideration was granted through profitable variances to develop the shopping center at the site.

The 1979 agreement, therefore, was a contract. The deed by which the current claimant owner, Sidney Spiegel, took title on Oct. 1, 1979, reflects this fact. What Mr. Spiegel purchased was a profitable shopping center with a contractual obligation to maintain and operate the Playhouse. The rights and obligations established by the 1979 agreement are attached to and run with the land.

In the July 10, 2007, final judgment of Judge David F. Crow in the matter of Poinciana Management Inc. vs. Town of Palm Beach, the court held that "Plaintiff, as successor and assignee to the 1979 Agreement, does not have the right to demolish the Poinciana Theater."

The application before the Landmarks Commission is requesting approval to demolish the theater and is, therefore, requesting its complicity in contempt for an order of the court.

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