

1  
2 An act relating to Broward County; extending  
3 the corporate limits of the Cities of Fort  
4 Lauderdale, North Lauderdale, and Pompano  
5 Beach; providing for annexation of the  
6 unincorporated area known as "Palm Aire  
7 Village"; providing for a study; providing for  
8 an election, providing for a runoff election;  
9 providing for an effective date of annexation;  
10 providing for a transition plan and other  
11 plans; providing for an interlocal agreement;  
12 providing for a continuation of certain Broward  
13 County regulations; providing an effective  
14 date.

15

16 Be It Enacted by the Legislature of the State of Florida:

17

18 Section 1. The governing body of each municipality  
19 which desires to annex the area known as Palm Aire Village  
20 shall submit transition plans providing for the impact on  
21 employees of the governments affected, along with plans for  
22 law enforcement and fire-rescue services. The plans shall be  
23 submitted by the annexing cities in accordance with the Rules  
24 and Regulations of the Broward County Legislative Delegation.

25 Section 2. No later than June 15, 1999, the governing  
26 body for each municipality which has complied with section 1,  
27 and which chooses to be considered for annexation, shall  
28 notify the Broward County Legislative Delegation that they  
29 wish to appear on a ballot to annex the area known as "Palm  
30 Aire Village."

31

1           Section 3. The legal description of the "Palm Aire  
2 Village Area" is as follows:

3  
4           That portion of Sections 7 and 8, Township 49  
5 South, Range 42 East, described as follows:

6  
7           BEGINNING at the Northwest corner of said  
8 Section 8, said point being on the municipal  
9 boundary of the City of Pompano Beach as  
10 described in Ordinance No. 73-38 of the City of  
11 Pompano Beach;

12  
13           THENCE easterly along the north line of said  
14 Section 8 and along said municipal boundary to  
15 a line 53 feet East of and parallel with the  
16 west line of said Section 8;

17  
18           (The following 10 courses are coincident with  
19 the municipal boundary of the City of Fort  
20 Lauderdale, as described in Ordinance No.  
21 C-74-34 of the City of Fort Lauderdale)

22  
23           THENCE southerly, along said parallel line to  
24 the north line of the South 125 feet of the  
25 North 259.48 feet of the East 186 feet of the  
26 West 239 feet of the Northwest one-quarter (NW  
27 1/4) of said Section 8;

28  
29           THENCE easterly along the said north line to  
30 the east line of the South 125 feet of the  
31 North 259.48 feet of the East 186 feet of the

1 West 239 feet of the Northwest one-quarter (NW  
2 1/4) of said Section 8;

3  
4 THENCE southerly along the said east line to  
5 the south line of the South 125 feet of the  
6 North 259.48 feet of the East 186 feet of the  
7 West 239 feet of the Northwest one-quarter (NW  
8 1/4) of said Section 8;

9  
10 THENCE westerly along said south line to the  
11 point of curvature of a curve concave to the  
12 Northeast, having a radius of 25 feet and  
13 tangent to the said south line and tangent to a  
14 line 53 feet East of and parallel with the west  
15 line of the Northwest one-quarter (NW 1/4) of  
16 said Section 8;

17  
18 THENCE westerly through northerly along said  
19 curve to the point of tangency with a line 53  
20 feet East of and parallel with the west line of  
21 the Northwest one-quarter (NW 1/4) of said  
22 Section 8;

23  
24 THENCE southerly along said parallel line to  
25 the North line of the South 690 feet of the  
26 North 1009.48 feet of the East 400 feet of the  
27 West 453 feet of the Northwest one-quarter (NW  
28 1/4) of said Section 8;

29  
30 THENCE easterly along said north line to the  
31 east line of the South 690 feet of the North

1           1009.48 feet of the East 400 feet of the West  
2           453 feet of the Northwest one-quarter (NW 1/4)  
3           of said Section 8;  
4  
5           THENCE southerly along said east line to the  
6           south line of the South 690 feet of the North  
7           1009.48 feet of the East 400 feet of the West  
8           453 feet of the Northwest one-quarter (NW 1/4)  
9           of said Section 8;  
10  
11          THENCE westerly along the said south line to a  
12          line 53 feet East of and parallel with the west  
13          line of the Northwest one-quarter (NW 1/4) of  
14          said Section 8;  
15  
16          THENCE southerly along said parallel line to a  
17          line 50 feet North of and parallel with the  
18          south line of the Northwest one-quarter (NW  
19          1/4) of said Section 8;  
20  
21          THENCE continue southerly along said parallel  
22          line to the south line of the Northwest  
23          one-quarter (NW 1/4) of said Section 8;  
24  
25          THENCE continue southerly along a line 53 feet  
26          East of and parallel with the west line of the  
27          Southwest one-quarter (SW 1/4) of said Section  
28          8 to a line 53 feet South of and parallel with  
29          the north line of the Southwest one-quarter (SW  
30          1/4) of said Section 8;  
31

1        THENCE westerly along said parallel line and  
2        continuing westerly along a line 53 feet South  
3        of and parallel with the north line of the  
4        Southeast one-quarter (SE 1/4) of said Section  
5        7, a portion of which is along the municipal  
6        boundary of the City of Fort Lauderdale, as  
7        described in aforesaid Ordinance No. C-74-34,  
8        to the east line of Tract 8, Block 96, of the  
9        PALM BEACH FARMS CO. PLAT NO. 3, as recorded in  
10       Plat Book 2, Pages 45 - 54 inclusive, of the  
11       Public Records of Palm Beach County, Florida;

12  
13       (The following 2 courses are coincident with  
14       the municipal boundary of the City of Fort  
15       Lauderdale, as described in House Bill 2512)

16  
17       THENCE northerly along the said east line to  
18       the Northeast corner of said Tract 8;

19  
20       THENCE westerly along the north line of said  
21       Tract 8, to a line 25 feet West of and parallel  
22       with the East line of Tract 5, Block 96, of  
23       said PALM BEACH FARMS CO. PLAT NO. 3;

24  
25       THENCE northerly along said parallel line and  
26       along the municipal boundary of the City of  
27       North Lauderdale, as described in Ordinance No.  
28       89-6-721 of the City of North Lauderdale, to  
29       the south line of Tract 4, Block 96, of said  
30       PALM BEACH FARMS CO. PLAT NO. 3;

31

1           (The following 2 courses are coincident with  
2           the municipal boundary of the City of North  
3           Lauderdale, as described in House Bill 926)  
4  
5           THENCE easterly along the said south line to  
6           the Southeast corner of said Tract 4;  
7  
8           THENCE northerly along the east line of said  
9           Tract 4 to the North plat boundary line of PALM  
10           AIRE VILLAGE 2ND SECTION ADD'N 3, as recorded  
11           in Plat Book 78, Page 31, of the Public Records  
12           of Broward County, Florida;  
13  
14           THENCE easterly along the said North Plat  
15           boundary line and continuing easterly along the  
16           North plat boundary line of PALM AIRE VILLAGE  
17           2ND SECTION, as recorded in Plat Book 73, Page  
18           9, of the Public Records of Broward County,  
19           Florida, to a line 53 feet West of and parallel  
20           with the east line of said Section 7;  
21  
22           THENCE northerly along said parallel line to  
23           the North line of said Section 7;  
24  
25           THENCE easterly along said North line and along  
26           the municipal boundary of the City of Pompano  
27           Beach, as described in aforesaid Ordinance No.  
28           73-38, to the Point of Beginning.  
29  
30           Section 4. The Broward County Board of County  
31           Commissioners shall schedule a election in accordance with the

1 provisions of the law relating to elections, currently in  
2 force in Broward County on September 7, 1999. The subject of  
3 said election shall be the annexation of the area described in  
4 section 3 commonly known as the "Palm Aire Village Area."  
5 Only registered voters residing in the "Palm Aire Village  
6 Area," as described in this act, may vote in said election.  
7 The name of each municipality which chooses to be considered  
8 for annexation in accordance with section 2 shall appear on a  
9 ballot. The voters residing in the "Palm Aire Village Area"  
10 shall, by majority vote of the voters participating in the  
11 election, choose one municipality for annexation.

12           Section 5. Palm Aire Village shall be deemed a part of  
13 the municipality receiving a majority of the votes effective  
14 September 15, 2000, pursuant to s. 171.062, Florida Statutes,  
15 except as provided for in this act. If no entity receives a  
16 majority vote of those voting as provided for in section 4,  
17 there shall be a runoff election scheduled for Tuesday,  
18 October 4, 1999, between the two entities which have received  
19 the highest number of votes in the election of September 7,  
20 1999.

21           Section 6. If a runoff election is necessitated as  
22 provided for in section 5, the "Palm Aire Village Area" shall  
23 be deemed annexed to the municipality which has received a  
24 majority vote of those voters voting in the runoff elections.

25           Section 7. An interlocal agreement shall be developed  
26 between the governing bodies of Broward County and the  
27 annexing municipality and executed prior to the effective date  
28 of the annexation as provided for in section 5. The agreement  
29 shall include a financially feasible plan for transitioning  
30 county services, buildings, infrastructure, waterways, roads,  
31 and rights-of-way and employees, and provisions for Broward

1 County to continue to receive certain revenues generated by  
2 the "Palm Aire Village Area" until the completion of  
3 programmed infrastructure improvements, as appropriate.

4 Section 8. The Board of County Commissioners of  
5 Broward County is hereby authorized to set the election  
6 provided for in section 4 by special election for the time  
7 period provided in this act at the cost of Broward County. A  
8 mail ballot shall not be used for any election provided for in  
9 this act.

10 Section 9. Upon annexation into a municipality, the  
11 following shall govern the areas described in section 3.

12 (1) The future land use designations and zoning  
13 districts presently provided for under the Broward County  
14 Comprehensive Plan and Code of Ordinances of Broward County  
15 shall remain the law governing the "Palm Aire Village Area,"  
16 notwithstanding the fact that the "Palm Aire Village Area" is  
17 now a part of a municipality. The future land use  
18 designations and zoning districts of Broward County shall be  
19 deemed the conforming laws of the municipality of which the  
20 "Palm Aire Village Area" is now a part.

21 (2) Any change of zoning districts or future land use  
22 designations may only be accomplished by enactment of the vote  
23 of the majority of the full governing body of a municipality  
24 plus one.

25 (3) Notwithstanding subsections (1) and (2), any use  
26 that is legally in existence at the time that the "Palm Aire  
27 Village Area" becomes a part of a municipality, shall not be  
28 made a prohibited use by a municipality, on the property of  
29 the use, for as long as the use shall continue, and shall not  
30 be voluntarily abandoned.

31



1           Section 10. Subsequent to the effective date of this  
2 act, no change in future land use designation or zoning  
3 district shall be effective, until the "Palm Aire Village  
4 Area" has been annexed into a municipality; no annexation by  
5 any municipality shall occur during the time period between  
6 the effective date of this act and the effective date of the  
7 annexation.

8           Section 11. All public roads and the public  
9 rights-of-way associated therewith, on the Broward County Road  
10 System, lying within the limits of the lands subject to  
11 annexation herein, as described in section 3, are transferred  
12 from Broward County jurisdiction to the jurisdiction of the  
13 annexing municipality, except for those portions of Cypress  
14 Creek Road (N.W. 62nd St.) and N.W. 31st Avenue lying within  
15 the limits of the annexation area. All rights, title,  
16 interests, and responsibilities for any transferred roads,  
17 including, but not limited to, the ownership, operation,  
18 maintenance, planning, design, and construction of said roads  
19 and to the rights-of-way associated therewith shall transfer  
20 from Broward County jurisdiction and ownership to the  
21 jurisdiction and ownership of the annexing municipality upon  
22 the effective date of this act.

23           Section 12. This act shall take effect upon becoming a  
24 law.