

By Senator Dawson

30-1915-00

See HB 1775

1 A bill to be entitled
2 An act relating to Broward County; providing
3 for extending the corporate limits of the City
4 of Fort Lauderdale and the City of Plantation;
5 providing for annexation of the unincorporated
6 area known as "Broadview Park"; providing for
7 an election; providing an effective date for
8 annexation; providing for an interlocal
9 agreement; providing for a continuation of
10 certain Broward County regulations; providing
11 for the transfer of public roads and
12 rights-of-way; providing an effective date.

13

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

15

16 Section 1. No later than July 15, 2000, the governing
17 bodies of the Cities of Fort Lauderdale and Plantation, after
18 having considered the effects of annexation on the residents
19 of both the "Broadview Park Area," as hereinafter described,
20 and their respective municipalities, shall inform the Broward
21 County Legislative Delegation that they desire to appear on
22 the ballot as provided for in this act for annexation of the
23 Broadview Park Area.

24

25 Section 2. The Broward County Board of County
26 Commissioners shall schedule an election in accordance with
27 the provisions of the law relating to elections currently in
28 force in Broward County on November 7, 2000. The subject of
29 said election shall be the annexation of the Broadview Park
30 Area. Only registered voters residing in the Broadview Park
31 Area as described in this act, may vote in said election. On
the ballot provided for in this section shall appear the name

1 of each municipality which shall have informed the Broward
2 County Legislative Delegation that it desires to appear on the
3 ballot as provided for in section 1. The voters residing in
4 the Broadview Park Area shall, by majority vote of the voters
5 participating in the election, choose one municipality for
6 annexation. A mail ballot shall not be used in this election.

7 Section 3. Upon a majority of the registered voters
8 voting in the referendum provided for in section 2 to be
9 annexed into the City of Fort Lauderdale, the Broadview Park
10 Area described in section 4 shall be deemed a part of said
11 municipality on September 15, 2001, pursuant to section
12 171.062, Florida Statutes, except as provided for in this act.

13 Section 4. The legal description of the Broadview Park
14 Area, if annexed into the City of Fort Lauderdale, is as
15 follows:

16
17 That portion of Sections 13, 14, 23 and 24,
18 Township 50 South, Range 41 East and Section 18
19 Township 50 South, Range 42 East, Broward
20 County, Florida, described as follows:

21
22 Beginning at a point on the boundary of the
23 City of Plantation established by Chapter
24 68-101 Laws of Florida, being the Southeast
25 corner of Tract 1, Tier 24, according to
26 Newman's Survey of Section 14, Township 50
27 South, Range 41 East, as recorded in Plat Book
28 2, Page 26, Public Records of Dade County,
29 Florida;

1 thence continuing along the said boundary of
2 the City of Plantation the following 6 courses;
3
4 thence Northeasterly along the East line of
5 said Tier 24, to the North line of said Section
6 13;
7
8 thence East along the said North line of
9 Section 13 to a point of intersection with the
10 Northerly extension of the Westerly line of
11 Block 3, as shown by the plat of LAUDERDALE
12 HIGHLANDS as recorded in Plat Book 12, at Page
13 37, Public Records of Broward County, Florida;
14
15 thence Southwesterly along the Westerly line of
16 said Block 3 and its Northerly extension
17 thereof, to the Southwesterly corner of Lot 11
18 of said Block 3;
19
20 thence Easterly along the Southerly line of
21 said Lot 11 and its Easterly extension thereof,
22 to a point of intersection with the Easterly
23 right-of-way line of Highland Avenue, as shown
24 by said plat of LAUDERDALE HIGHLANDS;
25
26 thence Southwesterly along the Easterly
27 right-of-way line of said Highland Avenue to a
28 point of intersection with the South line of
29 Block 1, as shown by said plat of LAUDERDALE
30 HIGHLANDS;
31

1 thence Easterly along the South line of said
2 Block 1 and its Easterly extension thereof to a
3 point of intersection with the East
4 right-of-way line of State Road No.7, as
5 described in City of Fort Lauderdale annexing
6 Resolution No. 8519;
7
8 thence Southerly along the said east
9 right-of-way line to the North right-of-way
10 line of Riverland Road and the boundary of the
11 Town of Davie as described in Chapter 84-420,
12 Laws of Florida;
13
14 thence continuing along said boundary of the
15 Town of Davie the following 10 courses;
16
17 thence Westerly along the Westerly prolongation
18 of the said North right-of-way line to the West
19 right-of-way line of State Road No.7;
20
21 thence Southerly along said West right-of-way
22 line to a point of intersection with a line 300
23 feet North of the Southerly line of Tract 2,
24 Tier 4, of said Newman's Survey, as measured
25 along the said Westerly right-of-way line;
26
27 thence Northwesterly to a point on the Easterly
28 right-of-way line of Southwest 41st Avenue,
29 being 298.34 feet Northerly from the Southwest
30 corner of said Tract 2, Tier 4;
31

1 thence Westerly to a point of intersection of
2 the West right-of-way line of Southwest 41st
3 Avenue with the North line of said Section 24;
4
5 thence Southwesterly along the said West
6 right-of-way line to the centerline of North
7 New River Canal;
8
9 thence Southeasterly along said centerline to
10 the Westerly right-of-way line of State Road
11 No.7;
12
13 thence Southwesterly along said West
14 right-of-line to the South bank of the North
15 New River Canal;
16
17 thence Northwesterly along said South bank to
18 the Northerly extension of the West line of the
19 East One-Half of Tract 1, Tier 7 of said
20 Newman's Survey;
21
22 thence Southwesterly along said Northerly
23 extension to the Northwest corner of the said
24 East One-Half of Tract 1, Tier 7, also being on
25 the South right-of-way line of North New River
26 Canal;
27
28 thence Northwesterly along the said Southerly
29 right-of-way line to the Easterly line of Tier
30 21 of said Newman's Survey;
31

1 thence Northwesterly, continuing on the
2 boundary of the Town of Davie, along the said
3 Southerly right-of-way line to the intersection
4 with the Southwesterly extension of the East
5 line of the aforesaid Tract 1, Tier 24;
6
7 thence Northeasterly along said Southwesterly
8 extension to the Point of Beginning.
9 Section 5. Upon a majority of the registered voters
10 voting in the referendum provided for in section 2 to be
11 annexed into the City of Plantation, the Broadview Park Area
12 described in section 6 shall be deemed a part of said
13 municipality on September 15, 2001, pursuant to section
14 171.062, Florida Statutes, except as provided for in this act.
15 Section 6. The legal description of Broadview Park
16 Area, if annexed into the City of Plantation, is as follows:
17
18 That portion of Sections 13, 14, 23 and 24,
19 Township 50 South, Range 41 East and Section 18
20 Township 50 South, Range 42 East, Broward
21 County, Florida, described as follows:
22
23 Beginning at a point on the boundary of the
24 City of Plantation established by Chapter
25 68-101, Laws of Florida being the Southeast
26 corner of Tract 1, Tier 24, according to
27 Newman's Survey of Section 14, Township 50
28 South, Range 41 East, as recorded in Plat Book
29 2, Page 26, Public Records of Dade County,
30 Florida;
31

1 thence continuing along the said boundary of
2 the City of Plantation the following 6 courses;
3
4 thence Northeasterly along the East line of
5 said Tier 24, to the North line of said Section
6 13;
7
8 thence East along the said North line of
9 Section 13 to a point of intersection with the
10 Northerly extension of the Westerly line of
11 Block 3, as shown by the plat of LAUDERDALE
12 HIGHLANDS as recorded in Plat Book 12, at Page
13 37, Public Records of Broward County, Florida;
14
15 thence Southwesterly along the Westerly line of
16 said Block 3 and its Northerly extension
17 thereof, to the Southwesterly corner of Lot 11
18 of said Block 3;
19
20 thence Easterly along the Southerly line of
21 said Lot 11 and its Easterly extension thereof,
22 to a point of intersection with the Easterly
23 right-of-way line of Highland Avenue, as shown
24 by said plat of LAUDERDALE HIGHLANDS;
25
26 thence Southwesterly along the Easterly
27 right-of-way line of said Highland Avenue to a
28 point of intersection with the South line of
29 Block 1, as shown by said plat of LAUDERDALE
30 HIGHLANDS;
31

1 thence Easterly along the South line of said
2 Block 1 and its Easterly extension thereof to a
3 point of intersection with the East
4 right-of-way line of State Road No.7, as
5 described in City of Fort Lauderdale annexing
6 Resolution No. 8519;
7
8 thence Southerly along the said east
9 right-of-way line to the North right-of-way
10 line of Riverland Road and the boundary of the
11 Town of Davie as described in Chapter 84-420,
12 Laws of Florida;
13
14 thence continuing along said boundary of the
15 Town of Davie the following 10 courses;
16
17 thence Westerly along the Westerly prolongation
18 of the said North right-of-way line to the West
19 right-of-way line of State Road No.7;
20
21 thence Southerly along said West right-of-way
22 line to a point of intersection with a line 300
23 feet North of the Southerly line of Tract 2,
24 Tier 4, of said Newman's Survey, as measured
25 along the said Westerly right-of-way line;
26
27 thence Northwesterly to a point on the Easterly
28 right-of-way line of Southwest 41st Avenue,
29 being 298.34 feet Northerly from the Southwest
30 corner of said Tract 2, Tier 4;
31

1 thence Westerly to a point of intersection of
2 the West right-of-way line of Southwest 41st
3 Avenue with the North line of said Section 24;
4
5 thence Southwesterly along the said West
6 right-of-way line to the centerline of North
7 New River Canal;
8
9 thence Southeasterly along said centerline to
10 the Westerly right-of-way line of State Road
11 No.7;
12
13 thence Southwesterly along said West
14 right-of-line to the South bank of the North
15 New River Canal;
16
17 thence Northwesterly along said South bank to
18 the Northerly extension of the West line of the
19 East One-Half of Tract 1, Tier 7 of said
20 Newman's Survey;
21
22 thence Southwesterly along said Northerly
23 extension to the Northwest corner of the said
24 East One-Half of Tract 1, Tier 7, also being on
25 the South right-of-way line of North New River
26 Canal;
27
28 thence Northwesterly along the said Southerly
29 right-of-way line to the Easterly line of Tier
30 21 of said Newman's Survey;
31

1 thence Northwesterly, continuing on the
2 boundary of the Town of Davie, along the said
3 Southerly right-of-way line to the intersection
4 with the Southwesterly extension of the East
5 line of the aforesaid Tract 1, Tier 24;
6
7 thence Northeasterly along said Southwesterly
8 extension to the Point of Beginning.
9
10 TOGETHER WITH:
11
12 That portion of Sections 7, 8, 14, 15, 16 and
13 17, Township 50 South, Range 41 East and
14 Sections 2, 11 and 12, Township 50 South, Range
15 40 East, Broward County, Florida, described as
16 follows:
17
18 Beginning at a point on the boundary of the
19 City of Plantation established by Chapter
20 68-101, Laws of Florida, being the Southeast
21 corner of Tract 1, Tier 24, according to
22 Newman's Survey of Section 14, Township 50
23 South, Range 41 East, as recorded in Plat Book
24 2, Page 26, Public Records of Dade County,
25 Florida;
26
27 thence Northwesterly along the North right of
28 way line of the North New River Canal and along
29 the boundary of the City of Plantation
30 established by said Chapter 68-101 and by
31 Ordinance 1008, Ordinance 568, and Ordinance

1 543, all as adopted by the City of Plantation,
2 to the intersection with the West line of said
3 Section 2;
4
5 thence Southerly along the said West line to
6 the South right of way line of the North New
7 River Canal, being a point on the boundary of
8 the Town of Davie established by Chapter
9 84-420, Laws of Florida;
10
11 thence Southeasterly along the said South right
12 of way line and along the boundary of the Town
13 of Davie established by said Chapter 84-420 and
14 by Ordinance 85-97, adopted by the Town of
15 Davie, to the intersection with the
16 Southwesterly extension of the East line of
17 Tier 24 of said Newman's Survey;
18
19 thence Northeasterly along the said
20 Southwesterly extension to the point of
21 BEGINNING.
22 Section 7. An interlocal agreement shall be developed
23 between the governing bodies of Broward County and the
24 annexing city and executed prior to the effective date of the
25 annexation as provided for in section 3 or section 5. The
26 agreement shall include a financially feasible plan for
27 transitioning county services, buildings, infrastructure,
28 waterways, roads and rights-of-way, and employees, and
29 provisions for Broward County to continue to receive certain
30 revenues generated by the Broadview Park Area until the
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1 completion of programmed infrastructure improvements, as
2 appropriate.

3 Section 8. Upon annexation into a municipality, the
4 following shall govern the areas described in either section 4
5 or section 6.

6 (1) The present land use designations and zoning
7 districts provided for under the Broward County Comprehensive
8 Plan and Code of Ordinances of Broward County shall remain the
9 law governing the Broadview Park Area, notwithstanding the
10 fact that the Broadview Park Area is now a part of a
11 municipality. The land use designations and zoning of Broward
12 County shall be deemed the conforming laws of the municipality
13 of which the Broadview Park Area is now a part.

14 (2) Any change of zoning districts or land use
15 designations may only be accomplished by enactment of the vote
16 of the majority of the full governing body of a municipality
17 plus one.

18 (3) Notwithstanding subsections (1) and (2), any use,
19 building, or structure that is legally in existence at the
20 time that the Broadview Park Area becomes a part of the
21 municipality, said use shall not be made a prohibited use by
22 the municipality, on the property of said use, for as long as
23 the use shall continue, and not be voluntarily abandoned.

24 Section 9. Subsequent to the effective date of this
25 act, no change in land use designation or zoning shall be
26 effective within the limits of the lands subject to annexation
27 herein until the Broadview Park Area has been annexed into the
28 municipality. No annexation by any municipality shall occur
29 during the time period between the effective date of this act
30 and the effective date of the annexation. However, this
31 section shall not take effect if a municipality does not

1 appear on the ballot of November 7, 2000, as provided in this
2 act.

3 Section 10. All public roads and the public
4 rights-of-way associated therewith, on the Broward County Road
5 System, lying within the limits of the lands subject to
6 annexation herein, as described in either section 4 or section
7 6, are transferred from Broward County jurisdiction to the
8 jurisdiction of the annexing municipality, except for those
9 portions of Pine Island Road and Davie Boulevard and that
10 portion of Peters Road west of the Peters Road/Davie Boulevard
11 intersection lying within the limits of the annexation area.
12 All rights, title, interests, and responsibilities for any
13 transferred roads, including, but not limited to, the
14 ownership, operation, maintenance, planning, design, and
15 construction of said roads, and to the rights-of-way
16 associated therewith, shall transfer from Broward County
17 jurisdiction and ownership to the jurisdiction and ownership
18 of the annexing municipality upon the effective date of this
19 act.

20 Section 11. This act shall take effect upon becoming a
21 law.

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