

By Senator Dawson

30-1918-01

See HB 871

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

A bill to be entitled
An act relating to Broward County; providing
for extending the corporate limits of the City
of Fort Lauderdale; providing for annexation of
the unincorporated area known as Melrose Park;
providing for an election; providing for an
effective date of annexation; providing for an
interlocal agreement; providing legislative
intent; providing for a continuation of certain
Broward County regulations; providing for the
transfer of public roads and rights-of-way;
providing an effective date.

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

Section 1. The legal description of the Melrose Park
Area is as follows:

That portion of Section 7, Township 50 South,
Range 42 East, Broward County, Florida,
described as follows:

Beginning at a point on the boundary of the
City of Plantation established by Chapter
68-101, Laws of Florida, being the Southeast
corner of Lot 34, Block 11, MELROSE PARK
Section 7, as recorded in Plat Book 39, Page
35, Public Records of Broward County, Florida;

1 thence continuing along the said boundary of
2 the City of Plantation, the following 10
3 courses and distances;
4
5 thence Northerly along the East lines of Lots
6 34 through 24, and the Northerly extension
7 thereof, and the East lines of Lots 12 through
8 1, Block 6, and the Northerly extension
9 thereof, and the East line of Lot 9, Block 1,
10 to a point 50 ft. North of the Northeast corner
11 of Lot 9, Block 1, all in the said MELROSE PARK
12 Section 7;
13
14 thence Easterly 133.75 ft. along the North
15 right-of-way line of a canal as shown by said
16 MELROSE PARK Section 7;
17
18 thence Northerly along the East line of Tract
19 1, as shown by said MELROSE PARK Section 7, 425
20 ft. to the Northeast corner of said Tract 1;
21
22 thence Northerly 70 ft. more or less to the
23 Southeast corner of Tract 3, according to
24 MELROSE PARK Section 8, as recorded in Plat
25 Book 39, Page 36, of the Public Records of
26 Broward County, Florida;
27
28 thence Northerly along the East line of said
29 Tract 3 to a point of intersection with the
30 Westerly extension of the South line of Lot 1,
31

1 Block 4, according to the said MELROSE PARK
2 Section 8;
3
4 thence Easterly along the South line of said
5 Lot 1, Block 4, and the Westerly extension
6 thereof according to said MELROSE PARK Section
7 8, to the Southeast corner of said Lot 1, Block
8 4;
9
10 thence Northerly along the East line of said
11 Lot 1, Block 4, and the Northerly extension
12 thereof to the North right-of-way line of
13 Southwest 2nd Court, according to said MELROSE
14 PARK Section 8;
15
16 thence East along the North right-of-way line
17 of said Southwest 2nd Court to the West
18 right-of-way line of S.W. 38th Ave., as shown
19 by said MELROSE PARK Section 8;
20
21 thence North along the said West right-of-way
22 line of S.W. 38th Ave., 865 ft. more or less to
23 the South right-of-way line of Broward Blvd.,
24 as shown by the said MELROSE PARK Section 8;
25
26 thence East along the said South right-of-way
27 line of Broward Blvd., to a point of
28 intersection with the North line of Tract 2 of
29 said MELROSE PARK Section 8, being the point of
30 curvature of a circular curve concave to the
31 Southeast having a radius of 25 ft. and tangent

1 to the West line of said Tract 2 and the
2 boundary of the City of Plantation established
3 by City of Plantation Ordinance No. 581;
4
5 thence continuing along said boundary of the
6 City of Plantation the following 6 courses;
7
8 thence West through South along the arc of said
9 curve to the said point of tangency;
10
11 thence Southerly along the said West line of
12 Tract 2 to the Southwest corner of said Tract
13 2;
14
15 thence East along the South line of said Tract
16 2 to the West line of the East One-Half of the
17 Northwest One-Quarter of said Section 7, also
18 being a point on the West line of Tract 1A,
19 MELROSE PARK Section 6, recorded in Plat Book
20 36, Page 24, Public Records of Broward County,
21 Florida;
22
23 thence South along said West line to the
24 Southwest corner of said Tract 1A;
25
26 thence East along the South line of said Tract
27 1A to the Southeast corner thereof;
28
29 thence North along the East line of said Tract
30 1A to the point of intersection with the North
31 line of the South 90 ft. of said Tract 1A;

1
2 thence continuing along the boundary of the
3 City of Plantation established by City of
4 Plantation Ordinance No. 1083, the following 4
5 courses;
6
7 thence continuing North along the said East
8 line of Tract 1A to the point of curvature of a
9 curve concave to the Southwest, having a radius
10 of 25 feet;
11
12 thence North through West along said curve to
13 the point of tangency with the North line of
14 said Tract 1A;
15
16 thence West along said North line to a point of
17 intersection with the West line of the North
18 140 feet of the East 46 feet of aforesaid Tract
19 2, MELROSE PARK Section 8;
20
21 thence South along the said West line to a
22 point of intersection with the South line of
23 the North 140 feet of the East 46 feet of said
24 Tract 2;
25
26 thence continuing along the boundary of the
27 City of Plantation established by aforesaid
28 Ordinance No. 581, the following 4 courses;
29
30 thence South along the West line of the North
31 10 ft. of the South 90 ft. of said Tract 2 to

1 the North line of the South 80 ft. of said
2 Tract 2;
3
4 thence West along the said North line to the
5 West line of the East 136 ft. of said Tract 2;
6
7 thence North along the said West line to the
8 North line of said Tract 2;
9
10 thence West along the said North line to the
11 Southerly prolongation of the centerline of
12 N.W. 38th Way, as shown by the plat of BROWARD
13 ESTATES, as recorded in Plat Book 34, Page 19,
14 Public Records of Broward County, Florida;
15
16 thence North along the said prolongation of the
17 centerline of N.W. 38th Way, being along the
18 boundary of the City of Plantation established
19 by aforesaid Chapter 68-101, to the North line
20 of said Section 7;
21
22 thence East along the North line of said
23 Section 7 to the West right-of-way line of S.W.
24 31st Avenue, as described in Chapter 69-1057,
25 Laws of Florida, annexing lands into the City
26 of Fort Lauderdale, Florida;
27
28 thence along the boundary of the City of Fort
29 Lauderdale, established by said Chapter 69-1057
30 the following 2 courses;
31

1 thence South along the said West right-of-way
2 line to the South boundary of said Section 7;

3
4 thence West along the said South boundary to
5 the Point of Beginning.

6
7 Section 2. The Broward County Board of County
8 Commissioners shall schedule an election on November 6, 2001,
9 in accordance with the provisions of the law relating to
10 elections currently in force in Broward County. The subject of
11 said election shall be the annexation of the area described in
12 section 1 commonly known as the Melrose Park Area. Only
13 registered voters residing in the Melrose Park Area as
14 described in this act may vote in said election. On the ballot
15 provided for in this section shall appear the name of the City
16 of Fort Lauderdale. The voters residing in the Melrose Park
17 Area shall, by majority vote of the voters participating in
18 the election, choose the effective date for annexation with
19 the City of Fort Lauderdale. The dates appearing on the ballot
20 shall be a choice of September 15, 2002, or September 15,
21 2003. A mail ballot shall not be used in this election.

22 Section 3. Upon a majority of the registered voters
23 voting in the referendum as provided in section 2, for
24 annexation into the City of Fort Lauderdale, the area
25 described in this act shall be deemed a part of said
26 municipality on either September 15, 2002, or September 15,
27 2003. The City of Fort Lauderdale shall have all powers
28 pursuant to section 171.062, Florida Statutes, except as
29 provided in this act.

30 Section 4. No later than December 31, 2001, Broward
31 County shall adopt an improvement plan for the unincorporated

1 land subject to this act. Such plan shall provide for the
2 upgrade of the Melrose Park Area, including, but not limited
3 to, park and recreation, roadway, utilities, and public safety
4 infrastructure, to a level of services at least equivalent to
5 the levels of services for such infrastructure as is defined
6 or maintained by adjacent municipalities. The improvement plan
7 shall identify the specific capital improvements required to
8 meet such level of service. The plan shall be completed no
9 later than December 31, 2001, shall be submitted to the
10 Broward Legislative Delegation, and shall be utilized in
11 formulation of an interlocal agreement between the county and
12 the annexing city.

13 Section 5. The Board of County Commissioners of
14 Broward County is authorized to set the election provided for
15 in section 2 by special election for the time period provided
16 in this act at the cost of Broward County. A mail ballot shall
17 not be used for any election provided for in this act.

18 Section 6. Upon annexation into the City of Fort
19 Lauderdale, the following shall govern the areas described in
20 section 1: for any use, building, or structure that is legally
21 in existence at the time the Melrose Park Area becomes a part
22 of the City of Fort Lauderdale, such use shall not be made a
23 prohibited use by the municipality, on the property of said
24 use, for as long as the use shall continue and is not
25 voluntarily abandoned.

26 Section 7. Subsequent to the effective date of this
27 act, no change in land use designation or zoning shall be
28 effective within the limits of the lands subject to annexation
29 herein until the Melrose Park Area has been annexed into the
30 City of Fort Lauderdale, nor shall annexation by any
31

1 municipality occur during the period between the effective
2 date of this act and the effective date of the annexation.

3 Section 8. All public roads of the Broward County Road
4 System, and the public rights-of-way associated therewith,
5 lying within the limits of the lands subject to annexation
6 herein, as described in section 1, are transferred from
7 Broward County jurisdiction to the jurisdiction of the
8 annexing municipality, except for those portions of Martin
9 Luther King, Jr., Avenue (SW 31 Avenue) lying within the
10 limits of the annexation area. All rights, title, interests,
11 and responsibilities for any transferred roads, including, but
12 not limited to, the ownership, operation, maintenance,
13 planning, design, and construction of said roads and the
14 rights-of-way associated therewith, shall transfer from
15 Broward County jurisdiction and ownership to the jurisdiction
16 and ownership of the annexing municipality upon the effective
17 date of the annexation.

18 Section 9. This act shall take effect upon becoming a
19 law.