

By Representative Ritter

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 or the City of Plantation;  
5           providing for annexation of the unincorporated  
6           area known as Melrose Park; providing for an  
7           election; providing for an effective date of  
8           annexation; providing for an interlocal  
9           agreement; providing legislative intent;  
10          providing for a continuation of certain Broward  
11          County regulations; providing for the transfer  
12          of public roads and rights-of-way; providing an  
13          effective date.

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

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

19  
20                   That portion of Section 7, Township 50 South,  
21                   Range 42 East, Broward County, Florida,  
22                   described as follows:

23  
24                   Beginning at a point on the boundary of the  
25                   City of Plantation established by Chapter  
26                   68-101, Laws of Florida, being the Southeast  
27                   corner of Lot 34, Block 11, MELROSE PARK  
28                   Section 7, as recorded in Plat Book 39, Page  
29                   35, Public Records of Broward County, Florida;

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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 names of the  
16 City of Fort Lauderdale and the City of Plantation. The voters  
17 residing in the Melrose Park Area shall, by majority vote of  
18 the voters participating in the election, choose one  
19 municipality for annexation. A mail ballot shall not be used  
20 in this election.

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

28           Section 4. No later than December 31, 2001, Broward  
29 County shall adopt an improvement plan for the unincorporated  
30 land subject to this act. Such plan shall provide for the  
31 upgrade of the Melrose Park Area, including, but not limited

1 to, park and recreation, roadway, utilities, and public safety  
2 infrastructure, to a level of services at least equivalent to  
3 the levels of services for such infrastructure as is defined  
4 or maintained by adjacent municipalities. The improvement plan  
5 shall identify the specific capital improvements required to  
6 meet such level of service. The plan shall be completed no  
7 later than December 31, 2001, shall be submitted to the  
8 Broward Legislative Delegation, and shall be utilized in  
9 formulation of an interlocal agreement between the county and  
10 the annexing city.

11       Section 5. It is the intent of the Legislature that  
12 land included within this annexation local bill be revenue  
13 neutral to the extent the tax revenues flowing to the annexing  
14 city be equivalent to the costs of municipal services and  
15 benefits, given due consideration to the county improvement  
16 plan described in section 4. No later than December 31, 2001,  
17 the annexing municipality, with input from Broward County,  
18 shall submit to the Broward Legislative Delegation a report  
19 that forecasts whether this bill will be revenue neutral for  
20 the annexing municipality.

21       Section 6. The Board of County Commissioners of  
22 Broward County is authorized to set the election provided for  
23 in section 2 by special election for the time period provided  
24 in this act at the cost of Broward County. A mail ballot shall  
25 not be used for any election provided for in this act.

26       Section 7. Upon annexation into a municipality, the  
27 following shall govern the areas described in section 1: for  
28 any use, building, or structure that is legally in existence  
29 at the time the Melrose Park Area becomes a part of the  
30 municipality, such use shall not be made a prohibited use by  
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1 the municipality, on the property of said use, for as long as  
2 the use shall continue and is not voluntarily abandoned.

3 Section 8. Subsequent to the effective date of this  
4 act, no change in land use designation or zoning shall be  
5 effective within the limits of the lands subject to annexation  
6 herein until the Melrose Park Area has been annexed into the  
7 municipality, nor shall annexation by any municipality occur  
8 during the period between the effective date of this act and  
9 the effective date of the annexation.

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

25 Section 10. This act shall take effect only upon its  
26 approval by a majority vote of those qualified electors of the  
27 Melrose Park Area of Broward County voting in a referendum  
28 election to be called by the Broward County Board of County  
29 Commissioners and to be held on November 6, 2001, in  
30 accordance with the provisions of law relating to elections  
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1 currently in force, except that this section shall take effect  
2 upon becoming a law.  
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