

By Senator Geller

29-1863-02

See HB 1009

1                                   A bill to be entitled  
2           An act relating to the City of North  
3           Lauderdale, Broward County; extending and  
4           enlarging the corporate limits of the City of  
5           North Lauderdale to include specified  
6           unincorporated lands within said corporate  
7           limits; providing for a referendum; providing  
8           for powers and responsibilities of the City of  
9           North Lauderdale; providing for protecting  
10          certain uses in the annexed area; specifying no  
11          change in land use designations or zonings  
12          within the annexed area under certain  
13          circumstances; transferring public roads and  
14          public rights-of-way; specifying municipal  
15          powers of the City of North Lauderdale;  
16          providing for protection of contract rights;  
17          providing for preemption; providing an  
18          effective date.

19  
20 Be It Enacted by the Legislature of the State of Florida:

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22           Section 1. The area known as the Broadview  
23 Estates/Pompano Park Annexation Area is described as follows:

24  
25           Portions of section 12, township 49 south,  
26           range 41 east, Broward County Florida; together  
27           with portions of section 18, township 49 south,  
28           range 42 East Broward County Florida; together  
29           with portions of tracts 4, 8, 9 and 16, "Fort  
30           Lauderdale Truck Farms" according to the plat  
31           thereof as recorded in plat book 4, page 31 of

1        the public records of Broward County, Florida;  
2        together with a portion of tract 10, block 96,  
3        "Palm Beach Farms Co., Plat no. 3", p.b. 2,  
4        page 54, Palm Beach County records; together  
5        with all of the following plats recorded in the  
6        public records of Broward County, Florida,  
7        "Broadview Country Club Estates", plat book 44,  
8        page 31, "Broadview Country Club Estates, first  
9        addition", plat book 46, page 4, "Broadview  
10       Country Club Estates, 2nd addition", plat book  
11       47, page 22, Broadview Country Club Estates,  
12       3rd addition, plat book 47, page 41, "Broadview  
13       Country Club Estates, 4th addition", plat book  
14       48, page 5, "Broadview Country Club Estates,  
15       5th addition", plat book 48, page 25,  
16       "Broadview Country Club Estates, 6th addition",  
17       plat book 51, page 49, "Broadview Country Club  
18       Estates, 7th addition", plat book 51, page 50,  
19       "Pompano Park section 1", plat book 52, page 7,  
20       "Pompano Park section 2", plat book 54, page  
21       12, "Pompano Park section 3", plat book 55,  
22       page 20, "Broadview Country Club Estates, 9th  
23       addition", plat book 56, page 3, "Broadview  
24       Country Club Estates, 11th addition", plat book  
25       56, page 28, "Broadview Country Club Estates,  
26       12th addition", plat book 57, page 18,  
27       "Broadview Country Club Estates, 14th  
28       addition", plat book 58, page 18, "Broadview  
29       Country Club Estates, 15th addition", plat book  
30       62, page 35, "Perry's addition to Broadview  
31       Country Club Estates", plat book 62, page 43,

1       "Springbank Park", plat book 63, page 47,  
2       "Springbank Park, section 2", plat book 69,  
3       page 23, "Southern Federal at Tamarac, plat  
4       book 82, page 36, "Sloate & Zito Center", plat  
5       book 83, page 13, Buntrock plat", plat book 84,  
6       page 30, "Bailey Road Plaza", plat book 86,  
7       page 1, "Staples Commercial plat", plat book  
8       93, page 2, "Zackowitz plat", plat book 100,  
9       page 38, "Wellens Commercial", plat book 115,  
10       page 44, "Plaza Seven Subdivision", plat book  
11       117, page 24, "Centrum-robaina plat", plat book  
12       127, page 27, "Hidden Lake Estates", plat book  
13       144, page 46, and the "Wiley plat", plat book  
14       168, page 29, said portions being more  
15       particularly described as follows: beginning at  
16       the intersection of a line lying 170.00 feet  
17       east of the west line of said section 12, and  
18       the north line of said section 12; said line  
19       also being the municipal limits of North  
20       Lauderdale per Chapter 83-475, House Bill no.  
21       926, Laws of Florida; thence along said north  
22       line and said municipal limits line, south  
23       88°55'02" east, 5,098.96 feet to an  
24       intersection with a point on a line lying 15  
25       feet west of and parallel with the east line of  
26       the northeast quarter (n.e. 1/4) of said  
27       section 12; thence along said parallel line,  
28       and said municipal limits line, south 00°00'00"  
29       east, 2,644.43 feet; thence south 00°00'03"  
30       east 98.89 feet to a point on the westerly  
31       right of way of Florida's Turnpike; thence

1       north 37°42'49" east along said westerly right  
2       of way and said municipal limits line to the  
3       northerly prolongation of the west line of  
4       tract 7, block 96 of said Palm Beach Farms Co.  
5       Plat no. 3; thence south 00°01'14" east along  
6       the said northerly prolongation and along the  
7       east right-of-way line of State Road 7 said  
8       line also being the municipal limits of Fort  
9       Lauderdale as per Chapter 69-1057 House Bill  
10       2628 of the Laws of Florida and City of Ft.  
11       Lauderdale ordinance no. C-00-71 to the north  
12       right-of-way line of prospect road, as shown on  
13       the state of florida department of  
14       transportation right-of-way map section  
15       86100-2501 sheet 7 (latest date 4/17/95);  
16       thence easterly along said north right-of-way  
17       line, to a point of intersection with a line  
18       lying 249.00 feet east of and parallel with the  
19       east right-of-way line of said State Road 7;  
20       thence southerly along said line to an  
21       intersection with the south line of aforesaid  
22       tract 10; thence along said south line, 987.82  
23       feet to an intersection with the northerly  
24       extension of the westerly line of "Linpro  
25       Lonestar Park", according to the plat thereof  
26       as recorded in plat book 124, page 12, of the  
27       public records of Broward County, Florida;  
28       thence south 00°07'30" east, along said  
29       westerly line and the westerly line of  
30       "Prospect Industrial and Commercial Park"  
31       according to the plat thereof as recorded in

1        plat book 104, page 17, of the public records  
2        of Broward County, Florida, said line also  
3        being the municipal limits of Fort Lauderdale  
4        per ordinance c-72-22, 2,078.22 feet to the  
5        northeast corner of "Leder Commercial  
6        Subdivision", according to the plat thereof as  
7        recorded in plat book 79, page 25 of the public  
8        records of Broward County, Florida; thence  
9        along the north line of said "Leder Commercial  
10       Subdivision" plat, said line also being the  
11       municipal limits of Fort Lauderdale per  
12       ordinance c-73-4 north 88°33'38" west, 1,271.42  
13       feet to the east right of way line of State  
14       Road 7; thence along said east right of way  
15       line and said municipal limits line, south  
16       00°00'30" east, 658.62 feet to the south line  
17       of the northwest quarter (n.w. 1/4) of said  
18       section 18; thence along the municipal limits  
19       of Tamarac, per ordinance 0-81-17, the  
20       following nine (9) courses; (1) thence north  
21       88°29'17" west 153 feet along said south line  
22       and the westerly prolongation thereof to the  
23       west right of way line of State Road 7; (2)  
24       thence northerly along said west right of way  
25       line to an intersection with the south line of  
26       the southeast quarter of section 12, township  
27       49 south, range 41 east; (3) thence along said  
28       south line, north 88°57'06" west 1,220 feet,  
29       more or less, to an intersection with the west  
30       line of said tract 16 and the southerly  
31       extension of the west line of said "Pompano

1        Park" plat; (4) thence along said west line,  
2        said line also being the east line of tract 15  
3        of said Ft. Lauderdale Truck Farms plat, north  
4        00°02'53" west, 1,320.05 feet to the southeast  
5        corner of said "Pompano Park section 1" plat;  
6        (5) thence along the south line of aforesaid  
7        "Pompano Park section 1" plat and south line of  
8        said tract 10, north 88°57'12" west, 1,153.35  
9        feet to a point of intersection with a line  
10       lying 165.83 feet east of the west line of said  
11       tract 10; (6) thence northerly along said line  
12       163.73 feet; (7) thence westerly along a line  
13       163.73 feet north of the south line of said  
14       tract 10, 165.83 feet to a point on the west  
15       line of said tract 10; (8) thence along the  
16       west line of said tract 10, north 01°03'51"  
17       east, 1,155.20 feet to an intersection with the  
18       south line of the north half (n 1/2) of said  
19       section 12; (9) thence along said south line,  
20       north 88°56'09" west 2,470.48 feet to a point  
21       of intersection with said line lying 170.00  
22       feet east of and parallel with the west line of  
23       said section 12; thence along said parallel  
24       line said line also being the municipal limits  
25       of the City of North Lauderdale per Chapter  
26       83-475 House Bill 926 Laws of Florida, north  
27       00°00'05" east, 2,646.09 feet to the point of  
28       beginning. Less therefrom: that portion of the  
29       City of Ft. Lauderdale, as per ordinance c-73-4  
30       lying in section 18, township 49 south, range  
31       42 east, Broward County, Florida, being more

1 particularly described as follows: beginning at  
2 the northwest corner of the south half (s 1/2)  
3 of the southeast one quarter (s.e. 1/4) of the  
4 northwest one quarter (n.w. 1/4) of section 18,  
5 township 49 south, range 42 east; thence north  
6 00°07'30" west along the extension of the west  
7 line of the south half (s 1/2) of the southeast  
8 one quarter (s.e. 1/4) of the northwest one  
9 quarter (n.w. 1/4), a distance of 15.00 feet;  
10 thence north 88°33'38" west, a distance of  
11 10.00 feet; thence south 00°07'30" east, 10.00  
12 feet west of and parallel to the said west line  
13 of the south half (s 1/2) of the southeast one  
14 quarter (s.e. 1/4) of the northwest one quarter  
15 (n.w. 1/4), a distance of 33.33 feet; thence  
16 south 88°33'38" east, a distance of 10.00 feet  
17 to a point on the west line of said south half  
18 (s1/2) of the southeast one quarter (s.e. 1/4)  
19 of the northwest one quarter (n.w. 1/4); thence  
20 north 00°07'30" west, along the said west line  
21 of the south half (s 1/2) of the southeast one  
22 quarter (s.e. 1/4) of the northwest one quarter  
23 (n.w. 1/4), a distance of 18.33 feet to the  
24 point of beginning.

25  
26 Said lands situate in Broward County, Florida.

27  
28 Section 2. An election shall be scheduled by the Board  
29 of County Commissioners of Broward County in accordance with  
30 the provisions of law relating to elections currently in force  
31 in Broward County on November 5, 2002. Only registered voters

1 residing in the Broadview Estates/Pompano Park Annexation Area  
2 may vote in said election. A mail ballot shall not be used in  
3 said election. The item that shall appear on the ballot of  
4 the election of November 5, 2002, shall be as follows:

5  
6 Shall the Broadview Estates/Pompano Park  
7 Annexation Area be annexed into the City of  
8 North Lauderdale effective September 15, 2003,  
9 or September 15, 2004.

10  
11 Select one below:

12  
13 All of the Broadview Estates/Pompano Park  
14 Annexation Area shall be annexed into the City  
15 of North Lauderdale, effective September 15,  
16 2003.

17  
18 All of the Broadview Estates/Pompano Park  
19 Annexation Area shall be annexed into the City  
20 of North Lauderdale, effective September 15,  
21 2004.

22  
23 Section 3. All of the Broadview Estates/Pompano Park  
24 Annexation Area, as defined herein, shall be deemed a part of  
25 the City of North Lauderdale effective on the date which  
26 receives a majority of the votes in the election described in  
27 section 2.

28 Section 4. As of the effective date of annexation,  
29 whichever date receives a majority of the votes in the  
30 election described in section 2, the City of North Lauderdale  
31 shall have all powers and responsibilities as provided in



1 section 171.062, Florida Statutes, except as provided in this  
2 act.

3           Section 5. Upon annexation into the City of North  
4 Lauderdale, the following shall govern the areas described in  
5 the Broadview Estates/Pompano Park Annexation Area as provided  
6 in this act: for any use, building, or structure that is  
7 legally in existence at the time the Broadview Estates/Pompano  
8 Park Annexation Area becomes a part of the City of North  
9 Lauderdale, such use shall not be made a prohibited use by the  
10 City of North Lauderdale, on the property of said use, for as  
11 long as the use shall continue and is not voluntarily  
12 abandoned.

13           Section 6. Subsequent to the effective date of this  
14 act, no change in land use designation or zoning shall be  
15 effective within the limits of the lands subject to annexation  
16 herein, until the Broadview Estates/Pompano Park Annexation  
17 Area has been annexed into the City of North Lauderdale,  
18 pursuant to this act.

19           Section 7. All public roads and the public  
20 rights-of-way associated therewith, on the Broward County Road  
21 System, lying within the limits of the lands subject to  
22 annexation herein, as described in section 1, are transferred  
23 from Broward County jurisdiction to the jurisdiction of the  
24 City of North Lauderdale except McNab Road, upon the effective  
25 date of the annexation.

26           Section 8. Upon the effective date of the annexation,  
27 the City of North Lauderdale shall be responsible for and  
28 embodied with all municipal powers granted in chapter 166,  
29 Florida Statutes, over territory hereby annexed.

30           Section 9. Nothing in this chapter shall be construed  
31 to affect or abrogate the rights of parties to any contracts,

1 whether the same be between Broward County and a third party  
2 or between nongovernmental entities, which contracts are in  
3 effect prior to the effective date of annexation.

4 Section 10. This act shall take precedence over any  
5 other enacted law.

6 Section 11. This act shall take effect upon becoming a  
7 law.

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