

By Senator Geller

29-1833-02

See HB 1019

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 Plantation; providing for annexation of the
 5 unincorporated area known as "Broward Estates";
 6 providing for an election; providing for an
 7 effective date of annexation; providing for an
 8 interlocal agreement; providing for
 9 continuation of certain Broward County
 10 regulations; providing for the transfer of
 11 public roads and rights-of-way; providing an
 12 effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:
 15

16 Section 1. No later than July 1, 2002, the governing
 17 body for the City of Plantation shall, after having considered
 18 the effects of annexation on the residents of both the
 19 "Broward Estates Area," as hereinafter described, and the City
 20 of Plantation, have informed the Broward County Legislative
 21 Delegation and the Broward County Board of County
 22 Commissioners that it desires to appear on the ballot as
 23 provided for in this act.

24 Section 2. The legal description of the "Broward
 25 Estates Area" is as follows:

26
 27 That portion of Sections 5 and 6, Township 50
 28 South, Range 42 East; Broward County, Florida,
 29 described as follows:

30
 31

1 Beginning at a point on the boundary of the
2 City of Plantation, established by Chapter
3 68-101, Laws of Florida, being at the
4 intersection of the South line of said Section
5 6 with the Southerly prolongation of the
6 centerline of N.W. 38th Way, as shown by the
7 plat of BROWARD ESTATES Section 2, as recorded
8 in Plat Book 34, Page 19, Public Records of
9 Broward County, Florida,
10
11 thence continuing along the said boundary of
12 the City of Plantation the following ten (10)
13 courses;
14
15 thence North along the said Southerly
16 prolongation of the centerline of N.W. 38th Way
17 to an intersection with the North right-of-way
18 of Broward Blvd., said North right-of-way line
19 being 50 ft. North of and parallel to the South
20 line of said Section 6;
21
22 thence Easterly along the said North
23 right-of-way line of Broward Blvd. to the
24 Southeast corner of Tract "E," as shown by said
25 BROWARD ESTATES Section 2;
26
27 thence Northerly along the East line of said
28 Tract "E" to the Northeast corner of said Tract
29 "E";
30
31

1 thence Westerly along the North line of Tracts
2 "D" and "E," as shown by said BROWARD ESTATES
3 Section 2, and its Westerly prolongation
4 thereof to a point of intersection with the
5 centerline of N.W. 38th Way, as shown by said
6 BROWARD ESTATES, Section 2;
7
8 thence Northerly along the centerline of said
9 N.W. 38th Way to a point of intersection with
10 the Southerly prolongation of the West line of
11 Block 13, as shown by said BROWARD ESTATES
12 Section 2;
13
14 thence Northerly along the West line of Block
15 13 and its Southerly prolongation thereof, to
16 the North line of said BROWARD ESTATES Section
17 2;
18
19 thence Westerly along the said North line of
20 BROWARD ESTATES Section 2 for a distance of 40
21 ft.;
22
23 thence Northerly along a line 230 ft. East of
24 and parallel to the West line of said Section
25 6, to the Westerly prolongation of the North
26 right-of-way line of N.W. 5th Street, as shown
27 by plat of GREENLEAF, as recorded in Plat Book
28 42, at Page 9, Public Records of Broward
29 County, Florida;
30
31

1 thence Westerly along said Westerly
2 prolongation for a distance of 5 ft.;
3
4 thence Northerly along a line 225 ft. East of
5 and parallel to the West line of said Section 6
6 to the Westerly prolongation of the North
7 right-of-way line of N.W. 7th Street, as shown
8 by plat of ACADEMY AWARD HOMES Section 3, as
9 recorded in Plat Book 45, at Page 17 Public
10 Records of Broward County, Florida;
11
12 thence Easterly and Southeasterly along the
13 said North right-of-way line and the Easterly
14 prolongation thereof to the Northwest corner of
15 lot 3, Block 5, as shown by the plat of
16 TROPICANA PARK HOMES, as recorded in Plat Book
17 46, Page 17, Public Records of Broward County,
18 Florida;
19
20 thence Easterly along the North line of said
21 Lot 3 to the Northeast corner thereof;
22
23 thence Easterly to the Northwest corner of Lot
24 6, Block 27, as shown by the plat of NEW
25 BROWARDALE, as recorded in Plat Book 47, Page
26 14, Public Records of Broward County, Florida;
27
28 thence Easterly along the North line of said
29 Lot 6 to the Northeast corner thereof being on
30 the West right-of-way line of N.W. 34th
31

1 Terrace, as shown by said plat of NEW
2 BROWARDALE;
3
4 thence Northerly along the said West
5 right-of-way line to the point of curvature of
6 a curve concave to the Southeast, having a
7 radius of 85 feet;
8
9 thence Northerly through Easterly along said
10 curve to the point of tangency with the North
11 right-of-way line of N.W. 7th Street, as shown
12 by said plat of NEW BROWARDALE;
13
14 thence Easterly along the said North
15 right-of-way line and the Easterly prolongation
16 thereof to the centerline of N.W. 34th Avenue;
17
18 thence Easterly along the North right-of-way
19 line of N.W. 7th St. and the Westerly
20 prolongation thereof, to the point of curvature
21 of a curve concave to the Northwest, having a
22 radius of 25 feet;
23
24 thence Easterly through Northerly along the arc
25 of said curve to the point of tangency with the
26 West right-of-way line of N.W. 33rd Terrace, as
27 shown by BROWARDALE 2ND ADDITION AMENDED PLAT,
28 as recorded in Plat Book 47, Page 23, Public
29 Records of Broward County, Florida;
30
31

1 thence Easterly to the Northwest corner of Lot
2 1, Block 32, as shown by the said BROWARDALE
3 2ND ADDITION AMENDED PLAT;
4
5 thence Easterly along the North line of said
6 Lot 1 to the Northeast corner thereof;
7
8 thence Easterly to the Northwest corner of Lot
9 16, Block 31, as shown by the said BROWARDALE
10 2ND ADDITION AMENDED PLAT;
11
12 thence Easterly along the North line of said
13 Lot 16 to the Northeast corner thereof;
14
15 thence Easterly to the Northwest corner of Lot
16 16, Block 30, as shown by said BROWARDALE 2ND
17 ADDITION AMENDED PLAT;
18
19 thence Easterly along the North line of said
20 Lot 16, Block 30 to the Northeast corner
21 thereof;
22
23 thence Southerly along the East line of said
24 Lot 16, Block 30 to a point of intersection
25 with the North line of the Southeast
26 One-Quarter (SE 1/4), of the Southeast
27 One-Quarter (SE 1/4), of the Northeast
28 One-Quarter (NE 1/4) of said Section 6;
29
30 thence Easterly along said North line and the
31 Easterly prolongation thereof to the East

1 right-of-way line of Martin Luther King, Jr.
2 Blvd. (N.W. 31st Ave.);
3
4 thence Southerly along the said East
5 right-of-way line to the North right-of-way
6 line of West Broward Blvd. and the boundary of
7 the City of Fort Lauderdale as described in
8 Chapter 69-1057, Laws of Florida;
9
10 thence continuing along the said boundary of
11 the City of Fort Lauderdale the following two
12 (2) courses;
13
14 thence Westerly along the said North
15 right-of-way line to the Northerly extension of
16 the West right-of-way line of S.W. 31st Avenue;
17
18 thence Southerly along the said Northerly
19 extension to the South line of said Section 6;
20
21 thence Westerly along said South line to the
22 Point of Beginning.

23
24 Section 3. The Broward County Board of County
25 Commissioners shall schedule an election in accordance with
26 the provisions of law relating to elections currently in force
27 in Broward County on November 5, 2002. The subject of said
28 election shall be the annexation of the area described in
29 section 2, commonly known as the "Broward Estates Area." Only
30 registered voters residing in the "Broward Estates Area" as
31 described in this act may vote in said election. On the ballot

1 provided for in this section shall appear the name of the City
2 of Plantation. The voters residing in the "Broward Estates
3 Area" shall, by majority vote of the voters participating in
4 the election, choose whether to join that city on September
5 15, 2003, or September 15, 2004. A mail ballot shall not be
6 used in this election. However, voters may vote by absentee
7 ballot as provided by law.

8 Section 4. Upon a majority of the registered voters
9 voting in the referendum, as provided in section 3, for
10 annexation into the City of Plantation, the area described in
11 this act shall be deemed a part the City of Plantation on
12 September 15, 2003, or September 15, 2004, pursuant to section
13 171.062, Florida Statutes, except as provided for in this act.

14 Section 5. An interlocal agreement shall be developed
15 between the governing bodies of Broward County and the City of
16 Plantation and executed prior to the effective date of the
17 annexation as provided for in section 4. The agreement shall
18 include a financially feasible plan for transitioning county
19 services, buildings, infrastructure, waterways, and employees,
20 and provisions for Broward County to continue to receive
21 certain revenues generated by the "Broward Estates Area" until
22 the completion of programmed infrastructure improvements, as
23 appropriate.

24 Section 6. An interlocal agreement between Broward
25 County and the City of Plantation shall be implemented
26 regarding infrastructure improvements in the unincorporated
27 area as a part of the annexation contemplated by this act.

28 Section 7. The Board of County Commissioners of
29 Broward County is hereby authorized to set the election
30 provided for in section 3 by general election for the time
31 period provided in this act and at the cost of Broward County.

1 A mail ballot shall not be used for any election provided for
2 in this act. However, voters may vote by absentee ballot as
3 provided by law.

4 Section 8. Upon annexation into the City of
5 Plantation, the following shall govern the areas described in
6 section 2:

7 (1) The present land use designations and zoning
8 districts provided for under the Broward County Comprehensive
9 Plan and the Code of Ordinances of Broward County shall remain
10 the law governing the "Broward Estates Area," notwithstanding
11 the fact that the "Broward Estates Area" is now a part of the
12 City of Plantation, until amended by a majority vote plus one
13 of the governing body of the City of Plantation. The land use
14 designations and zoning of Broward County shall be deemed the
15 conforming laws of the City of Plantation of which the
16 "Broward Estates Area" is now a part, until amended by a
17 majority vote plus one of the governing body of the the City
18 of Plantation.

19 (2) Any change of zoning districts or land use
20 designations may only be accomplished by enactment of the vote
21 of the majority of the full governing body of the City of
22 Plantation plus one.

23 (3) Notwithstanding subsections (1) and (2), any use,
24 building, or structure that is legally in existence at the
25 time that the "Broward Estates Area" becomes a part of the
26 City of Plantation, said use shall not be made a prohibited
27 use by the City of Plantation, on the property of said use,
28 for as long as the use shall continue and not be voluntarily
29 abandoned.

30 Section 9. Subsequent to the effective date of this
31 act, no change in land use designation or zoning shall be

1 effective within the limits of the lands subject to annexation
2 herein until the "Broward Estates Area" has been annexed into
3 the City of Plantation; no annexation within the "Broward
4 Estates Area" by any municipality shall occur during the time
5 period between the effective date of this act and the
6 effective date of the annexation.

7 Section 10. All public roads and the public
8 rights-of-way associated therewith on the Broward County Road
9 System lying within the limits of the lands subject to
10 annexation herein, as described in section 2, are transferred
11 from Broward County jurisdiction to the jurisdiction of the
12 City of Plantation, except for those portions of Martin Luther
13 King, Jr. Avenue (S.W. 31 Avenue) lying within the limits of
14 the annexation area. All rights, title, interests, and
15 responsibilities for any transferred roads, including, but not
16 limited to, the ownership, operation, maintenance, planning,
17 design, and construction of said roads and to the
18 rights-of-way associated therewith shall transfer from Broward
19 County jurisdiction and ownership to the jurisdiction and
20 ownership of the City of Plantation upon the effective date of
21 the annexation.

22 Section 11. This act shall take effect upon becoming a
23 law.