

By Senator Geller

29-2143A-02

See HB 991

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 "Broadview Park"; providing for
7 an election; providing for an effective date of
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 1, 2002, the governing
17 body for each municipality subject to annexation under this
18 act shall, after having considered the effects of annexation
19 on the residents of both the "Broadview Park Area," as
20 hereinafter described, and the municipality, inform the
21 Broward County Legislative Delegation and the Broward County
22 Board of County Commissioners whether it desires to appear on
23 the ballot as provided for in this act.

24 Section 2. If at least one of the municipalities
25 subject to annexation under this act informs the Broward
26 County Legislative Delegation and the Broward County Board of
27 County Commissioners that it desires to appear on the ballot
28 as provided for in section 1, the Broward County Board of
29 County Commissioners shall schedule an election on November 5,
30 2002, in accordance with the provisions of law relating to
31 elections currently in force in Broward County. The subject

1 of such election shall be the annexation of the Broadview Park
2 Area. Only registered voters residing in the Broadview Park
3 Area as described in this act may vote in such election. On
4 the ballot provided for in this section shall appear the name
5 of each municipality which shall have informed the Broward
6 County Legislative Delegation and the Broward County Board of
7 County Commissioners that it desires to appear on the ballot
8 as provided for in section 1. The voters residing in the
9 Broadview Park Area shall, by majority vote of the voters
10 participating in the election, choose one municipality for
11 annexation. In the event only one municipality shall have
12 informed the Broward County Legislative Delegation and the
13 Broward County Board of County Commissioners that it desires
14 to appear on the ballot as provided for in section 1, the
15 voters residing in the Broadview Park Area shall, by majority
16 vote of the voters participating in the election, choose
17 whether to join that municipality on September 15, 2003, or
18 September 15, 2004. A mail ballot shall not be used in this
19 election. However, voters may vote by absentee ballot as
20 provided by law.

21 Section 3. Upon a majority of the registered voters
22 residing in the Broadview Park Area voting for annexation into
23 the City of Fort Lauderdale, the Broadview Park Area described
24 in section 4 shall be deemed a part of such municipality on
25 September 15, 2003, pursuant to section 171.062, Florida
26 Statutes, except as otherwise provided in this act. However,
27 should the City of Fort Lauderdale be the only municipality to
28 have informed the Broward County Legislative Delegation and
29 the Broward County Board of County Commissioners that it
30 desires to appear on the ballot as provided for in section 1,
31 the area described in section 4 shall be deemed a part of such

1 municipality on September 15, 2003, or September 15, 2004,
2 pursuant to section 171.062, Florida Statutes, except as
3 otherwise provided in this act.

4 Section 4. For purposes of annexation into the City of
5 Fort Lauderdale, the legal description of the Broadview Park
6 Area is as follows:

7
8 That portion of Sections 13, 14, 23 and 24,
9 Township 50 South, Range 41 East and Section
10 18, Township 50 South, Range 42 East, Broward
11 County, Florida, described as follows:

12
13 Beginning at a point on the boundary of the
14 City of Plantation established by Chapter
15 68-101 Laws of Florida, being the Southeast
16 corner of Tract 1, Tier 24, according to
17 Newman's Survey of Section 14, Township 50
18 South, Range 41 East, as recorded in Plat Book
19 2, Page 26, Public Records of Dade County,
20 Florida;

21
22 thence continuing along the said boundary of
23 the City of Plantation the following 6 courses;

24
25 thence Northeasterly along the East line of
26 said Tier 24, to the North line of said Section
27 13;

28
29 thence East along the said North line of
30 Section 13 to a point of intersection with the
31 Northerly extension of the Westerly line of

1 Block 3, as shown by the plat of LAUDERDALE
2 HIGHLANDS as recorded in Plat Book 12, at Page
3 37, Public Records of Broward County, Florida;
4
5 thence Southwesterly along the Westerly line of
6 said Block 3 and its Northerly extension
7 thereof, to the Southwesterly corner of Lot 11
8 of said Block 3;
9
10 thence Easterly along the Southerly line of
11 said Lot 11 and its Easterly extension thereof,
12 to a point of intersection with the Easterly
13 right-of-way line of Highland Avenue, as shown
14 by said plat of LAUDERDALE HIGHLANDS;
15
16 thence Southwesterly along the Easterly
17 right-of-way line of said Highland Avenue to a
18 point of intersection with the South line of
19 Block 1, as shown by said plat of LAUDERDALE
20 HIGHLANDS;
21
22 thence Easterly along the South line of said
23 Block 1 and its Easterly extension thereof to a
24 point of intersection with the East
25 right-of-way line of State Road No.7, as
26 described in City of Fort Lauderdale annexing
27 Resolution No. 8519;
28
29 thence Southerly along the said east
30 right-of-way line to the North right-of-way
31 line of Riverland Road and the boundary of the

1 Town of Davie as described in Chapter 84-420,
2 Laws of Florida;
3
4 thence continuing along said boundary of the
5 Town of Davie the following 10 courses;
6
7 thence Westerly along the Westerly prolongation
8 of the said North right-of-way line to the West
9 right-of-way line of State Road No.7;
10
11 thence Southerly along said West right-of-way
12 line to a point of intersection with a line 300
13 feet North of the Southerly line of Tract 2,
14 Tier 4, of said Newman's Survey, as measured
15 along the said Westerly right-of-way line;
16
17 thence Northwesterly to a point on the Easterly
18 right-of-way line of Southwest 41st Avenue,
19 being 298.34 feet Northerly from the Southwest
20 corner of said Tract 2, Tier 4;
21
22 thence Westerly to a point of intersection of
23 the West right-of-way line of Southwest 41st
24 Avenue with the North line of said Section 24;
25
26 thence Southwesterly along the said West
27 right-of-way line to the centerline of North
28 New River Canal;
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1 thence Southeasterly along said centerline to
2 the Westerly right-of-way line of State Road
3 No.7;
4
5 thence Southwesterly along said West
6 right-of-line to the South bank of the North
7 New River Canal;
8
9 thence Northwesterly along said South bank to
10 the Northerly extension of the West line of the
11 East One-Half of Tract 1, Tier 7 of said
12 Newman's Survey;
13
14 thence Southwesterly along said Northerly
15 extension to the Northwest corner of the said
16 East One-Half of Tract 1, Tier 7, also being on
17 the South right-of-way line of North New River
18 Canal;
19
20 thence Northwesterly along the said Southerly
21 right-of-way line to the Easterly line of Tier
22 21 of said Newman's Survey;
23
24 thence Northwesterly, continuing on the
25 boundary of the Town of Davie, along the said
26 Southerly right-of-way line to the intersection
27 with the Southwesterly extension of the East
28 line of the aforesaid Tract 1, Tier 24;
29
30 thence Northeasterly along said Southwesterly
31 extension to the Point of Beginning.

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2 Section 5. Upon a majority of the registered voters
3 residing in the Broadview Park Area voting for annexation into
4 the City of Plantation, the Broadview Park Area described in
5 section 6 shall be deemed a part of such municipality on
6 September 15, 2003, pursuant to section 171.062, Florida
7 Statutes, except as otherwise provided in this act. However,
8 should the City of Plantation be the only municipality to have
9 informed the Broward County Legislative Delegation and the
10 Broward County Board of County Commissioners that it desires
11 to appear on the ballot as provided for in section 1, the area
12 described in section 6 shall be deemed a part of such
13 municipality on September 15, 2003, or September 15, 2004,
14 pursuant to section 171.062, Florida Statutes, except as
15 otherwise provided in this act.

16 Section 6. For purposes of annexation into the City of
17 Plantation, the legal description of the Broadview Park Area
18 is as follows:

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

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

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

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

1 being 298.34 feet Northerly from the Southwest
2 corner of said Tract 2, Tier 4;
3
4 thence Westerly to a point of intersection of
5 the West right-of-way line of Southwest 41st
6 Avenue with the North line of said Section 24;
7
8 thence Southwesterly along the said West
9 right-of-way line to the centerline of North
10 New River Canal;
11
12 thence Southeasterly along said centerline to
13 the Westerly right-of-way line of State Road
14 No.7;
15
16 thence Southwesterly along said West
17 right-of-line to the South bank of the North
18 New River Canal;
19
20 thence Northwesterly along said South bank to
21 the Northerly extension of the West line of the
22 East One-Half of Tract 1, Tier 7 of said
23 Newman's Survey;
24
25 thence Southwesterly along said Northerly
26 extension to the Northwest corner of the said
27 East One-Half of Tract 1, Tier 7, also being on
28 the South right-of-way line of North New River
29 Canal;
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1 thence Northwesterly along the said Southerly
2 right-of-way line to the Easterly line of Tier
3 21 of said Newman's Survey;
4
5 thence Northwesterly, continuing on the
6 boundary of the Town of Davie, along the said
7 Southerly right-of-way line to the intersection
8 with the Southwesterly extension of the East
9 line of the aforesaid Tract 1, Tier 24;
10
11 thence Northeasterly along said Southwesterly
12 extension to the Point of Beginning.
13
14 TOGETHER WITH:
15
16 That portion of Sections 7, 8, 14, 15, 16 and
17 17, Township 50 South, Range 41 East and
18 Sections 2, 11 and 12, Township 50 South, Range
19 40 East, Broward County, Florida, described as
20 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;
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1 thence Northwesterly along the North right of
2 way line of the North New River Canal and along
3 the boundary of the City of Plantation
4 established by said Chapter 68-101 and by
5 Ordinance 1008, Ordinance 568, and Ordinance
6 543, all as adopted by the City of Plantation,
7 to the intersection with the West line of said
8 Section 2;

9
10 thence Southerly along the said West line to
11 the South right of way line of the North New
12 River Canal, being a point on the boundary of
13 the Town of Davie established by Chapter 84 -
14 420, Laws of Florida;

15
16 thence Southeasterly along the said South right
17 of way line and along the boundary of the Town
18 of Davie established by said Chapter 84 - 420
19 and by Ordinance 85 - 97, adopted by the Town
20 of Davie, to the intersection with the
21 Southwesterly extension of the East line of
22 Tier 24 of said Newman's Survey;

23
24 thence Northeasterly along the said
25 Southwesterly extension to the point of
26 BEGINNING.

27
28 Section 7. An interlocal agreement shall be developed
29 between the governing bodies of Broward County and the
30 annexing municipality and executed prior to the effective date
31 of the annexation as provided for in section 3 or section 5,

1 as applicable. The agreement shall include a financially
2 feasible plan for transitioning county services, buildings,
3 infrastructure, waterways, and employees.

4 Section 8. An interlocal agreement between Broward
5 County and the City of Fort Lauderdale or the City of
6 Plantation, as applicable, shall be implemented regarding
7 infrastructure improvements in the unincorporated area as a
8 part of the annexation contemplated by this act.

9 Section 9. The Board of County Commissioners of
10 Broward County is authorized to set the election provided for
11 in section 2 in conjunction with the general election for the
12 time period provided in this act at the cost of Broward
13 County. A mail ballot shall not be used for any election
14 provided for in this act. However, voters may vote by
15 absentee ballot as provided by law.

16 Section 10. Upon annexation into a municipality chosen
17 pursuant to this act, the following shall govern the area
18 described in section 4 or section 6, as applicable:

19 (1) The present land use designations and zoning
20 districts provided for under the Broward County Comprehensive
21 Plan and Code of Ordinances of Broward County shall remain the
22 law governing the Broadview Park Area, notwithstanding the
23 fact that the Broadview Park Area is now a part of a
24 municipality. The land use designations and zoning of Broward
25 County shall be deemed the conforming laws of the municipality
26 of which the Broadview Park Area is now a part.

27 (2) Any change of zoning districts or land use
28 designations may only be accomplished by enactment of the vote
29 of the majority of the full governing body of the municipality
30 plus one.

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

7 Section 11. Subsequent to the effective date of this
8 act, no change in land use designation or zoning shall be
9 effective within the limits of the lands subject to annexation
10 under this act until the Broadview Park Area has been annexed
11 into a municipality chosen pursuant to this act, and no
12 annexation within the Broadview Park Area by any other
13 municipality shall occur during the time period between the
14 effective date of this act and the effective date of the
15 annexation into a municipality chosen pursuant to this act.

16 Section 12. All public roads and the public
17 rights-of-way associated therewith, on the Broward County Road
18 System, lying within the limits of the lands subject to
19 annexation under this act, as described in section 4 or
20 section 6, as applicable, are transferred from Broward County
21 jurisdiction to the jurisdiction of the annexing municipality,
22 if any, except for those portions of Nob Hill Road, Pine
23 Island Road, and Davie Boulevard and that portion of Peters
24 Road west of the Peters Road/Davie Boulevard intersection
25 lying within the limits of the annexation area. All rights,
26 title, interests, and responsibilities for any transferred
27 roads, including, but not limited to, the ownership,
28 operation, maintenance, planning, design, and construction of
29 such roads and to the rights-of-way associated therewith,
30 shall transfer from Broward County jurisdiction and ownership
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1 to the jurisdiction and ownership of the annexing municipality
2 upon the effective date of the annexation.
3 Section 13. This act shall take effect upon becoming a
4 law.
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