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A bill to be entitled

An act relating to Broward County; providing for extending the corporate limits of the City of Lauderdale Lakes or the City of Lauderhill; providing for annexation of the unincorporated area known as Boulevard Gardens; providing for an election; providing for an effective date of annexation; providing for an interlocal agreement; providing for a continuation of certain Broward County regulations; providing for the transfer of public roads and rights-of-way; providing an effective date.

WHEREAS, the Legislature understands that the Boulevard Gardens area is not contiguous to either the City of Lauderdale Lakes or the City of Lauderhill but that the Boulevard Gardens area is part of the metropolitan Broward County area and that Broward County desires to have all areas of unincorporated Broward County annexed into one of the 30 municipalities within Broward County for municipal services and that both the City of Lauderdale Lakes and the City of Lauderhill are readily accessible to the area for municipal services, NOW, THEREFORE,

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

Section 1. No later than July 1, 2004, the governing bodies of the municipalities of the City of Lauderdale Lakes and the City of Lauderhill, after having considered the effects of annexation on the residents of both the Boulevard Gardens area, as hereinafter described, and on the respective municipality, shall inform the Broward County Legislative Delegation and the

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30 Broward County Board of County Commissioners of their desire to
 31 appear on the ballot as provided for in this act.

32 Section 2. If at least one of the municipalities subject
 33 to annexation under this act informs the Broward County
 34 Legislative Delegation and the Broward County Board of County
 35 Commissioners that it desires to appear on the ballot as
 36 provided for in section 1, the Broward County Board of County
 37 Commissioners shall schedule an election on November 2, 2004, in
 38 accordance with the provisions of law relating to elections
 39 currently in force in Broward County. The subject of such
 40 election shall be the annexation of the Boulevard Gardens area.
 41 Only registered voters residing in the Boulevard Gardens area as
 42 described in this act may vote in such election. On the ballot
 43 provided for in this section shall appear the name of each
 44 municipality which shall have informed the Broward County
 45 Legislative Delegation and the Broward County Board of County
 46 Commissioners that it desires to appear on the ballot as
 47 provided for in section 1. The voters residing in the Boulevard
 48 Gardens area shall, by majority vote of the voters participating
 49 in the election, choose one municipality for annexation. In the
 50 event only one municipality shall have informed the Broward
 51 County Legislative Delegation and the Broward County Board of
 52 County Commissioners that it desires to appear on the ballot as
 53 provided for in section 1, the voters residing in the Boulevard
 54 Gardens area shall, by majority vote of the voters participating
 55 in the election, choose whether to join that municipality on
 56 September 15, 2005, or September 15, 2006. A mail ballot shall
 57 not be used in this election. However, voters may vote by
 58 absentee ballot as provided by law.

59 Section 3. The legal description of the Boulevard Gardens
 60 area is as follows:

61
 62 That portion of Section 5, Township 50 South, Range 42
 63 East, Broward County, Florida, described as follows:

64
 65 Begin at the Northwest corner of the Southwest One-
 66 Quarter (SW 1/4) of said Section 5; thence Easterly
 67 along the North line of said Southwest One-Quarter (SW
 68 1/4) to the Northwest corner of the Southeast One-
 69 Quarter (SE 1/4) of said Section 5;

70
 71 thence Easterly along the North line of said Southeast
 72 One-Quarter (SE 1/4) to a point of intersection with
 73 the West line of the East One-Half (E 2) of the East
 74 One-Half (E 2) of said Section 5, also being a point
 75 on the municipal boundary of the City of Fort
 76 Lauderdale, as established by Chapter 69-1057, Laws of
 77 Florida;

78
 79 thence Southerly along said West line and said
 80 municipal boundary to the point of intersection with
 81 the North line of THE R.E.B. PLAT, as recorded in
 82 Plat Book 74, Page 43, of the Public Records of
 83 Broward County, Florida, said point being on the
 84 municipal boundary of the City of Fort Lauderdale, as
 85 established by Ordinance C-75-41 of the City of Fort
 86 Lauderdale;

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thence continuing along said municipal boundary the following 3 courses;

thence Westerly along said North line for a distance of 608.50 feet to the P.R.M. (Permanent Reference Monument) at the Northwest corner of said THE R.E.B. PLAT;

thence Southeasterly along the arc of a curve to the right, having a radius of 308.16 feet, a central angle of 90°20'30", for an arc distance of 485.89 feet to the P.R.M. at the point of tangency;

thence Southerly along the West line of said THE R.E.B. PLAT for a distance of 40.00 feet to the P.R.M. at the Southwest corner of said plat, said point being on the municipal boundary of the City of Fort Lauderdale, as established by Ordinance C-00-72 of the City of Fort Lauderdale;

thence continuing along said municipal boundary the following 3 courses;

thence Southerly along the Easterly right-of-way line of NW 25 Avenue, a 50 foot wide Road right of way, to the North line of the South 250 feet of the Southeast One-Quarter (SE 1/4) of said Section 5;

thence Easterly along said North line to the East line

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117 of the West 100 feet of the East 820.76 feet of the
 118 West 1,860.75 feet of said Southeast One-Quarter (SE
 119 1/4);
 120
 121 thence Southerly along said East line to the North
 122 right-of-way line of Broward Boulevard;
 123
 124 thence Westerly along said North right-of-way line and
 125 along the municipal boundary of the City of Fort
 126 Lauderdale, as established by Chapter 69-1057, Laws of
 127 Florida, to the West line of the Southwest One-Quarter
 128 (SW 1/4) of said Section 5;
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 130 thence Northerly along said West line to the POINT OF
 131 BEGINNING.

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 133 Section 4. The Broward County Board of County
 134 Commissioners shall schedule an election in accordance with the
 135 provisions of the law relating to elections currently in force
 136 in Broward County on November 2, 2004. The subject of said
 137 election shall be the annexation of the Boulevard Gardens area
 138 into the City of Lauderdale Lakes or the City of Lauderhill.
 139 Only registered voters residing in the Boulevard Gardens area as
 140 described in this act may vote in said election. On the ballot
 141 provided for in this section shall appear the name of each
 142 municipality which shall have informed the Broward County
 143 Legislative Delegation that it desires to appear on the ballot
 144 as provided for in section 1. The voters residing in the
 145 Boulevard Gardens area shall, by majority vote of the voters

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146 participating in the election, choose one municipality for
 147 annexation. A mail ballot shall not be used in this election.
 148 However, voters may vote by absentee ballot as provided by law.

149 Section 5. Upon a majority of the registered voters voting
 150 in the election as provided for in section 4 for annexation into
 151 the City of Lauderdale Lakes or the City of Lauderhill, the
 152 Boulevard Gardens area described in section 3 shall be deemed a
 153 part of said municipality on September 15, 2005, or September
 154 15, 2006, pursuant to section 171.062, Florida Statutes, except
 155 as provided for in this act.

156 Section 6. An interlocal agreement shall be developed
 157 between the governing bodies of Broward County and the annexing
 158 municipality and executed prior to the effective date of the
 159 annexation as provided for in section 5. The agreement shall
 160 address infrastructure improvement projects and include a
 161 financially feasible plan for transitioning county services,
 162 buildings, infrastructure, waterways, and employees.

163 Section 7. The Board of County Commissioners of Broward
 164 County is hereby authorized to set the election provided for in
 165 section 4 by general election for the time period provided in
 166 this act at the cost of Broward County. A mail ballot shall not
 167 be used for any election provided for in this act. However,
 168 voters may vote by absentee ballot as provided by law.

169 Section 8. Upon annexation into the municipality, the
 170 following shall govern the areas described in section 3:

171 (1) The present land use designations and zoning districts
 172 provided for under the Broward County Comprehensive Plan and
 173 Code of Ordinances of Broward County shall remain the law
 174 governing the Boulevard Gardens area, notwithstanding the fact

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175 that the Boulevard Gardens area is now a part of a municipality.
 176 The land use designations and zoning of Broward County shall be
 177 deemed the conforming laws of the municipality of which the
 178 Boulevard Gardens area is now a part.

179 (2) Any change of zoning districts or land use
 180 designations may only be accomplished by enactment of the vote
 181 of the majority of the full governing body of the municipality
 182 plus one.

183 (3) Notwithstanding subsections (1) and (2), any use,
 184 building, or structure that is legally in existence at the time
 185 that the Boulevard Gardens area becomes a part of the
 186 municipality shall not be made a prohibited use by the
 187 municipality, on the property of said use, for as long as the
 188 use shall continue, and not be voluntarily abandoned.

189 Section 9. Subsequent to the effective date of this act,
 190 no change in land use designation or zoning shall be effective
 191 within the limits of the lands subject to annexation herein
 192 until the Boulevard Gardens area has been annexed into the
 193 municipality; no annexation within the Boulevard Gardens area by
 194 any municipality shall occur during the time period between the
 195 effective date of this act and the effective date of the
 196 annexation.

197 Section 10. Subsequent to the effective date of the
 198 annexation, any resident in the area to be annexed by this act
 199 into the City of Lauderdale Lakes or the City of Lauderdale
 200 shall be deemed to have met any residency requirements for
 201 candidacy for any municipal office.

202 Section 11. Nothing in this chapter shall be construed to
 203 affect or abrogate the rights of parties to any contracts,

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

207 Section 12. All public roads, including bridge 860179, and
 208 the public rights-of-way associated therewith, on the Broward
 209 County Road System, lying within the limits of the lands subject
 210 to annexation herein, as described in section 3, are transferred
 211 from Broward County jurisdiction to the jurisdiction of the
 212 annexing municipality, except for those portions of NW 31 Avenue
 213 and NW 27 Avenue. All rights, title, interests, and
 214 responsibilities for any transferred roads, including, but not
 215 limited to, the ownership, operation, maintenance, planning,
 216 design, and construction of said roads and to the rights-of-way
 217 associated therewith shall transfer from Broward County
 218 jurisdiction and ownership to the jurisdiction and ownership of
 219 the annexing municipality upon the effective date of the
 220 annexation.

221 Section 13. This act shall take effect upon becoming a
 222 law.