

1 A bill to be entitled

2 An act relating to Broward County; providing for extending
 3 the corporate limits of the Town of Davie, the City of
 4 Fort Lauderdale, or the City of Plantation; providing for
 5 annexation of the unincorporated area known as Broadview
 6 Park; providing for an election; providing for an
 7 effective date of annexation; providing for an interlocal
 8 agreement; providing for a continuation of certain Broward
 9 County regulations; providing for transfer of public roads
 10 and rights-of-way; providing an effective date.

11
 12 Be It Enacted by the Legislature of the State of Florida:

13
 14 Section 1. No later than July 1, 2004, the governing body
 15 of the municipalities of the Town of Davie, the City of Fort
 16 Lauderdale, and the City of Plantation, after having considered
 17 the effects of annexation on the residents of both the
 18 "Broadview Park Area," as hereinafter described, and on the
 19 respective municipality, shall inform the Broward County
 20 Legislative Delegation and the Broward County Board of County
 21 Commissioners of their desire to appear on the ballot as
 22 provided for in this act.

23 Section 2. The Broward County Board of County
 24 Commissioners shall schedule an election in accordance with the
 25 provisions of the law relating to elections currently in force
 26 in Broward County on November 2, 2004. The subject of said
 27 election shall be the annexation of the Broadview Park Area.
 28 Only registered voters residing in the Broadview Park Area as

29 described in section 3 may vote in said election. On the ballot
 30 provided for in this section shall appear the name of each
 31 municipality which shall have informed the Broward County
 32 Legislative Delegation that it desires to appear on the ballot
 33 as provided for in section 1. The voters residing in the
 34 Broadview Park Area shall, by plurality vote of the voters
 35 participating in the election, choose to be annexed by one
 36 municipality effective September 15, 2005. In the event only one
 37 municipality shall have informed the Broward County Legislative
 38 Delegation that it desires to appear on the ballot as provided
 39 for in section 1, the voters residing in the Broadview Park Area
 40 shall, by majority vote of the voters participating in the
 41 election, choose whether to be annexed by that city on September
 42 15, 2005, or September 15, 2006. A mail ballot shall not be used
 43 in this election. However, voters may vote by absentee ballot as
 44 provided by law.

45 Section 3. The "Broadview Park Area" is described as:

46
 47 That portion of Sections 13, 14, 23 and 24, Township
 48 50 South, Range 41 East and Section 18, Township 50
 49 South, Range 42 East, Broward County, Florida,
 50 described as follows:

51
 52 Beginning at a point on the boundary of the City of
 53 Plantation established by Chapter 68-101 Laws of
 54 Florida, being the Southeast corner of Tract 1, Tier
 55 24, according to Newman's Survey of Section 14,
 56 Township 50 South, Range 41 East, as recorded in Plat

57 | Book 2, Page 26, Public Records of Dade County,
 58 | Florida;
 59 |
 60 | thence continuing along the said boundary of the City
 61 | of Plantation the following 6 courses;
 62 |
 63 | thence Northeasterly along the East line of said Tier
 64 | 24, to the North line of said Section 13;
 65 |
 66 | thence East along the said North line of Section 13 to
 67 | a point of intersection with the Northerly extension
 68 | of the Westerly line of Block 3, as shown by the plat
 69 | of LAUDERDALE HIGHLANDS as recorded in Plat Book 12,
 70 | at Page 37, Public Records of Broward County, Florida;
 71 |
 72 | thence Southwesterly along the Westerly line of said
 73 | Block 3 and its Northerly extension thereof, to the
 74 | Southwesterly corner of Lot 11 of said Block 3;
 75 |
 76 | thence Easterly along the Southerly line of said Lot
 77 | 11 and its Easterly extension thereof, to a point of
 78 | intersection with the Easterly right-of-way line of
 79 | Highland Avenue, as shown by said plat of LAUDERDALE
 80 | HIGHLANDS;
 81 |
 82 | thence Southwesterly along the Easterly right-of-way
 83 | line of said Highland Avenue to a point of

84 intersection with the South line of Block 1, as shown
 85 by said plat of LAUDERDALE HIGHLANDS;

86
 87 thence Easterly along the South line of said Block 1
 88 and its Easterly extension thereof to a point of
 89 intersection with the East right-of-way line of State
 90 Road No. 7, as described in City of Fort Lauderdale
 91 annexing Resolution No. 8519;

92
 93 thence Southerly along the said east right-of-way line
 94 to the North right-of-way line of Riverland Road and
 95 the boundary of the Town of Davie as described in
 96 Chapter 84-420, Laws of Florida;

97
 98 thence continuing along said boundary of the Town of
 99 Davie the following 10 courses;

100
 101 thence Westerly along the Westerly prolongation of the
 102 said North right-of-way line to the West right-of-way
 103 line of State Road No. 7;

104
 105 thence Southerly along said West right-of-way line to
 106 a point of intersection with a line 300 feet North of
 107 the Southerly line of Tract 2, Tier 4, of said
 108 Newman's Survey, as measured along the said Westerly
 109 right-of-way line;

110

111 thence Northwesterly to a point on the Easterly right-
 112 of-way line of Southwest 41st Avenue, being 298.34
 113 feet Northerly from the Southwest corner of said Tract
 114 2, Tier 4;

115
 116 thence Westerly to a point of intersection of the West
 117 right-of-way line of Southwest 41st Avenue with the
 118 North line of said Section 24;

119
 120 thence Southwesterly along the said West right-of-way
 121 line to the centerline of North New River Canal;

122
 123 thence Southeasterly along said centerline to the
 124 Westerly right-of-way line of State Road No. 7;

125
 126 thence Southwesterly along said West right-of-line to
 127 the South bank of the North New River Canal;

128
 129 thence Northwesterly along said South bank to the
 130 Northerly extension of the West line of the East One-
 131 Half of Tract 1, Tier 7 of said Newman's Survey;

132
 133 thence Southwesterly along said Northerly extension to
 134 the Northwest corner of the said East One-Half of
 135 Tract 1, Tier 7, also being on the South right-of-way
 136 line of North New River Canal;

137

138 thence Northwesterly along the said Southerly right-
 139 of-way line to the Easterly line of Tier 21 of said
 140 Newman's Survey;

141
 142 thence Northwesterly, continuing on the boundary of
 143 the Town of Davie, along the said Southerly right-of-
 144 way line to the intersection with the Southwesterly
 145 extension of the East line of the aforesaid Tract 1,
 146 Tier 24;

147
 148 thence Northeasterly along said Southwesterly
 149 extension to the POINT OF BEGINNING.

150
 151 Section 4. If the unincorporated area described in section
 152 3 is annexed by either the Town of Davie or the City of
 153 Plantation, the additional area described in section 5 shall be
 154 included in the annexation.

155 Section 5. The additional area shall be described as:

156
 157 That portion of Sections 7, 8, 14, 15, 16 and 17,
 158 Township 50 South, Range 41 East and Sections 2, 11
 159 and 12, Township 50 South, Range 40 East, Broward
 160 County, Florida, described as follows:

161
 162 Beginning at a point on the boundary of the City of
 163 Plantation established by Chapter 68-101, Laws of
 164 Florida, being the Southeast corner of Tract 1, Tier
 165 24, according to Newman's Survey of Section 14,

166 Township 50 South, Range 41 East, as recorded in Plat
 167 Book 2, Page 26, Public Records of Dade County,
 168 Florida;
 169
 170 thence Northwesterly along the North right of way line
 171 of the North New River Canal and along the boundary of
 172 the City of Plantation established by said Chapter 68-
 173 101 and by Ordinance 1008, Ordinance 568, and
 174 Ordinance 543, all as adopted by the City of
 175 Plantation, to the intersection with the West line of
 176 said Section 2;
 177
 178 thence Southerly along the said West line to the South
 179 right of way line of the North New River Canal, being
 180 a point on the boundary of the Town of Davie
 181 established by Chapter 84-420, Laws of Florida;
 182
 183 thence Southeasterly along the said South right of way
 184 line and along the boundary of the Town of Davie
 185 established by said Chapter 84-420 and by Ordinance
 186 85-97, adopted by the Town of Davie, to the
 187 intersection with the Southwesterly extension of the
 188 East line of Tier 24 of said Newman's Survey;
 189
 190 thence Northeasterly along the said Southwesterly
 191 extension to the POINT OF BEGINNING.
 192

193 Section 6. An interlocal agreement shall be developed
 194 between the governing bodies of Broward County and the annexing
 195 municipality and executed prior to the effective date of the
 196 annexation. The agreement shall address infrastructure
 197 improvement programs and include a financially feasible plan for
 198 transitioning county services, buildings, infrastructure,
 199 waterways, and employees.

200 Section 7. Upon annexation into the municipality, the
 201 following shall govern the areas described in sections 3 and 5:

202 (1) The present land use designations and zoning districts
 203 provided for under the Broward County Comprehensive Plan and
 204 Code of Ordinances of Broward County shall remain the law
 205 governing the Broadview Park Area, notwithstanding the fact that
 206 the Broadview Park Area is now a part of a municipality.

207 (2) Any change of zoning districts or land use
 208 designations may only be accomplished by enactment of the vote
 209 of the majority of the full governing body of the municipality
 210 plus one.

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

217 Section 8. Subsequent to the effective date of this act,
 218 no change in land use designation or zoning shall be effective
 219 within the limits of the lands subject to annexation herein
 220 until the Broadview Park Area has been annexed into the

221 municipality; no annexation within the Broadview Park Area by
222 any municipality shall occur during the time period between the
223 effective date of this act and the effective date of the
224 annexation.

225 Section 9. Subsequent to the effective date of the
226 annexation, any resident in the area to be annexed by this act
227 into the Town of Davie, the City of Fort Lauderdale, or the City
228 of Plantation shall be deemed to have met any residency
229 requirements for candidacy for municipal office.

230 Section 10. Nothing in this chapter shall be construed to
231 affect or abrogate the rights of parties to any contracts,
232 whether the same be between Broward County and a third party or
233 between nongovernmental entities, which contracts are in effect
234 prior to the effective date of the annexation.

235 Section 11. All public roads and the public rights-of-way
236 associated therewith, on the Broward County Road System,
237 including bridge structures 868303, 864024, 864022, 864096, and
238 864097, lying within the limits of the lands subject to
239 annexation herein, as described in either section 3 or section
240 5, are transferred from Broward County jurisdiction to the
241 jurisdiction of the annexing municipality, except for those
242 portions of Hiatus Road, Nob Hill Road, Pine Island Road, and
243 Davie Boulevard and that portion of Peters Road west of the
244 Peters Road/Davie Boulevard intersection lying within the limits
245 of the annexation area. All rights, title, interests, and
246 responsibilities for any transferred roads, including, but not
247 limited to, the ownership, operation, maintenance, planning,
248 design, and construction of said roads, and to the rights-of-way

249 | associated therewith, shall transfer from Broward County
250 | jurisdiction and ownership to the jurisdiction and ownership of
251 | the annexing municipality upon the effective date of the
252 | annexation.

253 | Section 12. This act shall take effect upon becoming a
254 | law.