

1 A bill to be entitled

2 An act relating to Broward County; providing for extending
 3 the corporate limits of the City of Lauderdale Lakes, the
 4 City of Lauderhill, and the City of Plantation; providing
 5 for annexation of the unincorporated area known as Broward
 6 Estates; 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 the transfer of public
 10 roads and rights-of-way; providing for effective date.

11
 12 WHEREAS, the Legislature understands that the Broward
 13 Estates Area is not contiguous to either the City of Lauderdale
 14 Lakes or the City of Lauderhill, and

15 WHEREAS, the Broward Estates area is part of the
 16 metropolitan Broward County area and Broward County desires to
 17 have all areas of unincorporated Broward County annexed into one
 18 of the thirty municipalities within Broward County for municipal
 19 services, and

20 WHEREAS, both the City of Lauderdale Lakes and the City of
 21 Lauderhill are readily accessible to the area for municipal
 22 services, NOW, THEREFORE,

23
 24 Be It Enacted by the Legislature of the State of Florida:

25
 26 Section 1. No later than July 1, 2004, each of the
 27 governing bodies for the City of Lauderdale Lakes, the City of
 28 Lauderhill, and the City of Plantation, after having considered

29 | the effects of annexation on the residents of both the Broward
30 | Estates area, as hereinafter described, and on the respective
31 | municipality shall inform the Broward County Legislative
32 | Delegation and the Broward County Board of County Commissioners
33 | of its desire to appear on the ballot as provided for in this
34 | act.

35 | Section 2. If at least one of the municipalities subject
36 | to annexation under this act informs the Broward County
37 | Legislative Delegation and the Broward County Board of County
38 | Commissioners that it desires to appear on the ballot as
39 | provided for in section 1, the Broward County Board of County
40 | Commissioners shall schedule an election on November 2, 2004, in
41 | accordance with the provisions of law relating to elections
42 | currently in force in Broward County. The subject of such
43 | election shall be the annexation of the Broward Estates area.
44 | Only registered voters residing in the Broward Estates area as
45 | described in this act may vote in such election. On the ballot
46 | provided for in this section shall appear the name of each
47 | municipality which has informed the Broward County Legislative
48 | Delegation and the Broward County Board of County Commissioners
49 | that it desires to appear on the ballot as provided for in
50 | section 1. The voters residing in the Broward Estates area
51 | shall, by plurality vote of the voters participating in the
52 | election, choose to be annexed by one municipality effective
53 | September 15, 2005. In the event only one municipality shall
54 | have informed the Broward County Legislative Delegation and the
55 | Broward County Board of County Commissioners that it desires to
56 | appear on the ballot as provided for in section 1, the voters

57 | residing in the Broward Estates area shall, by majority vote of
 58 | the voters participating in the election, choose whether to be
 59 | annexed by that municipality on September 15, 2005, or September
 60 | 15, 2006. A mail ballot shall not be used in this election.
 61 | However, voters may vote by absentee ballot as provided by law.

62 | Section 3. Legal description of the Broward Estates Area:

63 |
 64 | That portion of Section 6, Township 50 South, Range 42
 65 | East, Broward County, Florida, described as follows:

66 |
 67 | Beginning at a point on the municipal boundary of the
 68 | City of Plantation, established by Chapter 68-101,
 69 | Laws of Florida, being at the intersection of the
 70 | South line of said Section 6 with the Southerly
 71 | prolongation of the centerline of NW 38th Way, as
 72 | shown by the plat of BROWARD ESTATES Section 2, as
 73 | recorded in Plat Book 34, Page 19, Public Records of
 74 | Broward County, Florida,

75 |
 76 | thence continuing along said municipal boundary the
 77 | following 10 courses;

78 |
 79 | thence North along the said Southerly prolongation of
 80 | the centerline of NW 38th Way to an intersection with
 81 | the North right-of-way line of Broward Boulevard,
 82 | said North right-of-way line being 50 feet North of
 83 | and parallel to the South line of said Section 6;

84 |

85 thence Easterly along the said North right-of-way line
 86 of Broward Boulevard to the Southeast corner of Tract
 87 E, as shown by said BROWARD ESTATES Section 2;

88
 89 thence Northerly along the East line of said Tract E
 90 to the Northeast corner of said Tract E;

91
 92 thence Westerly along the North line of Tracts D and
 93 E, as shown by said BROWARD ESTATES Section 2, and its
 94 Westerly prolongation thereof to a point of
 95 intersection with the centerline of NW 38th Way, as
 96 shown by said BROWARD ESTATES, Section 2;

97
 98 thence Northwesterly along the centerline of said NW
 99 38th Way to a point of intersection with the Southerly
 100 prolongation of the West line of Block 13, as shown by
 101 said BROWARD ESTATES Section 2;

102
 103 thence Northerly along the West line of Block 13 and
 104 its Southerly prolongation thereof, to the North line
 105 of said BROWARD ESTATES Section 2;

106
 107 thence Westerly along the said North line of BROWARD
 108 ESTATES Section 2 for a distance of 40 feet;

109
 110 thence Northerly along a line 230 feet East of and
 111 parallel to the West line of said Section 6, to the
 112 Westerly prolongation of the North right-of-way line

113 of NW 5th Street, as shown by plat of GREENLEAF, as
 114 recorded in Plat Book 42, at Page 9, Public Records of
 115 Broward County, Florida;

116
 117 thence Westerly along said Westerly prolongation for a
 118 distance of 5 feet;

119
 120 thence Northerly along a line 225 feet East of and
 121 parallel to the West line of said Section 6 to the
 122 Westerly prolongation of the North right-of-way line
 123 of NW 7th Street, as shown by plat of ACADEMY AWARD
 124 HOMES Section 3, as recorded in Plat Book 45, at Page
 125 17 Public Records of Broward County, Florida;

126
 127 thence Easterly and Southeasterly along the said North
 128 right-of-way line and the Easterly prolongation
 129 thereof to the Northwest corner of lot 3, Block 5, as
 130 shown by the plat of TROPICANA PARK HOMES, as recorded
 131 in Plat Book 46, Page 17, Public Records of Broward
 132 County, Florida;

133
 134 thence East along the North line of said Lot 3 to the
 135 Northeast corner thereof;

136
 137 thence East to the Northwest corner of Lot 6, Block
 138 27, as shown by the plat of NEW BROWARDALE, as
 139 recorded in Plat Book 47, Page 14, Public Records of
 140 Broward County, Florida;

141
 142 thence East along the North line of said Lot 6 to the
 143 Northeast corner thereof being on the West right-of-
 144 way line of NW 34th Terrace, as shown by said plat of
 145 NEW BROWARDALE;

146
 147 thence North along the said West right-of-way line to
 148 the point of curvature of a curve concave to the
 149 Southeast, having a radius of 85 feet;

150
 151 thence North through East along said curve to the
 152 point of tangency with the North right-of-way line of
 153 NW 7th Street, as shown by said plat of NEW BROWARDALE;

154
 155 thence East along the said North right-of-way line and
 156 the Easterly prolongation thereof to the centerline of
 157 NW 34th Avenue;

158
 159 thence East along the North right-of-way line of NW 7th
 160 Street and the Westerly prolongation thereof, to the
 161 point of curvature of a curve concave to the
 162 Northwest, having a radius of 25 feet;

163
 164 thence East through North along the arc of said curve
 165 to the point of tangency with the West right-of-way
 166 line of NW 33rd Terrace, as shown by BROWARDALE 2ND
 167 ADDITION AMENDED PLAT, as recorded in Plat Book 47,
 168 Page 23, Public Records of Broward County, Florida;

169

170 thence East to the Northwest corner of Lot 1, Block

171 32, as shown by the said BROWARDALE 2ND ADDITION

172 AMENDED PLAT;

173

174 thence East along the North line of said Lot 1 to the

175 Northeast corner thereof;

176

177 thence Easterly to the Northwest corner of Lot 16,

178 Block 31, as shown by the said BROWARDALE 2ND ADDITION

179 AMENDED PLAT;

180

181 thence East along the North line of said Lot 16 to the

182 Northeast corner thereof;

183

184 thence East to the Northwest corner of Lot 16, Block

185 30, as shown by said BROWARDALE 2ND ADDITION AMENDED

186 PLAT;

187

188 thence East along the North line of said Lot 16, Block

189 30 to the Northeast corner thereof;

190

191 thence South along the East line of said Lot 16, Block

192 30 to a point of intersection with the North line of

193 the Southeast One-Quarter (SE 1/4), of the Southeast

194 One-Quarter (SE 1/4), of the Northeast One-Quarter (NE

195 1/4) of said Section 6;

196

197 thence East along said North line to the East line of
 198 said Section 6;

199
 200 thence South along said East line to the North right-
 201 of-way line of West Broward Boulevard and the boundary
 202 of the City of Fort Lauderdale as described in Chapter
 203 69-1057, Laws of Florida;

204
 205 thence continuing along said municipal boundary the
 206 following 2 courses;

207
 208 thence West along said North right-of-way line to the
 209 Northerly extension of the West right-of-way line of
 210 SW 31st Avenue;

211
 212 thence South along said Northerly extension to a point
 213 on the South line of said Section 6, said point being
 214 on the municipal boundary of the City of Fort
 215 Lauderdale, as established by Chapter 2001-291, Laws
 216 of Florida;

217
 218 thence West along said South line and municipal
 219 boundary to the POINT OF BEGINNING.

220 Section 4. An interlocal agreement shall be developed
 221 between the governing bodies of Broward County and the annexing
 222 city and executed prior to the effective date of the annexation.
 223 The agreement shall address infrastructure improvement projects

224 and include a financially feasible plan for transitioning county
225 services, buildings, infrastructure, waterways, and employees.

226 Section 5. The Board of County Commissioners of Broward
227 County is hereby authorized to set the election provided for in
228 section 2 by general election for the time period provided in
229 this act at the cost of Broward County.

230 Section 6. Upon annexation into the City of Lauderdale
231 Lakes, the City of Lauderhill, or the City of Plantation, the
232 following shall govern the areas described in section 3:

233 (1) The present land use designations and zoning districts
234 provided for under the Broward County Comprehensive Plan and
235 Code of Ordinances of Broward County shall remain the law
236 governing the Broward Estates area, notwithstanding the fact
237 that the Broward Estates area is now a part of a municipality,
238 until amended by majority vote plus one of the governing body of
239 the municipality.

240 (2) Any change of zoning districts or land use
241 designations may only be accomplished by enactment of the vote
242 of the majority of the full governing body of the municipality
243 plus one.

244 (3) Notwithstanding subsections (1) and (2), any use,
245 building, or structure that is legally in existence at the time
246 that the Broward Estates area becomes a part of the
247 municipality, said use shall not be made a prohibited use by the
248 municipality, on the property of said use, for as long as the
249 use shall continue, and not be voluntarily abandoned.

250 Section 7. Subsequent to the effective date of this act,
251 no change in land use designation or zoning shall be effective

252 within the limits of the lands subject to annexation herein
 253 until the Broward Estates area has been annexed; no annexation
 254 within the Broward Estates area by any municipality shall occur
 255 during the time period between the effective date of this act
 256 and the effective date of the annexation.

257 Section 8. Subsequent to the effective date of the
 258 annexation, any resident in the area to be annexed by this act
 259 into the City of Lauderdale Lakes, the City of Lauderhill, or
 260 the City of Plantation shall be deemed to have met any residency
 261 requirements for candidacy for municipal office.

262 Section 9. Nothing in this chapter shall be construed to
 263 affect or abrogate the rights of parties to any contracts,
 264 whether the same be between Broward County and a third party or
 265 between nongovernmental entities, which contracts are in effect
 266 prior to the effective date of the annexation.

267 Section 10. All public roads and the public rights-of-way
 268 associated therewith on the Broward County Road System, lying
 269 within the limits of the lands subject to annexation herein, as
 270 described in section 3, are transferred from Broward County
 271 jurisdiction to the jurisdiction of the annexing municipality,
 272 except for those portions of Martin Luther King, Jr. Avenue (NW
 273 31 Avenue) lying within the limits of the annexation area. All
 274 rights, title, interests, and responsibilities for any
 275 transferred roads, including, but not limited to, the ownership,
 276 operation, maintenance, planning, design, and construction of
 277 said roads and to the rights-of-way associated therewith shall
 278 transfer from Broward County jurisdiction and ownership to the

279 | jurisdiction and ownership of the annexing municipality upon the
280 | effective date of the annexation.

281 | Section 11. This act shall take effect upon becoming a
282 | law.