

ENROLLED
HB 1397, Engrossed 1

2004 Legislature

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 St. George; providing for an election; providing an effective date of annexation; providing for an interlocal agreement; providing for a continuation of certain regulations; providing for the continuation of certain rights; providing for the transfer of public roads and rights-of-way; providing an effective date.

WHEREAS, it is the understanding of the Legislature that the St. George Area is not contiguous to the City of Lauderdale Lakes but is a part of the metropolitan Broward County area, and

WHEREAS, it is the further understanding of the Legislature that, for purposes related to municipal services, Broward County desires to have all of its unincorporated areas annexed into one of the 30 municipalities within Broward County and that the City of Lauderdale Lakes is readily accessible to the St. George 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 City of Lauderdale Lakes and the City of Lauderhill, after having considered the effects of annexation on the residents of both the St. George Area, as hereinafter

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described, and the respective municipality, shall inform the Broward County Legislative Delegation and the Broward County Board of County Commissioners as to their desire to appear on the ballot as provided for in this act.

Section 2. If at least one of the municipalities subject to annexation under this act informs the Broward County Legislative Delegation and the Broward County Board of County Commissioners that it desires to appear on the ballot as provided for in section 1, the Broward County Board of County Commissioners shall schedule an election on November 2, 2004, in accordance with the provisions of law relating to elections currently in force in Broward County. The subject of such election shall be the annexation of the St. George Area. Only registered voters residing in the St. George Area as described in this act may vote in such election. On the ballot provided for in this section shall appear the name of each municipality which shall have informed the Broward County Legislative Delegation and the Broward County Board of County Commissioners that it desires to appear on the ballot as provided for in section 1. The voters residing in the St. George Area shall, by majority vote of the voters participating in the election, choose one municipality for annexation. In the event only one municipality shall have informed the Broward County Legislative Delegation and the Broward County Board of County Commissioners that it desires to appear on the ballot as provided for in section 1, the voters residing in the St. George Area shall, by majority vote of the voters participating in the election, choose whether to join that municipality on September 15, 2005,

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or September 15, 2006. A mail ballot shall not be used in this election; however, voters may vote by absentee ballot as provided by law.

Section 3. The legal description of the St. George Area is as follows:

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

BEGIN at a point of intersection of a line 225 feet East of and parallel with the West line of said Section 6 and the Westerly prolongation of the North right-of-way line of NW 7 Street, as shown by the plat of ACADEMY AWARD HOMES SECTION 3, as recorded in Plat Book 45, Page 17, of the Public Records of Broward County, Florida;

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

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

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

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

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

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

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

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

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thence East through North along the arc of said curve
to the point of tangency with the West right-of-way
line of NW AMENDED PLAT, as recorded in Plat Book 47,
Page 23, Public Records of Broward County, Florida;

thence East to the Northwest corner of Lot 1, Block
32, as shown by the said BROWARDALE 2ND ADDITION
AMENDED PLAT;

thence East along the North line of said Lot 1 to the
Northeast corner thereof;

thence Northeasterly to the Northwest corner of Lot
16, Block 31, as shown by the said BROWARDALE 2ND
ADDITION AMENDED PLAT;

thence East along the North line of said Lot 16 to the
Northeast corner thereof;

thence East to the Northwest corner of Lot 16, Block
30, as shown by said BROWARDALE 2ND ADDITION AMENDED
PLAT;

thence East along the North line of said Lot 16, Block
30 to the Northeast corner thereof;

thence South along the East line of said Lot 16, Block
30 to a point of intersection with the North line of

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the Southeast One-Quarter (SE 1/4), of the Southeast One-Quarter (SE 1/4), of the Northeast One-Quarter (NE 1/4) of said Section 6;

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

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

thence West along said North line to the Northeast corner of the Northwest One-Quarter (NW 1/4), of the Northeast One-Quarter (NE 1/4), of the Northwest One-Quarter (NW 1/4), of said Section 6, said point also being on the municipal boundary of the City of Lauderhill, as established by Ordinance 80 of the City of Lauderhill;

thence continue West along said North line and said municipal boundary and along the municipal boundary of the City of Lauderhill, as established by Chapter 65-1812, Laws of Florida, to a line 302 feet East of and parallel with the West line of said Section 6, said point being on the municipal boundary of the City of Plantation, established by Chapter 68-101, Laws of Florida;

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thence continuing along said municipal boundary the following 4 courses;

thence South along said parallel line to the North right-of-way line of NW 8 Place, as shown by the plat of PLAZA ESTATES, as recorded in Plat Book 46, Page 45, of the Public Records of Broward County, Florida;

thence Westerly along said North right-of-way line for a distance of 82 feet to a point on a line 220 feet East of and parallel with the West line of said Section 6;

thence South along said parallel line to the Westerly prolongation of the North right-of-way line of NW 7 Street, as shown by said plat of ACADEMY AWARD HOMES SECTION 3;

thence Easterly, along said Westerly prolongation and North right-of-way line, to the POINT OF BEGINNING.

Section 4. Upon a majority of the registered voters residing in the St. George Area voting for annexation into the City of Lauderdale Lakes or the City of Lauderhill, the St. George Area, as described in section 3, shall be deemed a part of said municipality on September 15, 2005, pursuant to section 171.062, Florida Statutes, except as provided in this act.

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Section 5. An interlocal agreement shall be developed between the governing bodies of Broward County and the annexing municipality and executed prior to the effective date of the annexation as provided in section 4. The agreement shall address infrastructure improvement projects and include a financially feasible plan for transitioning county services, buildings, infrastructure, waterways, and employees.

Section 6. The Board of County Commissioners of Broward County is hereby authorized to set the election provided for in section 2 by general election for the time period provided in this act at the cost of Broward County. A mail ballot shall not be used for any election provided for in this act; however, voters may vote by absentee ballot as provided by law.

Section 7. Upon annexation into the municipality, the following shall govern the areas described in section 3:

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

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

(3) Notwithstanding subsections (1) and (2), any use, building, or structure that is legally in existence at the time the St. George Area becomes a part of the municipality shall not be made a prohibited use by the municipality, on the property of

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said use, for as long as the use continues and is not voluntarily abandoned.

Section 8. Subsequent to the effective date of this act, no change in land use designation or zoning shall be effective within the limits of the lands subject to annexation herein until the St. George Area has been annexed into the municipality; and no annexation within the St. George Area by any municipality shall occur during the time period between the effective date of this act and the effective date of the annexation.

Section 9. Subsequent to the effective date of the annexation, any resident in the area to be annexed by this act into the City of Lauderdale Lakes or the City of Lauderdale shall be deemed to have met any residency requirements for candidacy.

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

Section 11. All public roads, including bridge 864107, and the public rights-of-way associated therewith on the Broward County Road System lying within the limits of the lands subject to annexation herein, as described in section 3, except NW 31 Avenue, are transferred from Broward County jurisdiction to the jurisdiction of the annexing municipality. All rights, title, interests, and responsibilities for any transferred roads, including, but not limited to, the ownership, operation,

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maintenance, planning, design, and construction of said roads and the rights-of-way associated therewith, shall transfer from Broward County jurisdiction and ownership to the jurisdiction and ownership of the annexing municipality upon the effective date of the annexation.

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