

1 A bill to be entitled
 2 An act relating to Broward County; providing for extending
 3 the corporate limits of the City of Fort Lauderdale or the
 4 City of Oakland Park; providing for annexation of the
 5 unincorporated area known as Twin Lakes North; providing
 6 for an election; providing for an effective date of
 7 annexation; providing for an interlocal agreement;
 8 providing for a continuation of certain regulations;
 9 providing for the transfer of public roads and rights-of-
 10 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
 15 bodies of the City of Fort Lauderdale and the City of Oakland
 16 Park, after having considered the effects of annexation on the
 17 residents of both the Twin Lakes North Area, as hereinafter
 18 described, and the respective municipality, shall inform the
 19 Broward County Legislative Delegation and the Broward County
 20 Board of County Commissioners of their desire to appear on the
 21 ballot as provided for in this act.

22 Section 2. Twin Lakes North Area legal description.--

23
 24 That portion of Section 16, Township 49 South, Range
 25 42 East, Broward County, Florida, described as
 26 follows:

27

28 Begin at the Northwest corner of Lot 7, Block 2 of
 29 Twin Lakes, as recorded in Plat Book 29, Page 23, of
 30 the Public Records of Broward County, Florida, said
 31 point being on the municipal boundary of the City of
 32 Fort Lauderdale, as established by Ordinance No. C-82-
 33 128 of the City of Fort Lauderdale;

34
 35 Thence South along the West line of said Lot 7 and
 36 said municipal boundary to the Southwest corner of
 37 said Lot 7;

38
 39 Thence Easterly along the South line of Lots 7, 6 and
 40 5 of said Twin Lakes plat and said municipal boundary
 41 to the Southwest corner of Lot 4 of said plat, said
 42 point being on the municipal boundary of the City of
 43 Oakland Park, as established by Chapter 79-519, Laws
 44 of Florida;

45
 46 Thence continuing along said municipal boundary the
 47 following 4 courses:

48
 49 Thence Southerly to the Northeast corner of Lot 1,
 50 Block 4 of Stadium Park, as recorded in Plat Book 53,
 51 Page 9, of the Public Records of Broward County,
 52 Florida;

53
 54 Thence Southerly along the East line of Lots 1 thru 8,
 55 Block 4 of said Stadium Park, and the East line of

56 Lots 18 and 15, Block 3 of said Stadium Park, to the
 57 Southeast corner of said Lot 15;
 58
 59 Thence Southwesterly to the Northwest corner of Lot 1,
 60 Block 14 of Twin Lakes, as recorded in Plat Book 29,
 61 Page 23, of the Public Records of Broward County,
 62 Florida;
 63
 64 Thence Southerly along the West line of Lots 1 thru 4,
 65 Block 14, and the Southerly projection thereof to the
 66 Northeast corner of Lot 12, Block 21 of said Twin
 67 Lakes, said point being on the municipal boundary of
 68 the City of Oakland Park, as established by Ordinance
 69 No. 0-81-20 of the City of Oakland Park;
 70
 71 Thence Westerly, Southerly and Easterly along said Lot
 72 12 and said municipal boundary to the Southeast corner
 73 thereof, said point also being on the municipal
 74 boundary of the City of Oakland Park, as established
 75 by Chapter 79-519, Laws of Florida;
 76
 77 Thence continuing along said municipal boundary the
 78 following 5 courses:
 79
 80 Thence Southerly along the West line of Lots 3 and 4
 81 of said Block 21 to the Southwest corner of said Lot
 82 4;
 83

84 Thence Westerly along the North right of way line of
 85 N.W. 45 Court to the intersection with the West right
 86 of way line of N.W. 10 Avenue;
 87
 88 Thence Southerly along the West right of way line of
 89 N.W. 10 Avenue to the Southeast corner of Lot 16,
 90 Block 24 of said Twin Lakes;
 91
 92 Thence Westerly along the North right of way line of
 93 Prospect Field Road (N.W. 44 Street) to a point of
 94 intersection with the Northerly extension of the West
 95 right of way line of that part of N.W. 10 Avenue lying
 96 South of said Prospect Field Road (N.W. 44 Street);
 97
 98 Thence Southwesterly along said Northerly extension to
 99 a point on the centerline of Prospect Field Road (N.W.
 100 44 Street);
 101
 102 Thence Northwesterly along said centerline to a point
 103 on the West line of the Southwest One-Quarter (SW
 104 1/4), of the Southeast One-Quarter (SE 1/4) of said
 105 Section 16, said point also being on the municipal
 106 boundary of the City of Tamarac, as established by
 107 Ordinance No. 68-4 of the City of Tamarac;
 108
 109 Thence Northerly along said West line and along said
 110 municipal boundary to a point on the North line of the
 111 South One-Half (S 1/2) of the Southeast One-Quarter

112 (SE 1/4) of said Section 16, said point also being on
 113 the municipal boundary of the City of Fort Lauderdale,
 114 as established by Chapter 71-640, Laws of Florida;

115
 116 Thence Easterly along said North line and said
 117 municipal boundary to the Northeast corner of the
 118 Southwest One-Quarter (SW 1/4), of the Southeast One-
 119 Quarter (SE 1/4) of said Section 16;

120
 121 Thence Northerly along the West line of the East One-
 122 Half (E 1/2), of the East One-Half (E 1/2) of said
 123 Section 16 and along said municipal boundary to the
 124 Southwest corner of Lot 7, Block 5 of Twin Lakes, as
 125 recorded in Plat Book 29, Page 23, of the Public
 126 Records of Broward County, Florida, said point also
 127 being on the municipal boundary of the City of Fort
 128 Lauderdale, as established by Ordinance No. C-88-82 of
 129 the City of Fort Lauderdale;

130
 131 Thence Easterly along the North line of Lot 6, 5 and
 132 3, of said Block 5 also being the South line of Lot 7,
 133 8 and 2 of said Block 5 and along said municipal
 134 boundary to the Northeast corner of said Lot 3, said
 135 point also being on the West right of way line of N.W.
 136 11 Avenue as shown on said plat of Twin Lakes;

137
 138 Thence Northerly along said West right of way line
 139 also being the East line of Lots 2 and 1 of said Block

140 5 and the Northerly projection thereof and along said
 141 municipal boundary to a point on the South line of
 142 Parcel A of C.T.A. Plat, as recorded in Plat Book 124,
 143 Page 33, of the Public Records of Broward County,
 144 Florida, said point also being on the municipal
 145 boundary of the City of Fort Lauderdale, as
 146 established by Ordinance No. C-84-59 of the City of
 147 Fort Lauderdale;

148
 149 Thence Easterly along said South line and said
 150 municipal boundary to the Southerly extension of the
 151 West line of Block 1 of Stadium Park, as recorded in
 152 Plat Book 53, Page 9, of the Public Records of Broward
 153 County, Florida;

154
 155 Thence Northerly along said Southerly extension and
 156 the West line of said Block 1 and said municipal
 157 boundary to the Southwest corner of Lot 13, Block 1 of
 158 said Stadium Park, said point also being on the
 159 municipal boundary of the City of Fort Lauderdale, as
 160 established by Chapter 79-459, Laws of Florida;

161
 162 Thence continuing along said municipal boundary the
 163 following 4 courses:

164
 165 Thence Easterly along the South line of Lots 13, 12
 166 and 11 of said Block 1 to the Southeast corner of said
 167 Lot 11;

168
 169 Thence continue Easterly along the South line of the
 170 North 120 feet of Lots 1, 2, 3 and the East 15 feet of
 171 Lot 4, Block 1 of said Twin Lakes, and the Easterly
 172 projection thereof to the West line of Lot 9, Block 2
 173 of said Twin Lakes;

174
 175 Thence Southerly along said West line to the Southwest
 176 corner of said Lot 9;

177
 178 Thence Easterly along the South line of said Lot 9 to
 179 the POINT OF BEGINNING.

180
 181 Section 3. If at least one of the municipalities
 182 referenced in section 1 of this act informs the Broward County
 183 Legislative Delegation and the Broward County Board of County
 184 Commissioners that it desires to appear on the ballot as
 185 provided for in section 1, the Broward County Board of County
 186 Commissioners shall schedule an election on November 2, 2004, in
 187 accordance with the provisions of law relating to elections
 188 currently in force in Broward County. The subject of such
 189 election shall be the annexation of the Twin Lakes North Area.
 190 Only registered voters residing in the Twin Lakes North Area as
 191 described in this act may vote in such election. On the ballot
 192 provided for in this section shall appear the name of each
 193 municipality that informed the Broward County Legislative
 194 Delegation and the Broward County Board of County Commissioners
 195 that it desires to appear on the ballot as provided for in

196 section 1. The voters residing in the Twin Lakes North Area
 197 shall, by majority vote of the voters participating in the
 198 election, choose one municipality for annexation. In the event
 199 only one municipality informed the Broward County Legislative
 200 Delegation and the Broward County Board of County Commissioners
 201 that it desires to appear on the ballot as provided for in
 202 section 1, the voters residing in the Twin Lakes North Area
 203 shall, by majority vote of the voters participating in the
 204 election, choose whether to join that municipality on September
 205 15, 2005, or September 15, 2006. A mail ballot shall not be used
 206 in this election. However, voters may vote by absentee ballot as
 207 provided by law.

208 Section 4. Upon a majority of the voters participating in
 209 the election as provided in section 3, voting for annexation,
 210 the Twin Lakes North Area described in section 2 shall be deemed
 211 a part of said municipality on September 15, 2005, pursuant to
 212 s. 171.062, Florida Statutes, except as provided for in this
 213 act.

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

221 Section 6. The Board of County Commissioners of Broward
 222 County is hereby authorized to set the election provided for in
 223 section 3 by general election for the time period provided in

224 this act at the cost of Broward County. A mail ballot shall not
225 be used for any election provided for in this act. However,
226 voters may vote by absentee ballot as provided by law.

227 Section 7. Upon annexation into a municipality, the
228 following shall govern the areas described in section 2:

229 (1) The present land use designations and zoning districts
230 provided for under the Broward County Comprehensive Plan and
231 Code of Ordinances of Broward County shall remain the law
232 governing the Twin Lakes North Area, notwithstanding the fact
233 that the Twin Lakes North Area is now a part of a municipality.

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

238 (3) Notwithstanding subsections (1) and (2), any use,
239 building, or structure that is legally in existence at the time
240 that the Twin Lakes North Area becomes a part of the
241 municipality, said use shall not be made a prohibited use by the
242 municipality, on the property of said use, for as long as the
243 use shall continue, and not be voluntarily abandoned.

244 Section 8. Subsequent to the effective date of this act,
245 no change in land use designation or zoning shall be effective
246 within the limits of the lands subject to annexation herein
247 until the Twin Lakes North Area has been annexed into the
248 municipality; no annexation within the Twin Lakes North Area by
249 any municipality shall occur during the time period between the
250 effective date of this act and the effective date of the
251 annexation.

252 Section 9. Subsequent to the effective date of the
253 annexation, any resident in the area to be annexed by this act
254 into the City of Fort Lauderdale or the City of Oakland Park
255 shall be deemed to have met any residency requirements for
256 candidacy for any municipal office.

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

262 Section 11. All public roads and the public rights-of-way
263 associated therewith, on the Broward County Road System, lying
264 within the limits of the lands subject to annexation herein, as
265 described in section 2, are transferred from Broward County
266 jurisdiction to the jurisdiction of the annexing municipality,
267 except for that portion of Prospect Road described in section 2.
268 All rights, title, interests, and responsibilities for any
269 transferred roads, including, but not limited to, the ownership,
270 operation, maintenance, planning, design, and construction of
271 said roads, and to the rights-of-way associated therewith, shall
272 transfer from Broward County jurisdiction and ownership to the
273 jurisdiction and ownership of the annexing municipality upon the
274 effective date of the annexation.

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