

HB 1487

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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 Fort Lauderdale;  
 providing for annexation of the unincorporated area known  
 as Rock Island; providing for an election; providing for  
 an effective date of annexation; providing for an  
 interlocal agreement; providing for continuation of  
 certain Broward County regulations; providing for transfer  
 of public roads and rights-of-way; providing an effective  
 date.

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

Section 1. The legal description of the "Rock Island Area"  
is as follows:

That portion of Sections 28 and 29, Township 49 South,  
Range 42 East, Broward County, Florida, described as  
follows:

Beginning at a point on the municipal boundary of the  
City of Fort Lauderdale, as established by Chapter 69-  
1057, Laws of Florida, being the intersection of the  
North Right of way line of NW 19 Street with the West  
right-of-way line of the Seaboard Coastline Railroad;

thence along said municipal boundary of the City of  
Fort Lauderdale, the following 7 courses;

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30 thence westerly along said North right-of-way line of  
 31 NW 19 Street to the Southeast corner of Lot 1, Block 1  
 32 of "North West Lauderdale," as recorded in Plat Book  
 33 25, Page 25, of the Public Records of Broward County,  
 34 Florida;

35  
 36 thence Northerly to the Northeast corner of Lot 4 in  
 37 said Block 1;

38  
 39 thence Westerly to the Northwest corner of said Lot 4;

40  
 41 thence Southerly to the Southwest corner of said Lot 1  
 42 and the North right-of-way line of NW 19 Street;

43  
 44 thence Westerly along said North right-of-way line to  
 45 the East right-of-way line of NW 31 Avenue;

46  
 47 thence Northerly along said East right-of-way line to  
 48 the North boundary of the South one-half (S 1/2) of  
 49 the South one-half (S 1/2) of the Southwest one-  
 50 quarter (SW 1/4) of said Section 29;

51  
 52 thence Westerly along said North boundary to the West  
 53 line of said Section 29;

54  
 55 thence along the municipal boundary of the City of  
 56 Lauderdale Lakes, as established by Ordinance 40, of  
 57 the City of Lauderdale Lakes, the following three (3)  
 58 courses:

59  
60 thence North along said West line to the South line of  
61 the Southwest one-quarter (SW 1/4) of the Southwest  
62 one-quarter (SW 1/4) of the Northwest one-quarter (NW  
63 1/4) of said Section 29;

64  
65 thence East along said South line to the Southeast  
66 corner of said Southwest one-quarter (SW 1/4) of the  
67 Southwest one-quarter (SW 1/4) of the Northwest one-  
68 quarter (NW 1/4);

69  
70 thence North along the East line of said Southwest  
71 one-quarter (SW 1/4) of the Southwest one-quarter (SW  
72 1/4) of the Northwest one-quarter (NW 1/4) to a line  
73 35.00 feet north of and parallel with the South line  
74 of the North one-half (N 1/2) of said Section 29, also  
75 being a point on the municipal boundary of the City of  
76 Oakland Park, as established by Ordinance 477, of the  
77 City of Oakland Park;

78  
79 thence along said municipal boundary of the City of  
80 Oakland Park and along said parallel line to a line  
81 100.00 feet west of and parallel with the East line of  
82 the West one-half (W 1/2) of the West one-half (W 1/2)  
83 of the Southwest one-quarter (SW 1/4) of the Northeast  
84 one-quarter (NE 1/4) of said Section 29;

85  
86 thence along the municipal boundary of the City of  
87 Oakland Park, as established by Chapter 79-519, Laws

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88 of Florida, the following four (4) courses:

89  
 90 thence South along said parallel line, also being a  
 91 line 270.00 feet West of the West right-of-way line of  
 92 NW 26 Avenue, to the South right-of-way line of NW 26  
 93 Street;

94  
 95 thence Easterly along said South right-of-way line to  
 96 the East right-of-way line of NW 21 Avenue;

97  
 98 thence North along said East right-of-way line to the  
 99 South line of the Northwest one-quarter (NW 1/4) of  
 100 said Section 28;

101  
 102 thence East along said South line to the West right-  
 103 of-way line of the Seaboard Coastline Railroad;

104  
 105 thence along the municipal boundary of the City of  
 106 Oakland Park, as established by Chapter 83-476, Laws  
 107 of Florida, and Southwesterly along said West right-  
 108 of-way line to the Point of Beginning.

109  
 110 Section 2. The Broward County Board of County  
 111 Commissioners shall schedule an election in accordance with the  
 112 provisions of the law relating to elections currently in force  
 113 in Broward County on November 2, 2004. The subject of said  
 114 election shall be the annexation of the Rock Island Area. Only  
 115 registered voters residing in the Rock Island Area as described  
 116 in this act may vote in said election. On the ballot provided

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117 for in this section shall appear the City of Fort Lauderdale.  
 118 The voters residing in the Rock Island Area shall, by majority  
 119 vote of the voters participating in the election, choose whether  
 120 to join that city on September 15, 2005, or September 15, 2006.  
 121 A mail ballot shall not be used in this election. However,  
 122 voters may vote by absentee ballot as provided by law.

123 Section 3. Upon a majority of the registered voters  
 124 residing in the Rock Island Area voting for annexation into the  
 125 City of Fort Lauderdale, the Rock Island Area described in  
 126 section 1 shall be deemed a part of said municipality on  
 127 September 15, 2005, or September 15, 2006, pursuant to s.  
 128 171.062, Florida Statutes, except as provided for in this act.

129 Section 4. An interlocal agreement shall be developed  
 130 between the governing bodies of Broward County and the annexing  
 131 municipality and executed prior to the effective date of the  
 132 annexation as provided for in section 3. The agreement shall  
 133 address infrastructure improvement projects and include a  
 134 financially feasible plan for transitioning county services,  
 135 buildings, infrastructure, waterways, and employees.

136 Section 5. The Board of County Commissioners of Broward  
 137 County is hereby authorized to set the election provided for in  
 138 section 2 by general election for the time period provided in  
 139 this act at the cost of Broward County. A mail ballot shall not  
 140 be used for any election provided for in this act. However,  
 141 voters may vote by absentee ballot as provided by law.

142 Section 6. Upon annexation into a municipality, the  
 143 following shall govern the areas described in section 1:

144 (1) The present land use designations and zoning districts  
 145 provided for under the Broward County Comprehensive Plan and

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146 Code of Ordinances of Broward County shall remain the law  
 147 governing the Rock Island Area, notwithstanding the fact that  
 148 the Rock Island Area is now a part of a municipality. The land  
 149 use designations and zoning of Broward County shall be deemed  
 150 the conforming laws of the municipality of which the Rock Island  
 151 Area is now a part.

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

156 (3) Notwithstanding subsections (1) and (2), any use,  
 157 building, or structure that is legally in existence at the time  
 158 that the Rock Island Area becomes a part of the municipality  
 159 shall not be made a prohibited use by the municipality, on the  
 160 property of said use, for as long as the use shall continue, and  
 161 not be voluntarily abandoned.

162 Section 7. Subsequent to the effective date of this act,  
 163 no change in land use designation or zoning shall be effective  
 164 within the limits of the lands subject to annexation herein  
 165 until the Rock Island Area has been annexed into the  
 166 municipality; no annexation within the Rock Island Area by any  
 167 municipality shall occur during the time period between the  
 168 effective date of this act and the effective date of the  
 169 annexation.

170 Section 8. Any resident in the area to be annexed by this  
 171 act into the City of Fort Lauderdale shall be deemed to have met  
 172 any residency requirements for candidacy.

173 Section 9. Nothing in this act shall be construed to  
 174 affect or abrogate the rights of parties to any contracts,

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

178 Section 10. All public roads and the public rights-of-way  
179 associated therewith, on the Broward County Road System, lying  
180 within the limits of the lands subject to annexation herein, as  
181 described in section 1, are transferred from Broward County  
182 jurisdiction to the jurisdiction of the annexing municipality,  
183 except NW 31 Avenue and NW 21 Avenue, lying within the limits of  
184 the annexation area. All rights, title, interests, and  
185 responsibilities for any transferred roads, including, but not  
186 limited to, the ownership, operation, maintenance, planning,  
187 design, and construction of said roads, and to the rights-of-way  
188 associated therewith, shall transfer from Broward County  
189 jurisdiction and ownership to the jurisdiction and ownership of  
190 the annexing municipality upon the effective date of the  
191 annexation.

192 Section 11. This act shall take effect upon becoming a  
193 law.