

By Senator Campbell

32-2476-04

See CS/HB 1399

1 A bill to be entitled

2 An act relating to Broward County; providing

3 for extending the corporate limits of the City

4 of Fort Lauderdale or the City of Oakland Park;

5 providing for annexation of the unincorporated

6 area known as Twin Lakes North; providing for

7 an election; providing for an effective date of

8 annexation; providing for an interlocal

9 agreement; providing for a continuation of

10 certain regulations; providing for the transfer

11 of public roads and rights-of-way; providing an

12 effective date.

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

16 Section 1. No later than July 1, 2004, the governing

17 bodies of the City of Fort Lauderdale and the City of Oakland

18 Park, after having considered the effects of annexation on the

19 residents of both the Twin Lakes North Area, as hereinafter

20 described, and the respective municipality, shall inform the

21 Broward County Legislative Delegation and the Broward County

22 Board of County Commissioners of their desire to appear on the

23 ballot as provided for in this act.

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

26 That portion of Section 16, Township 49 South,

27 Range 42 East, Broward County, Florida,

28 described as follows:

30 Begin at the Northwest corner of Lot 7, Block 2

31 of Twin Lakes, as recorded in Plat Book 29,

1 Page 23, of the Public Records of Broward
2 County, Florida, said point being on the
3 municipal boundary of the City of Fort
4 Lauderdale, as established by Ordinance No.
5 C-82-128 of the City of Fort Lauderdale;
6
7 Thence South along the West line of said Lot 7
8 and said municipal boundary to the Southwest
9 corner of said Lot 7;
10
11 Thence Easterly along the South line of Lots 7,
12 6 and 5 of said Twin Lakes plat and said
13 municipal boundary to the Southwest corner of
14 Lot 4 of said plat, said point being on the
15 municipal boundary of the City of Oakland Park,
16 as established by chapter 79-519, Laws of
17 Florida;
18
19 Thence continuing along said municipal boundary
20 the following 4 courses:
21
22 Thence Southerly to the Northeast corner of Lot
23 1, Block 4 of Stadium Park, as recorded in Plat
24 Book 53, Page 9, of the Public Records of
25 Broward County, Florida;
26
27 Thence Southerly along the East line of Lots 1
28 thru 8, Block 4 of said Stadium Park, and the
29 East line of Lots 18 and 15, Block 3 of said
30 Stadium Park, to the Southeast corner of said
31 Lot 15;

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2 Thence Southwesterly to the Northwest corner of
3 Lot 1, Block 14 of Twin Lakes, as recorded in
4 Plat Book 29, Page 23, of the Public Records of
5 Broward County, Florida;
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7 Thence Southerly along the West line of Lots 1
8 thru 4, Block 14, and the Southerly projection
9 thereof to the Northeast corner of Lot 12,
10 Block 21 of said Twin Lakes, said point being
11 on the municipal boundary of the City of
12 Oakland Park, as established by Ordinance No.
13 0-81-20 of the City of Oakland Park;
14
15 Thence Westerly, Southerly and Easterly along
16 said Lot 12 and said municipal boundary to the
17 Southeast corner thereof, said point also being
18 on the municipal boundary of the City of
19 Oakland Park, as established by chapter 79-519,
20 Laws of Florida;
21
22 Thence continuing along said municipal boundary
23 the following 5 courses:
24
25 Thence Southerly along the West line of Lots 3
26 and 4 of said Block 21 to the Southwest corner
27 of said Lot 4;
28
29 Thence Westerly along the North right-of-way
30 line of N.W. 45 Court to the intersection with
31 the West right-of-way line of N.W. 10 Avenue;

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Thence Southerly along the West right-of-way line of N.W. 10 Avenue to the Southeast corner of Lot 16, Block 24 of said Twin Lakes;

Thence Westerly along the North right-of-way line of Prospect Field Road (N.W. 44 Street) to a point of intersection with the Northerly extension of the West right-of-way line of that part of N.W. 10 Avenue lying South of said Prospect Field Road (N.W. 44 Street);

Thence Southwesterly along said Northerly extension to a point on the centerline of Prospect Field Road (N.W. 44 Street);

Thence Northwesterly along said centerline to a point on the West line of the Southwest One-Quarter (SW 1/4), of the Southeast One-Quarter (SE 1/4) of said Section 16, said point also being on the municipal boundary of the City of Tamarac, as established by Ordinance No. 68-4 of the City of Tamarac;

Thence Northerly along said West line and along said municipal boundary to a point on the North line of the South One-Half (S 1/2 of the Southeast One-Quarter (SE 1/4) of said Section 16, said point also being on the municipal boundary of the City of Fort Lauderdale, as established by chapter 71-640, Laws of Florida;

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

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

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

Thence Northerly along said West right-of-way line also being the East line of Lots 2 and 1 of said Block 5 and the Northerly projection thereof and along said municipal boundary to a point on the South line of Parcel A of C.T.A.

1 Plat, as recorded in Plat Book 124, Page 33, of
2 the Public Records of Broward County, Florida,
3 said point also being on the municipal boundary
4 of the City of Fort Lauderdale, as established
5 by Ordinance No. C-84-59 of the City of Fort
6 Lauderdale;

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8 Thence Easterly along said South line and said
9 municipal boundary to the Southerly extension
10 of the West line of Block 1 of Stadium Park, as
11 recorded in Plat Book 53, Page 9, of the Public
12 Records of Broward County, Florida;

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14 Thence Northerly along said Southerly extension
15 and the West line of said Block 1 and said
16 municipal boundary to the Southwest corner of
17 Lot 13, Block 1 of said Stadium Park, said
18 point also being on the municipal boundary of
19 the City of Fort Lauderdale, as established by
20 chapter 79-459, Laws of Florida;

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22 Thence continuing along said municipal boundary
23 the following 4 courses:

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26 Thence Easterly along the South line of Lots
27 13, 12, and 11 of said Block 1 to the Southeast
28 corner of said Lot 11;

29
30 Thence continue Easterly along the South line
31 of the North 120 feet of Lots 1, 2, 3 and the

1 East 15 feet of Lot 4, Block 1 of said Twin
2 Lakes, and the Easterly projection thereof to
3 the West line of Lot 9, Block 2 of said Twin
4 Lakes;

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6 Thence Southerly along said West line to the
7 Southwest corner of said Lot 9;

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9 Thence Easterly along the South line of said
10 Lot 9 to the POINT OF BEGINNING.

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12 Section 3. If at least one of the municipalities
13 referenced in section 1 of this act informs the Broward County
14 Legislative Delegation and the Broward County Board of County
15 Commissioners that it desires to appear on the ballot as
16 provided for in section 1, the Broward County Board of County
17 Commissioners shall schedule an election on November 2, 2004,
18 in accordance with the provisions of law relating to elections
19 currently in force in Broward County. The subject of such
20 election shall be the annexation of the Twin Lakes North
21 Area. Only registered voters residing in the Twin Lakes North
22 Area as described in this act may vote in such election. On
23 the ballot provided for in this section shall appear the name
24 of each municipality that informed the Broward County
25 Legislative Delegation and the Broward County Board of County
26 Commissioners that it desires to appear on the ballot as
27 provided for in section 1. The voters residing in the Twin
28 Lakes North Area shall, by majority vote of the voters
29 participating in the election, choose one municipality for
30 annexation. In the event only one municipality has informed
31 the Broward County Legislative Delegation and the Broward

1 County Board of County Commissioners that it desires to appear
2 on the ballot as provided for in section 1, the voters
3 residing in the Twin Lakes North Area shall, by majority vote
4 of the voters participating in the election, choose whether to
5 join that municipality on September 15, 2005, or September 15,
6 2006. A mail ballot shall not be used in this election.
7 However, voters may vote by absentee ballot as provided by
8 law.

9 Section 4. Upon a majority of the voters participating
10 in the election as provided in section 3 voting for
11 annexation, the Twin Lakes North Area described in section 2
12 shall be deemed a part of said municipality on September 15,
13 2005, pursuant to section 171.062, Florida Statutes, except as
14 provided for in this act.

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

22 Section 6. The Board of County Commissioners of
23 Broward County is hereby authorized to set the election
24 provided for in section 3 by general election for the time
25 period provided in this act at the cost of Broward County. A
26 mail ballot shall not be used for any election provided for in
27 this act. However, voters may vote by absentee ballot as
28 provided by law.

29 Section 7. Upon annexation into a municipality, the
30 following shall govern the areas described in section 2:
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1 (1) The present land use designations and zoning
2 districts provided for under the Broward County Comprehensive
3 Plan and Code of Ordinances of Broward County shall remain the
4 law governing the Twin Lakes North Area, notwithstanding the
5 fact that the Twin Lakes North Area is now a part of a
6 municipality.

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

11 (3) Notwithstanding subsections (1) and (2), any use,
12 building, or structure that is legally in existence at the
13 time that the Twin Lakes North Area becomes a part of the
14 municipality, said use shall not be made a prohibited use by
15 the municipality, on the property of said use, for as long as
16 the use shall continue, and not be voluntarily abandoned.

17 Section 8. Subsequent to the effective date of this
18 act, no change in land use designation or zoning shall be
19 effective within the limits of the lands subject to annexation
20 herein until the Twin Lakes North Area has been annexed into
21 the municipality; no annexation within the Twin Lakes North
22 Area by any municipality shall occur during the time period
23 between the effective date of this act and the effective date
24 of the annexation.

25 Section 9. Subsequent to the effective date of the
26 annexation, any resident in the area to be annexed by this act
27 into the City of Fort Lauderdale or the City of Oakland Park
28 shall be deemed to have met any residency requirements for
29 candidacy for any municipal office.

30 Section 10. Nothing in this act shall be construed to
31 affect or abrogate the rights of parties to any contracts,

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

4 Section 11. All public roads and the public
5 rights-of-way associated therewith, on the Broward County Road
6 System, lying within the limits of the lands subject to
7 annexation herein, as described in section 2, are transferred
8 from Broward County jurisdiction to the jurisdiction of the
9 annexing municipality, except for that portion of Prospect
10 Road described in section 2. All rights, title, interests, and
11 responsibilities for any transferred roads, including, but not
12 limited to, the ownership, operation, maintenance, planning,
13 design, and construction of said roads, and to the
14 rights-of-way associated therewith, shall transfer from
15 Broward County jurisdiction and ownership to the jurisdiction
16 and ownership of the annexing municipality upon the effective
17 date of the annexation.

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