

By Senator Campbell

32-2477-04

See CS/HB 1397

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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 Lauderdale Lakes or the City of Lauderdale Lakes; 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 Lauderdale Lakes, after having considered the effects of annexation

1 on the residents of both the St. George Area, as hereinafter
2 described, and the respective municipality, shall inform the
3 Broward County Legislative Delegation and the Broward County
4 Board of County Commissioners as to their desire to appear on
5 the ballot as provided for in this act.

6 Section 2. If at least one of the municipalities
7 subject to annexation under this act informs the Broward
8 County Legislative Delegation and the Broward County Board of
9 County Commissioners that it desires to appear on the ballot
10 as provided for in section 1, the Broward County Board of
11 County Commissioners shall schedule an election on November 2,
12 2004, in accordance with the provisions of law relating to
13 elections currently in force in Broward County. The subject of
14 such election shall be the annexation of the St. George Area.
15 Only registered voters residing in the St. George Area as
16 described in this act may vote in such election. On the ballot
17 provided for in this section shall appear the name of each
18 municipality which shall have informed the Broward County
19 Legislative Delegation and the Broward County Board of County
20 Commissioners that it desires to appear on the ballot as
21 provided for in section 1. The voters residing in the St.
22 George Area shall, by majority vote of the voters
23 participating in the election, choose one municipality for
24 annexation. In the event only one municipality shall have
25 informed the Broward County Legislative Delegation and the
26 Broward County Board of County Commissioners that it desires
27 to appear on the ballot as provided for in section 1, the
28 voters residing in the St. George Area shall, by majority vote
29 of the voters participating in the election, choose whether to
30 join that municipality on September 15, 2005, or September 15,
31 2006. A mail ballot shall not be used in this election;

1 however, voters may vote by absentee ballot as provided by
2 law.

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

5
6 That portion of Section 6, Township 50 South,
7 Range 42 East, Broward County, Florida,
8 described as follows:

9
10 BEGIN at a point of intersection of a line 225
11 feet East of and parallel with the West line of
12 said Section 6 and the Westerly prolongation of
13 the North right-of-way line of NW 7 Street, as
14 shown by the plat of ACADEMY AWARD HOMES
15 SECTION 3, as recorded in Plat Book 45, Page
16 17, of the Public Records of Broward County,
17 Florida;

18
19 thence Easterly and Southeasterly along
20 said North right-of-way line and the Easterly
21 prolongation thereof to the Northwest corner of
22 lot 3, Block 5, as shown by the plat of
23 TROPICANA PARK HOMES, as recorded in Plat Book
24 46, Page 17, Public Records of Broward County,
25 Florida;

26
27 thence East along the North line of said Lot 3
28 to the Northeast corner thereof;

29
30 thence East to the Northwest corner of Lot 6,
31 Block 27, as shown by the plat of NEW

1 BROWARDALE, as recorded in Plat Book 47, Page
2 14, Public Records of Broward County, Florida;
3
4 thence East along the North line of said Lot 6
5 to the Northeast corner thereof being on the
6 West right-of-way line of NW 34th Terrace, as
7 shown by said plat of NEW BROWARDALE;
8
9 thence North along the said West right-of-way
10 line to the point of curvature of a curve
11 concave to the Southeast, having a radius of 85
12 feet;
13
14 thence North through East along said curve to
15 the point of tangency with the North
16 right-of-way line of NW 7th Street, as shown by
17 said plat of NEW BROWARDALE;
18
19 thence East along the said North right-of-way
20 line and the Easterly prolongation thereof to
21 the centerline of NW 34th Avenue;
22
23 thence East along the North right-of-way line
24 of NW 7th Street and the Westerly prolongation
25 thereof, to the point of curvature of a curve
26 concave to the Northwest, having a radius of 25
27 feet;
28
29 thence East through North along the arc of said
30 curve to the point of tangency with the West
31 right-of-way line of NW AMENDED PLAT, as

1 recorded in Plat Book 47, Page 23, Public
2 Records of Broward County, Florida;
3
4 thence East to the Northwest corner of Lot 1,
5 Block 32, as shown by the said BROWARDALE 2ND
6 ADDITION AMENDED PLAT;
7
8 thence East along the North line of said Lot 1
9 to the Northeast corner thereof;
10
11 thence Northeasterly to the Northwest corner of
12 Lot 16, Block 31, as shown by the said
13 BROWARDALE 2ND ADDITION AMENDED PLAT;
14
15 thence East along the North line of said Lot 16
16 to the Northeast corner thereof;
17
18 thence East to the Northwest corner of Lot 16,
19 Block 30, as shown by said BROWARDALE 2ND
20 ADDITION AMENDED PLAT;
21
22 thence East along the North line of said Lot
23 16, Block 30 to the Northeast corner thereof;
24
25 thence South along the East line of said Lot
26 16, Block 30 to a point of intersection with
27 the North line of the Southeast One-Quarter (SE
28 1/4), of the Southeast One-Quarter (SE 1/4), of
29 the Northeast One-Quarter (NE 1/4) of said
30 Section 6;
31

1 thence East along said North line to the East
2 line of said Section 6;
3
4 thence Northerly along said East line to the
5 North line of said Section 6;
6
7 thence West along said North line to the
8 Northeast corner of the Northwest One-Quarter
9 (NW 1/4), of the Northeast One-Quarter (NE
10 1/4), of the Northwest One-Quarter (NW 1/4), of
11 said Section 6, said point also being on the
12 municipal boundary of the City of Lauderhill,
13 as established by Ordinance 80 of the City of
14 Lauderhill;
15
16 thence continue West along said North line and
17 said municipal boundary and along the municipal
18 boundary of the City of Lauderhill, as
19 established by Chapter 65-1812, Laws of
20 Florida, to a line 302 feet East of and
21 parallel with the West line of said Section 6,
22 said point being on the municipal boundary of
23 the City of Plantation, established by Chapter
24 68-101, Laws of Florida;
25
26 thence continuing along said municipal boundary
27 the following 4 courses;
28
29 thence South along said parallel line to the
30 North right-of-way line of NW 8 Place, as shown
31 by the plat of PLAZA ESTATES, as recorded in

1 Plat Book 46, Page 45, of the Public Records of
2 Broward County, Florida;

3
4 thence Westerly along said North right-of-way
5 line for a distance of 82 feet to a point on a
6 line 220 feet East of and parallel with the
7 West line of said Section 6;

8
9 thence South along said parallel line to the
10 Westerly prolongation of the North right-of-way
11 line of NW 7 Street, as shown by said plat of
12 ACADEMY AWARD HOMES SECTION 3;

13
14 thence Easterly, along said Westerly
15 prolongation and North right-of-way line, to
16 the POINT OF BEGINNING.

17
18 Section 4. Upon a majority of the registered voters
19 residing in the St. George Area voting for annexation into the
20 City of Lauderdale Lakes or the City of Lauderhill, the St.
21 George Area, as described in section 3, shall be deemed a part
22 of said municipality on September 15, 2005, pursuant to
23 section 171.062, Florida Statutes, except as provided in this
24 act.

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

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

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

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

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

19 (3) Notwithstanding subsections (1) and (2), any use,
20 building, or structure that is legally in existence at the
21 time the St. George Area becomes a part of the municipality
22 shall not be made a prohibited use by the municipality, on the
23 property of said use, for as long as the use continues and is
24 not voluntarily abandoned.

25 Section 8. Subsequent to the effective date of this
26 act, no change in land use designation or zoning shall be
27 effective within the limits of the lands subject to annexation
28 herein until the St. George Area has been annexed into the
29 municipality; and no annexation within the St. George Area by
30 any municipality shall occur during the time period between
31

1 the effective date of this act and the effective date of the
2 annexation.

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

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

13 Section 11. All public roads, including bridge 864107,
14 and the public rights-of-way associated therewith on the
15 Broward County Road System lying within the limits of the
16 lands subject to annexation herein, as described in section 3,
17 except NW 31 Avenue, are transferred from Broward County
18 jurisdiction to the jurisdiction of the annexing municipality.
19 All rights, title, interests, and responsibilities for any
20 transferred roads, including, but not limited to, the
21 ownership, operation, maintenance, planning, design, and
22 construction of said roads and the rights-of-way associated
23 therewith, shall transfer from Broward County jurisdiction and
24 ownership to the jurisdiction and ownership of the annexing
25 municipality upon the effective date of the annexation.

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