

HB 1045

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1 A bill to be entitled
 2 An act relating to Broward County; providing for extending
 3 the corporate limits of the Town of Davie; providing for
 4 annexation of the unincorporated area known as Pine Island
 5 Ridge; providing for an election; providing for an
 6 effective date of annexation; providing for an interlocal
 7 agreement; providing for a continuation of certain Broward
 8 County regulations; providing for the transfer of public
 9 roads and rights-of-way; providing an effective date.

10

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

12

13 Section 1. The legal description of the Pine Island Ridge
 14 Area is as follows:

15

16 That portion of Section 17, Township 50 South, Range
 17 41 East, Broward County, Florida, described as
 18 follows:

19 Beginning at a point on the municipal boundary of the
 20 Town of Davie, as established by Chapter 84-420, Laws
 21 of Florida, being the point of intersection of the
 22 West right-of-way line of Pine Island Road (Southwest
 23 88 Avenue) and the South line of said Section 17;

24

25 Thence along said municipal boundary of the Town of
 26 Davie the following seven (7) courses;

27

28 Thence Northerly along said West right-of-way line to
 29 a point of intersection with the Southerly right-of-
 30 way line of Orange Grove Drive;

31
 32 Thence Westerly and Southwesterly along said Southerly
 33 right-of-way line to a point of inter-section with the
 34 Southeasterly projection of the Southerly line of
 35 Tract "C", PINE ISLAND PLAZA ASSOCIATES, according to
 36 the Plat thereof, as recorded in Plat Book 115, Page
 37 35, of the Public Records of Broward County, Florida;

38
 39 Thence Northwesterly along said Southeasterly
 40 projection and the Southerly line of said Tract "C"
 41 and the Northwesterly projection to a point of
 42 intersection with the Westerly right-of-way line of
 43 Pine Ridge Drive;

44
 45 Thence Northeasterly along said westerly right-of-way
 46 line to the Southeast corner of Tract "Q", RIDGE
 47 PLAZA, according to the Plat thereof, as recorded in
 48 Plat Book 116, Page 27 of the Public Records of
 49 Broward County, Florida;

50
 51 Thence Northwesterly along the Southerly line of said
 52 Tract "Q" to the Southwest corner of said Tract "Q"
 53 and a point on the boundary of Tract "A", PINE ISLAND
 54 RIDGE SECTION TWO, according to the Plat thereof, as
 55 recorded in Plat Book 83, Page 20, of the Public
 56 Records of Broward County, Florida;

57
 58 Thence Southwesterly and Westerly along said boundary
 59 of Tract "A" to the Westerly line of Tract 1, Tier 81,
 60 NEWMAN'S SURVEY, according to the Plat thereof, as
 61 recorded in Plat Book 2, Page 26 of the Public Records
 62 of Dade County, Florida and the Southwesterly
 63 projection of the Westerly line of ROUTE 84 SQUARE,
 64 according to the Plat thereof, as recorded in Plat
 65 Book 117, Page 11 of the Public Records of Broward
 66 County, Florida;

67
 68 Thence Northeasterly along said Westerly line to the
 69 Southerly line of the Northerly 330.00 feet of the
 70 land included within the existing 100 foot wide canal
 71 easement, per Official Records Book 5192, Page 899, of
 72 the Public Records of Broward County, Florida, in said
 73 Tract "A", PINE ISLAND RIDGE SECTION TWO and the
 74 municipal boundary of the Town of Davie, as
 75 established by Ordinance 85-60 of the Town of Davie;

76
 77 Thence along said municipal boundary the following two
 78 (2) courses;

79
 80 Thence Northwesterly along said Southerly line to the
 81 Westerly line of said existing 100 foot wide canal
 82 easement;

83
 84 Thence Northeasterly along said Westerly line to the
 85 Southerly right-of-way line of State Road 84 and the

86 municipal boundary of the Town of Davie, as
 87 established by aforesaid Chapter 84-420, Laws of
 88 Florida;

89
 90 Thence continuing along said municipal boundary the
 91 following two (2) courses;

92
 93 Thence Northwesterly along said Southerly right-of-way
 94 line to a point of intersection with the Easterly line
 95 of T. BRYAN'S SUBDIVISION, according to the Plat
 96 thereof, as recorded in Plat Book 32, Page 16 of the
 97 Public Records of Broward County, Florida and the East
 98 line of Tracts "A" and "B", "CALUSA RIDGE", according
 99 to the Plat thereof, as recorded in Plat Book 147,
 100 Page 47, of the Public Records of Broward County,
 101 Florida;

102
 103 Thence Southerly along said Easterly line to the
 104 Southerly line of said T. BRYAN'S SUBDIVISION;

105
 106 Thence along the municipal boundary of the Town of
 107 Davie, as established by Ordinance 87-30 of the Town
 108 of Davie, the following three (3) courses and
 109 distances;

110
 111 Thence Southerly along the Southerly extension of the
 112 East line of said T. BRYAN'S SUBDIVISION a distance of
 113 1.24 feet to a point of intersection with a 655 foot
 114 radius non-tangent curve concave to the Southeast, a

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115 radial line through said point bears North 14°31'36"
 116 West;

117
 118 Thence Southwesterly along said curve through a
 119 central angle of 63°20'39" an arc distance of 724.14
 120 feet to an intersection with a line being parallel
 121 with and 500.00 feet Southerly of the South line of
 122 said T. BRYAN'S SUBDIVISION;

123
 124 Thence North 89°43'11" West along said parallel line
 125 to an intersection with the Easterly right-of-way line
 126 of Nob Hill Road (Southwest 100 avenue) and a point on
 127 the municipal boundary of the Town of Davie, as
 128 established by aforesaid Chapter 84-420, Laws of
 129 Florida;

130
 131 Thence along said municipal boundary the following two
 132 (2) courses;

133
 134 Thence Southerly along said Easterly right-of-way line
 135 and the Southerly projection of said Easterly right-
 136 of-way line to a point of intersection with the South
 137 line of said Section 17;

138
 139 Thence Easterly along said South line to the POINT OF
 140 BEGINNING.

141
 142 Section 2. The Broward County Board of County
 143 Commissioners shall schedule, at the expense of Broward County,

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144 an election on March 14, 2006, in accordance with the provisions
 145 of the law relating to elections currently in force in Broward
 146 County. The subject of said election shall be the annexation of
 147 the Pine Island Ridge Area. Only registered voters residing in
 148 the Pine Island Ridge Area as described in this act may vote in
 149 said election. The voters residing in the Pine Island Ridge Area
 150 shall, by majority vote of the voters participating in the
 151 election, choose to be annexed into the Town of Davie or remain
 152 unincorporated. Mail ballots shall not be used in this election;
 153 however, voters may vote by absentee ballot as provided by law.

154 Section 3. Upon a majority of the registered voters
 155 participating in the election as provided in section 2 voting
 156 for annexation, the Pine Island Ridge Area described in section
 157 1 shall be deemed a part of the Town of Davie on September 15,
 158 2006, pursuant to s. 171.062, Florida Statutes, except as
 159 provided for in this act.

160 Section 4. An interlocal agreement shall be developed
 161 between the governing bodies of Broward County and the Town of
 162 Davie and executed prior to the effective date of the annexation
 163 as provided for in section 3. The agreement shall address
 164 infrastructure improvement projects and include a financially
 165 feasible plan for transitioning county services, buildings,
 166 infrastructure, waterways, and employees.

167 Section 5. Subsequent to the effective date of the
 168 annexation, any resident in the area to be annexed by this act
 169 into the Town of Davie shall be deemed to have met any residency
 170 requirements for candidacy for any municipal office.

171 Section 6. Nothing in this act shall be construed to
 172 affect or abrogate the rights of parties to any contracts,

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

176 Section 7. Subsequent to the effective date of this act,
 177 within the limits of the Pine Island Ridge Area, no change in
 178 land use designation or zoning shall be effective, and no
 179 annexation by any municipality shall occur during the time
 180 period between the effective date of this act and the effective
 181 date of the annexation.

182 Section 8. Upon annexation into the Town of Davie, the
 183 following shall govern the area described in section 1:

184 (1) The present land use designations and zoning districts
 185 provided for under the Broward County Comprehensive Plan and
 186 Code of Ordinances of Broward County shall remain the law
 187 governing the Pine Island Ridge Area, notwithstanding the fact
 188 that the Pine Island Ridge Area is now a part of the Town of
 189 Davie.

190 (2) Any change of zoning districts or land use
 191 designations may only be accomplished by enactment of the vote
 192 of the majority of the full governing body of the Town of Davie
 193 plus one.

194 (3) Notwithstanding subsections (1) and (2), any use,
 195 building, or structure that is legally in existence at the time
 196 that the Pine Island Ridge Area becomes a part of the Town of
 197 Davie, said use shall not be made a prohibited use by the Town
 198 of Davie, on the property of said use, for as long as the use
 199 shall continue, and not be voluntarily abandoned.

200 Section 9. All public roads and the public rights-of-way
 201 associated therewith, on the Broward County Road System, lying

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202 within the limits of the Pine Island Ridge Area, as described in
203 section 1, are transferred from Broward County jurisdiction to
204 the jurisdiction of the Town of Davie. All rights, titles,
205 interests, and responsibilities for any transferred roads,
206 including, but not limited to, the ownership, operation,
207 maintenance, planning, design, and construction of said roads
208 and to the rights-of-way associated therewith, shall transfer
209 from Broward County jurisdiction and ownership to the
210 jurisdiction and ownership of the Town of Davie upon the
211 effective date of the annexation.

212 Section 10. This act shall take effect upon becoming a
213 law.