

By Senator Campbell

32-1878-05

See HB 1045

1                                   A bill to be entitled

2           An act relating to Broward County; providing

3           for extending the corporate limits of the Town

4           of Davie; providing for annexation of the

5           unincorporated area known as Pine Island Ridge;

6           providing for an election; providing for an

7           effective date of annexation; providing for an

8           interlocal agreement; providing for a

9           continuation of certain Broward County

10          regulations; providing for the transfer of

11          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. The legal description of the Pine Island

17 Ridge Area is as follows:

19           That portion of Section 17, Township 50 South,

20           Range 41 East, Broward County, Florida,

21           described as follows:

23           Beginning at a point on the municipal boundary

24           of the Town of Davie, as established by Chapter

25           84-420, Laws of Florida, being the point of

26           intersection of the West right-of-way line of

27           Pine Island Road (Southwest 88 Avenue) and the

28           South line of said Section 17;

30           Thence along said municipal boundary of the

31           Town of Davie the following seven (7) courses;

1  
2       Thence Northerly along said West right-of-way  
3       line to a point of intersection with the  
4       Southerly right-of-way line of Orange Grove  
5       Drive;  
6  
7       Thence Westerly and Southwesterly along said  
8       Southerly right-of-way line to a point of  
9       inter-section with the Southeasterly projection  
10       of the Southerly line of Tract " C", PINE  
11       ISLAND PLAZA ASSOCIATES, according to the Plat  
12       thereof, as recorded in Plat Book 115, Page 35,  
13       of the Public Records of Broward County,  
14       Florida;  
15  
16       Thence Northwesterly along said Southeasterly  
17       projection and the Southerly line of said Tract  
18       "C" and the Northwesterly projection to a point  
19       of intersection with the Westerly right-of-way  
20       line of Pine Ridge Drive;  
21  
22       Thence Northeasterly along said westerly  
23       right-of-way line to the Southeast corner of  
24       Tract "Q", RIDGE PLAZA, according to the Plat  
25       thereof, as recorded in Plat Book 116, Page 27  
26       of the Public Records of Broward County,  
27       Florida;  
28  
29       Thence Northwesterly along the Southerly line  
30       of said Tract "Q" to the Southwest corner of  
31       said Tract "Q" and a point on the boundary of

1           Tract "A", PINE ISLAND RIDGE SECTION TWO,  
2           according to the Plat thereof, as recorded in  
3           Plat Book 83, Page 20, of the Public Records of  
4           Broward County, Florida;  
5  
6           Thence Southwesterly and Westerly along said  
7           boundary of Tract "A" to the Westerly line of  
8           Tract 1, Tier 81, NEWMAN'S SURVEY, according to  
9           the Plat thereof, as recorded in Plat Book 2,  
10          Page 26 of the Public Records of Dade County,  
11          Florida and the Southwesterly projection of the  
12          Westerly line of ROUTE 84 SQUARE, according to  
13          the Plat thereof, as recorded in Plat Book 117,  
14          Page 11 of the Public Records of Broward  
15          County, Florida;  
16  
17          Thence Northeasterly along said Westerly line  
18          to the Southerly line of the Northerly 330.00  
19          feet of the land included within the existing  
20          100 foot wide canal easement, per Official  
21          Records Book 5192, Page 899, of the Public  
22          Records of Broward County, Florida, in said  
23          Tract "A", PINE ISLAND RIDGE SECTION TWO and  
24          the municipal boundary of the Town of Davie, as  
25          established by Ordinance 85-60 of the Town of  
26          Davie;  
27  
28          Thence along said municipal boundary the  
29          following two (2) courses;  
30  
31

1           Thence Northwesterly along said Southerly line  
2           to the Westerly line of said existing 100 foot  
3           wide canal easement;  
4  
5           Thence Northeasterly along said Westerly line  
6           to the Southerly right-of-way line of State  
7           Road 84 and the municipal boundary of the Town  
8           of Davie, as established by aforesaid Chapter  
9           84-420, Laws of Florida;  
10  
11           Thence continuing along said municipal boundary  
12           the following two (2) courses;  
13  
14           Thence Northwesterly along said Southerly  
15           right-of-way line to a point of intersection  
16           with the Easterly line of T. BRYAN'S  
17           SUBDIVISION, according to the Plat thereof, as  
18           recorded in Plat Book 32, Page 16 of the Public  
19           Records of Broward County, Florida and the East  
20           line of Tracts "A" and "B", "CALUSA RIDGE",  
21           according to the Plat thereof, as recorded in  
22           Plat Book 147, Page 47, of the Public Records  
23           of Broward County, Florida;  
24  
25           Thence Southerly along said Easterly line to  
26           the Southerly line of said T. BRYAN'S  
27           SUBDIVISION;  
28  
29           Thence along the municipal boundary of the Town  
30           of Davie, as established by Ordinance 87-30 of  
31

1           the Town of Davie, the following three (3)  
2           courses and distances;  
3  
4           Thence Southerly along the Southerly extension  
5           of the East line of said T. BRYAN'S SUBDIVISION  
6           a distance of 1.24 feet to a point of  
7           intersection with a 655 foot radius non-tangent  
8           curve concave to the Southeast, a radial line  
9           through said point bears North 14°31'36" West;  
10  
11           Thence Southwesterly along said curve through a  
12           central angle of 63°20'39" an arc distance of  
13           724.14 feet to an intersection with a line  
14           being parallel with and 500.00 feet Southerly  
15           of the South line of said T. BRYAN'S  
16           SUBDIVISION;  
17  
18           Thence North 89°43'11" West along said parallel  
19           line to an intersection with the Easterly  
20           right-of-way line of Nob Hill Road (Southwest  
21           100 avenue) and a point on the municipal  
22           boundary of the Town of Davie, as established  
23           by aforesaid Chapter 84-420, Laws of Florida;  
24  
25           Thence along said municipal boundary the  
26           following two (2) courses;  
27  
28           Thence Southerly along said Easterly  
29           right-of-way line and the Southerly projection  
30           of said Easterly right-of-way line to a point  
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1           of intersection with the South line of said  
2           Section 17;

3  
4           Thence Easterly along said South line to the  
5           POINT OF BEGINNING.

6  
7           Section 2. The Broward County Board of County  
8 Commissioners shall schedule, at the expense of Broward  
9 County, an election on March 14, 2006, in accordance with the  
10 provisions of the law relating to elections currently in force  
11 in Broward County. The subject of said election shall be the  
12 annexation of the Pine Island Ridge Area. Only registered  
13 voters residing in the Pine Island Ridge Area as described in  
14 this act may vote in said election. The voters residing in the  
15 Pine Island Ridge Area shall, by majority vote of the voters  
16 participating in the election, choose to be annexed into the  
17 Town of Davie or remain unincorporated. Mail ballots shall not  
18 be used in this election; however, voters may vote by absentee  
19 ballot as provided by law.

20           Section 3. Upon a majority of the registered voters  
21 participating in the election as provided in section 2 voting  
22 for annexation, the Pine Island Ridge Area described in  
23 section 1 shall be deemed a part of the Town of Davie on  
24 September 15, 2006, pursuant to s. 171.062, Florida Statutes,  
25 except as provided for in this act.

26           Section 4. An interlocal agreement shall be developed  
27 between the governing bodies of Broward County and the Town of  
28 Davie and executed prior to the effective date of the  
29 annexation as provided for in section 3. The agreement shall  
30 address infrastructure improvement projects and include a

31

1 financially feasible plan for transitioning county services,  
2 buildings, infrastructure, waterways, and employees.

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

7       Section 6. Nothing in this act shall be construed to  
8 affect or abrogate the rights of parties to any contracts,  
9 whether the same be between Broward County and a third party  
10 or between nongovernmental entities, which contracts are in  
11 effect prior to the effective date of the annexation.

12       Section 7. Subsequent to the effective date of this  
13 act, within the limits of the Pine Island Ridge Area, no  
14 change in land use designation or zoning shall be effective,  
15 and no annexation by any municipality shall occur during the  
16 time period between the effective date of this act and the  
17 effective date of the annexation.

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

20       (1) The present land use designations and zoning  
21 districts provided for under the Broward County Comprehensive  
22 Plan and Code of Ordinances of Broward County shall remain the  
23 law governing the Pine Island Ridge Area, notwithstanding the  
24 fact that the Pine Island Ridge Area is now a part of the Town  
25 of Davie.

26       (2) Any change of zoning districts or land use  
27 designations may only be accomplished by enactment of the vote  
28 of the majority of the full governing body of the Town of  
29 Davie plus one.

30       (3) Notwithstanding subsections (1) and (2), any use,  
31 building, or structure that is legally in existence at the

1 time that the Pine Island Ridge Area becomes a part of the  
2 Town of Davie, said use shall not be made a prohibited use by  
3 the Town of Davie, on the property of said use, for as long as  
4 the use shall continue, and not be voluntarily abandoned.

5       Section 9. All public roads and the public  
6 rights-of-way associated therewith, on the Broward County Road  
7 System, lying within the limits of the Pine Island Ridge Area,  
8 as described in section 1, are transferred from Broward County  
9 jurisdiction to the jurisdiction of the Town of Davie. All  
10 rights, titles, interests, and responsibilities for any  
11 transferred roads, including, but not limited to, the  
12 ownership, operation, maintenance, planning, design, and  
13 construction of said roads and to the rights-of-way associated  
14 therewith, shall transfer from Broward County jurisdiction and  
15 ownership to the jurisdiction and ownership of the Town of  
16 Davie upon the effective date of the annexation.

17       Section 10. This act shall take effect upon becoming a  
18 law.

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