

HB 1127

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CHAMBER ACTION

1 The Local Government Council recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to Broward County; providing for extending  
7 the corporate limits of the Town of Davie; providing for  
8 annexation of the unincorporated area known as Broadview  
9 Park; providing for an election; providing boundaries;  
10 providing for an effective date of annexation; providing  
11 for an interlocal agreement; providing for a continuation  
12 of certain Broward County regulations; providing for the  
13 transfer of public roads and rights-of-way; providing an  
14 effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. No later than September 1, 2006, the Town of  
19 Davie and the Broward County Board of County Commissioners may  
20 enter into an interlocal agreement agreeing to the transition of  
21 the annexation of Broadview Park, as defined in section 3, into  
22 the Town of Davie.

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23           Section 2. If the Town of Davie and the Broward County  
 24 Board of County Commissioners enter into the interlocal  
 25 agreement as provided in section 1, the Broward County Board of  
 26 County Commissioners shall schedule an election on November 7,  
 27 2006, in accordance with the provisions of the law relating to  
 28 elections currently in force in Broward County. The subject of  
 29 said election shall be the annexation of the Broadview Park  
 30 Area. The voters residing in the Broadview Park Area shall, by  
 31 majority vote of the voters participating in the election,  
 32 choose whether to be annexed by the Town of Davie on September  
 33 15, 2008. A mail ballot shall not be used in this election.  
 34 However, voters may vote by absentee ballot as provided by law.

35           Section 3. The Broadview Park Area is described as:

36  
 37           That portion of Sections 13, 14, 23 and 24, Township 50  
 38 South, Range 41 East and Section 18 Township 50 South,  
 39 Range 42 East, Broward County, Florida, described as  
 40 follows:

41  
 42           Beginning at a point on the boundary of the City of  
 43 Plantation established by Chapter 68-101 Laws of Florida,  
 44 being the Southeast corner of Tract 1, Tier 24, according  
 45 to Newman's Survey of Section 14, Township 50 South, Range  
 46 41 East, as recorded in Plat Book 2, Page 26, Public  
 47 Records of Dade County, Florida;

48  
 49           thence continuing along the said boundary of the City of  
 50 Plantation the following 6 courses;

51  
52 thence Northeasterly along the East line of said Tier 24,  
53 to the North line of said Section 13;

54  
55 thence East along the said North line of Section 13 to a  
56 point of intersection with the Northerly extension of the  
57 Westerly line of Block 3, as shown by the plat of  
58 LAUDERDALE HIGHLANDS as recorded in Plat Book 12, at Page  
59 37, Public Records of Broward County, Florida;

60  
61 thence Southwesterly along the Westerly line of said Block  
62 3 and its Northerly extension thereof, to the  
63 Southwesterly corner of Lot 11 of said Block 3;

64  
65 thence Easterly along the Southerly line of said Lot 11  
66 and its Easterly extension thereof, to a point of  
67 intersection with the Easterly right-of-way line of  
68 Highland Avenue, as shown by said plat of LAUDERDALE  
69 HIGHLANDS;

70  
71 thence Southwesterly along the Easterly right-of-way line  
72 of said Highland Avenue to a point of intersection with  
73 the South line of Block 1, as shown by said plat of  
74 LAUDERDALE HIGHLANDS;

75  
76 thence Easterly along the South line of said Block 1 and  
77 its Easterly extension thereof to a point of intersection  
78 with the East right-of-way line of State Road No.7, as

79 | described in City of Fort Lauderdale annexing Resolution  
 80 | No. 8519;

81 |  
 82 | thence Southerly along the said east right-of-way line to  
 83 | the North right-of-way line of Riverland Road and the  
 84 | boundary of the Town of Davie as described in Chapter 84-  
 85 | 420, Laws of Florida;

86 |  
 87 | thence continuing along said boundary of the Town of Davie  
 88 | the following 10 courses;

89 |  
 90 | thence Westerly along the Westerly prolongation of the  
 91 | said North right-of-way line to the West right-of-way line  
 92 | of State Road No.7;

93 |  
 94 | thence Southerly along said West right-of-way line to a  
 95 | point of intersection with a line 300 feet North of the  
 96 | Southerly line of Tract 2, Tier 4, of said Newman's  
 97 | Survey, as measured along the said Westerly right-of-way  
 98 | line;

99 |  
 100 | thence Northwesterly to a point on the Easterly right-of-  
 101 | way line of Southwest 41st Avenue, being 298.34 feet  
 102 | Northerly from the Southwest corner of said Tract 2, Tier  
 103 | 4;

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105 | thence Westerly to a point of intersection of the West  
 106 | right-of-way line of Southwest 41st Avenue with the North  
 107 | line of said Section 24;  
 108 |  
 109 | thence Southwesterly along the said West right-of-way line  
 110 | to the centerline of North New River Canal;  
 111 |  
 112 | thence Southeasterly along said centerline to the Westerly  
 113 | right-of-way line of State Road No.7;  
 114 |  
 115 | thence Southwesterly along said West right-of-line to the  
 116 | South bank of the North New River Canal;  
 117 |  
 118 | thence Northwesterly along said South bank to the  
 119 | Northerly extension of the West line of the East One-Half  
 120 | of Tract 1, Tier 7 of said Newman's Survey;  
 121 |  
 122 | thence Southwesterly along said Northerly extension to the  
 123 | Northwest corner of the said East One-Half of Tract 1,  
 124 | Tier 7, also being on the South right-of-way line of North  
 125 | New River Canal;  
 126 |  
 127 | thence Northwesterly along the said Southerly right-of-way  
 128 | line to the Easterly line of Tier 21 of said Newman's  
 129 | Survey;  
 130 |  
 131 | thence Northwesterly, continuing on the boundary of the  
 132 | Town of Davie, along the said Southerly right-of-way line

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133 to the intersection with the Southwesterly extension of  
134 the East line of the aforesaid Tract 1, Tier 24;  
135  
136 thence Northeasterly along said Southwesterly extension to  
137 the Point of Beginning.  
138  
139

140 TOGETHER WITH:  
141

142 That portion of Sections 7, 8, 14, 15, 16 and 17, Township  
143 50 South, Range 41 East and Sections 2, 3, 11 and 12,  
144 Township 50 South, Range 40 East, Broward County,  
145 Florida, described as follows:  
146

147 Beginning at a point on the boundary of the City of  
148 Plantation established by Chapter 68-101, Laws of Florida,  
149 being the Southeast corner of Tract 1, Tier 24, according  
150 to Newman's Survey of Section 14, Township 50 South, Range  
151 41 East, as recorded in Plat Book 2, Page 26, Public  
152 Records of Dade County, Florida;  
153

154 thence Northwesterly along the North right of way line of  
155 the North New River Canal and along the boundary of the  
156 City of Plantation established by said Chapter 68-101 and  
157 by Ordinance 1008, Ordinance 568, and Ordinance 543, all  
158 as adopted by the City of Plantation, to the intersection  
159 with the West line of said Section 2;  
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161 thence continue Northwesterly along the North right of way  
 162 line of the North New River Canal and along the boundary  
 163 of the City of Sunrise established by Ordinance 220-X and  
 164 Ordinance 257-X, as adopted by the City of Sunrise, to the  
 165 intersection with the West line of said Section 3;

166  
 167 thence Southerly along said West line and along the  
 168 boundary of the City of Sunrise established by Ordinance  
 169 269, as adopted by the City of Sunrise, to the South right  
 170 of way line of the North New River Canal;

171  
 172 thence Southeasterly along the said South right of way  
 173 line and along the boundary of the Town of Davie  
 174 established by Ordinance 74-44 and Ordinance 85-97 and by  
 175 Chapter 84-420, as adopted by the Town of Davie, to the  
 176 intersection with the Southwesterly extension of the East  
 177 line of Tier 24 of said Newman's Survey;

178  
 179 thence Northeasterly along the said Southwesterly  
 180 extension to the Point of Beginning.

181  
 182 Section 4. Upon annexation into the Town of Davie, the  
 183 following shall govern the Broadview Park Area:

184 (1) The present land use designations and zoning  
 185 districts provided for under the Broward County Comprehensive  
 186 Plan and Code of Ordinances of Broward County shall remain in  
 187 the law governing the Broadview Park Area, notwithstanding the

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188 fact that the Broadview Park 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 Broadview Park Area becomes a part of the Town of  
197 Davie shall not be made a prohibited use by the municipality,  
198 on the property of said use, for as long as the use shall  
199 continue and not be voluntarily abandoned.

200 Section 5. Subsequent to the effective date of this act,  
201 no change in land use designation or zoning shall be effective  
202 within the limits of the lands subject to annexation herein  
203 until the Broadview Park Area has been annexed into the Town of  
204 Davie. No annexation within the Broadview Park Area by any  
205 municipality shall occur during the time period between the  
206 effective date of this act and the effective date of the  
207 annexation.

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

212 Section 7. Nothing in this act shall be construed to  
213 affect or abrogate the rights of parties to any contracts,  
214 including contracts between nongovernmental entities, which



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215 contracts are in effect prior to the effective date of the  
216 annexation.

217 Section 8. All public roads and the public rights-of-way  
218 associated therewith, on the Broward County Road System,  
219 including bridge structures 868303, 864024, 864022, 864096, and  
220 864097, lying within the limits of the Broadview Park Area as  
221 described in section 3, are transferred from Broward County  
222 jurisdiction to the jurisdiction of the annexing municipality,  
223 except for those portions of Hiatus Road, Nob Hill Road, Pine  
224 Island Road, and Davie Boulevard and that portion of Peters  
225 Road west of the Peters Road/Davie Boulevard intersection lying  
226 within the annexation area. All rights, title, interests, and  
227 responsibilities for any transferred roads, including, but not  
228 limited to, the ownership, operation, maintenance, planning,  
229 design, and construction of said roads and to the rights-of-way  
230 associated therewith shall transfer from Broward County  
231 jurisdiction and ownership to the jurisdiction and ownership of  
232 the annexing municipality upon the effective date of the  
233 annexation.

234 Section 9. This act shall take effect upon becoming a law.