

ENROLLED

HB 1127, Engrossed 1

2006 Legislature

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 Broadview
5 Park; providing for an election; providing boundaries;
6 providing for an effective date of annexation; providing
7 for an interlocal agreement; providing for a continuation
8 of certain Broward County regulations; providing for the
9 transfer of public roads and rights-of-way; providing an
10 effective date.

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

13
14 Section 1. No later than September 1, 2006, the Town of
15 Davie and the Broward County Board of County Commissioners may
16 enter into an interlocal agreement agreeing to the transition of
17 the annexation of Broadview Park, as defined in section 3, into
18 the Town of Davie.

19 Section 2. If the Town of Davie and the Broward County
20 Board of County Commissioners enter into the interlocal
21 agreement as provided in section 1, the Broward County Board of
22 County Commissioners shall schedule an election on November 7,
23 2006, in accordance with the provisions of the law relating to
24 elections currently in force in Broward County. The subject of
25 said election shall be the annexation of the Broadview Park
26 Area. The voters residing in the Broadview Park Area shall, by
27 majority vote of the voters participating in the election,

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28 choose whether to be annexed by the Town of Davie on September
 29 15, 2008. A mail ballot shall not be used in this election.
 30 However, voters may vote by absentee ballot as provided by law.

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

32
 33 That portion of Sections 13, 14, 23 and 24, Township 50
 34 South, Range 41 East and Section 18 Township 50 South,
 35 Range 42 East, Broward County, Florida, described as
 36 follows:

37
 38 Beginning at a point on the boundary of the City of
 39 Plantation established by Chapter 68-101 Laws of Florida,
 40 being the Southeast corner of Tract 1, Tier 24, according
 41 to Newman's Survey of Section 14, Township 50 South, Range
 42 41 East, as recorded in Plat Book 2, Page 26, Public
 43 Records of Dade County, Florida;

44
 45 thence continuing along the said boundary of the City of
 46 Plantation the following 6 courses;

47
 48 thence Northeasterly along the East line of said Tier 24,
 49 to the North line of said Section 13;

50
 51 thence East along the said North line of Section 13 to a
 52 point of intersection with the Northerly extension of the
 53 Westerly line of Block 3, as shown by the plat of

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54 LAUDERDALE HIGHLANDS as recorded in Plat Book 12, at Page
 55 37, Public Records of Broward County, Florida;
 56
 57 thence Southwesterly along the Westerly line of said Block
 58 3 and its Northerly extension thereof, to the
 59 Southwesterly corner of Lot 11 of said Block 3;
 60
 61 thence Easterly along the Southerly line of said Lot 11
 62 and its Easterly extension thereof, to a point of
 63 intersection with the Easterly right-of-way line of
 64 Highland Avenue, as shown by said plat of LAUDERDALE
 65 HIGHLANDS;
 66
 67 thence Southwesterly along the Easterly right-of-way line
 68 of said Highland Avenue to a point of intersection with
 69 the South line of Block 1, as shown by said plat of
 70 LAUDERDALE HIGHLANDS;
 71
 72 thence Easterly along the South line of said Block 1 and
 73 its Easterly extension thereof to a point of intersection
 74 with the East right-of-way line of State Road No.7, as
 75 described in City of Fort Lauderdale annexing Resolution
 76 No. 8519;
 77
 78 thence Southerly along the said east right-of-way line to
 79 the North right-of-way line of Riverland Road and the

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80 boundary of the Town of Davie as described in Chapter 84-
 81 420, Laws of Florida;
 82
 83 thence continuing along said boundary of the Town of Davie
 84 the following 10 courses;
 85
 86 thence Westerly along the Westerly prolongation of the
 87 said North right-of-way line to the West right-of-way line
 88 of State Road No.7;
 89
 90 thence Southerly along said West right-of-way line to a
 91 point of intersection with a line 300 feet North of the
 92 Southerly line of Tract 2, Tier 4, of said Newman's
 93 Survey, as measured along the said Westerly right-of-way
 94 line;
 95
 96 thence Northwesterly to a point on the Easterly right-of-
 97 way line of Southwest 41st Avenue, being 298.34 feet
 98 Northerly from the Southwest corner of said Tract 2, Tier
 99 4;
 100
 101 thence Westerly to a point of intersection of the West
 102 right-of-way line of Southwest 41st Avenue with the North
 103 line of said Section 24;
 104
 105 thence Southwesterly along the said West right-of-way line
 106 to the centerline of North New River Canal;

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

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TOGETHER WITH:

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

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

thence Northwesterly along the North right of way line of the North New River Canal and along the boundary of the City of Plantation established by said Chapter 68-101 and by Ordinance 1008, Ordinance 568, and Ordinance 543, all as adopted by the City of Plantation, to the intersection with the West line of said Section 2;

thence continue Northwesterly along the North right of way line of the North New River Canal and along the boundary of the City of Sunrise established by Ordinance 220-X and

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160 Ordinance 257-X, as adopted by the City of Sunrise, to the
 161 intersection with the West line of said Section 3;
 162
 163 thence Southerly along said West line and along the
 164 boundary of the City of Sunrise established by Ordinance
 165 269, as adopted by the City of Sunrise, to the South right
 166 of way line of the North New River Canal;
 167
 168 thence Southeasterly along the said South right of way
 169 line and along the boundary of the Town of Davie
 170 established by Ordinance 74-44 and Ordinance 85-97 and by
 171 Chapter 84-420, as adopted by the Town of Davie, to the
 172 intersection with the Southwesterly extension of the East
 173 line of Tier 24 of said Newman's Survey;
 174
 175 thence Northeasterly along the said Southwesterly
 176 extension to the Point of Beginning.

177
 178 Section 4. Upon annexation into the Town of Davie, the
 179 following shall govern the Broadview Park Area:

180 (1) The present land use designations and zoning
 181 districts provided for under the Broward County Comprehensive
 182 Plan and Code of Ordinances of Broward County shall remain in
 183 the law governing the Broadview Park Area, notwithstanding the
 184 fact that the Broadview Park Area is now a part of the Town of
 185 Davie.

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186 (2) Any change of zoning districts or land use
 187 designations may only be accomplished by enactment of the vote
 188 of the majority of the full governing body of the Town of Davie
 189 plus one.

190 (3) Notwithstanding subsections (1) and (2), any use,
 191 building, or structure that is legally in existence at the time
 192 that the Broadview Park Area becomes a part of the Town of
 193 Davie shall not be made a prohibited use by the municipality,
 194 on the property of said use, for as long as the use shall
 195 continue and not be voluntarily abandoned.

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

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

208 Section 7. Nothing in this act shall be construed to
 209 affect or abrogate the rights of parties to any contracts,
 210 including contracts between nongovernmental entities, which
 211 contracts are in effect prior to the effective date of the
 212 annexation.

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213 Section 8. All public roads and the public rights-of-way
214 associated therewith, on the Broward County Road System,
215 including bridge structures 868303, 864024, 864022, 864096, and
216 864097, lying within the limits of the Broadview Park Area as
217 described in section 3, are transferred from Broward County
218 jurisdiction to the jurisdiction of the annexing municipality,
219 except for those portions of Hiatus Road, Nob Hill Road, Pine
220 Island Road, and Davie Boulevard and that portion of Peters
221 Road west of the Peters Road/Davie Boulevard intersection lying
222 within the annexation area. All rights, title, interests, and
223 responsibilities for any transferred roads, including, but not
224 limited to, the ownership, operation, maintenance, planning,
225 design, and construction of said roads and to the rights-of-way
226 associated therewith shall transfer from Broward County
227 jurisdiction and ownership to the jurisdiction and ownership of
228 the annexing municipality upon the effective date of the
229 annexation.

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