

By Senator Rich

34-1928A-06

See CS/HB 1127

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

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

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

21 Section 2. If the Town of Davie and the Broward County
22 Board of County Commissioners enter into the interlocal
23 agreement as provided in section 1, the Broward County Board
24 of County Commissioners shall schedule an election on November
25 7, 2006, in accordance with the provisions of the law relating
26 to elections currently in force in Broward County. The subject
27 of said election shall be the annexation of the Broadview Park
28 Area. The voters residing in the Broadview Park Area shall, by
29 majority vote of the voters participating in the election,
30 choose whether to be annexed by the Town of Davie on September
31 15, 2008. 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 Broadview Park Area is described as:

4
5 That portion of Sections 13, 14, 23 and 24,
6 Township 50 South, Range 41 East and Section 18
7 Township 50 South, Range 42 East, Broward
8 County, Florida, described as follows:

9
10 Beginning at a point on the boundary of the
11 City of Plantation established by Chapter
12 68-101 Laws of Florida, being the Southeast
13 corner of Tract 1, Tier 24, according to
14 Newman's Survey of Section 14, Township 50
15 South, Range 41 East, as recorded in Plat Book
16 2, Page 26, Public Records of Dade County,
17 Florida;

18
19 thence continuing along the said boundary of
20 the City of Plantation the following 6 courses;

21
22 thence Northeasterly along the East line of
23 said Tier 24, to the North line of said Section
24 13;

25
26 thence East along the said North line of
27 Section 13 to a point of intersection with the
28 Northerly extension of the Westerly line of
29 Block 3, as shown by the plat of LAUDERDALE
30 HIGHLANDS as recorded in Plat Book 12, at Page
31 37, Public Records of Broward County, Florida;

1
2 thence Southwesterly along the Westerly line of
3 said Block 3 and its Northerly extension
4 thereof, to the Southwesterly corner of Lot 11
5 of said Block 3;
6
7 thence Easterly along the Southerly line of
8 said Lot 11 and its Easterly extension thereof,
9 to a point of intersection with the Easterly
10 right-of-way line of Highland Avenue, as shown
11 by said plat of LAUDERDALE HIGHLANDS;
12
13 thence Southwesterly along the Easterly
14 right-of-way line of said Highland Avenue to a
15 point of intersection with the South line of
16 Block 1, as shown by said plat of LAUDERDALE
17 HIGHLANDS;
18
19 thence Easterly along the South line of said
20 Block 1 and its Easterly extension thereof to a
21 point of intersection with the East
22 right-of-way line of State Road No.7, as
23 described in City of Fort Lauderdale annexing
24 Resolution No. 8519;
25
26 thence Southerly along the said east
27 right-of-way line to the North right-of-way
28 line of Riverland Road and the boundary of the
29 Town of Davie as described in Chapter 84-420,
30 Laws of Florida;
31

1 thence continuing along said boundary of the
2 Town of Davie the following 10 courses;
3
4 thence Westerly along the Westerly prolongation
5 of the said North right-of-way line to the West
6 right-of-way line of State Road No.7;
7
8 thence Southerly along said West right-of-way
9 line to a point of intersection with a line 300
10 feet North of the Southerly line of Tract 2,
11 Tier 4, of said Newman's Survey, as measured
12 along the said Westerly right-of-way line;
13
14 thence Northwesterly to a point on the Easterly
15 right-of-way line of Southwest 41st Avenue,
16 being 298.34 feet Northerly from the Southwest
17 corner of said Tract 2, Tier 4;
18
19 thence Westerly to a point of intersection of
20 the West right-of-way line of Southwest 41st
21 Avenue with the North line of said Section 24;
22
23 thence Southwesterly along the said West
24 right-of-way line to the centerline of North
25 New River Canal;
26
27 thence Southeasterly along said centerline to
28 the Westerly right-of-way line of State Road
29 No.7;
30
31

1 thence Southwesterly along said West
2 right-of-line to the South bank of the North
3 New River Canal;
4
5 thence Northwesterly along said South bank to
6 the Northerly extension of the West line of the
7 East One-Half of Tract 1, Tier 7 of said
8 Newman's Survey;
9
10 thence Southwesterly along said Northerly
11 extension to the Northwest corner of the said
12 East One-Half of Tract 1, Tier 7, also being on
13 the South right-of-way line of North New River
14 Canal;
15
16 thence Northwesterly along the said Southerly
17 right-of-way line to the Easterly line of Tier
18 21 of said Newman's Survey;
19
20 thence Northwesterly, continuing on the
21 boundary of the Town of Davie, along the said
22 Southerly right-of-way line to the intersection
23 with the Southwesterly extension of the East
24 line of the aforesaid Tract 1, Tier 24;
25
26 thence Northeasterly along said Southwesterly
27 extension to the Point of Beginning.

28
29 TOGETHER WITH:
30
31

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

6
7 Beginning at a point on the boundary of the
8 City of Plantation established by Chapter
9 68-101, Laws of Florida, being the Southeast
10 corner of Tract 1, Tier 24, according to
11 Newman's Survey of Section 14, Township 50
12 South, Range 41 East, as recorded in Plat Book
13 2, Page 26, Public Records of Dade County,
14 Florida;

15
16 thence Northwesterly along the North right of
17 way line of the North New River Canal and along
18 the boundary of the City of Plantation
19 established by said Chapter 68-101 and by
20 Ordinance 1008, Ordinance 568, and Ordinance
21 543, all as adopted by the City of Plantation,
22 to the intersection with the West line of said
23 Section 2;

24
25 thence continue Northwesterly along the North
26 right of way line of the North New River Canal
27 and along the boundary of the City of Sunrise
28 established by Ordinance 220-X and Ordinance
29 257-X, as adopted by the City of Sunrise, to
30 the intersection with the West line of said
31 Section 3;

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

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

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

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

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

(2) Any change of zoning districts or land use designations may only be accomplished by enactment of the vote

1 of the majority of the full governing body of the Town of
2 Davie plus one.

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

9 Section 5. Subsequent to the effective date of this
10 act, no change in land use designation or zoning shall be
11 effective within the limits of the lands subject to annexation
12 herein until the Broadview Park Area has been annexed into the
13 Town of Davie. No annexation within the Broadview Park Area by
14 any municipality shall occur during the time period between
15 the effective date of this act and the effective date of the
16 annexation.

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

21 Section 7. Nothing in this act shall be construed to
22 affect or abrogate the rights of parties to any contracts,
23 including contracts between nongovernmental entities, which
24 contracts are in effect prior to the effective date of the
25 annexation.

26 Section 8. All public roads and the public
27 rights-of-way associated therewith, on the Broward County Road
28 System, including bridge structures 868303, 864024, 864022,
29 864096, and 864097, lying within the limits of the Broadview
30 Park Area as described in section 3, are transferred from
31 Broward County jurisdiction to the jurisdiction of the

1 annexing municipality, except for those portions of Hiatus
2 Road, Nob Hill Road, Pine Island Road, and Davie Boulevard and
3 that portion of Peters Road west of the Peters Road/Davie
4 Boulevard intersection lying within the annexation area. All
5 rights, title, interests, and responsibilities for any
6 transferred roads, including, but not limited to, the
7 ownership, operation, maintenance, planning, design, and
8 construction of said roads and to the rights-of-way associated
9 therewith shall transfer from Broward County jurisdiction and
10 ownership to the jurisdiction and ownership of the annexing
11 municipality upon the effective date of the annexation.

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

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