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CS/HB 1163, Engrossed 1

2007 Legislature

1 A bill to be entitled
 2 An act relating to the City of Tamarac, Broward County;
 3 providing boundaries; extending and enlarging the
 4 corporate limits of the City of Tamarac to include
 5 specified unincorporated lands within said corporate
 6 limits; providing for an election; providing for an
 7 effective date of annexation; providing for an interlocal
 8 agreement; providing for the transfer of public roads and
 9 rights-of-way; providing an effective date.

10

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

12

13 Section 1. Prospect Field Road/N.W. 31st Avenue Annexation
 14 Boundary is described as follows:

15

16 A portion of Sections 8 and 17, Township 49 South,
 17 Range 42 East, Broward County, Florida, described as
 18 follows: BEGIN at the point of intersection of the
 19 North right of way line of Prospect Field Road with a
 20 line 264 feet East of and parallel with the West line
 21 of said Section 8, said point being on the municipal
 22 boundary of the City of Fort Lauderdale, as
 23 established by Chapter 71-640, Laws of Florida; Thence
 24 along said municipal boundary the following 3 courses;
 25 Thence Easterly, along said North right of way line,
 26 to the North line of said Section 17; Thence Easterly,
 27 along said North line of Section 17, to the West line
 28 of Lot 11 of, LITTLE FARMS, according to the plat

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29 thereof, as recorded in Plat Book 27, Page 29 of the
 30 Public Records of Broward County, Florida; Thence
 31 Southerly, along said West line and the Southerly
 32 prolongation thereof, to the centerline of Orange
 33 Street as shown on said plat of, LITTLE FARMS, said
 34 point being on the municipal boundary of the City of
 35 Fort Lauderdale, as established by Ordinance No. C-87-
 36 10 of the City of Fort Lauderdale; Thence Southerly,
 37 along the West line of Lot 30 of said plat and the
 38 Northerly prolongation thereof and said municipal
 39 boundary, to a point on the South line of the
 40 Northwest One-Quarter (NW 1/4) of the Northwest One-
 41 Quarter (NW 1/4) of the Northeast One-Quarter (NE 1/4)
 42 of said Section 17, said point being on the municipal
 43 boundary of the City of Tamarac, as established by
 44 Ordinance No. 0-81-17 of the City of Tamarac. Thence
 45 along said municipal boundary of the City of Tamarac
 46 the following 3 courses; Thence Westerly, along said
 47 South line, to the Southwest corner of the Northeast
 48 One-Quarter (NE 1/4) of the Northeast One-Quarter (NE
 49 1/4) of the Northwest One-Quarter (NW 1/4) of said
 50 Section 17; Thence Southerly to the Southeast corner
 51 of the Southwest One-Quarter (SW 1/4) of the Northeast
 52 One-Quarter (NE 1/4) of the Northwest One-Quarter (NW
 53 1/4) of said Section 17;

54
 55 Thence Westerly to the Southwest corner of the
 56 Southwest One-Quarter (SW 1/4) of the Northeast One-

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57 Quarter (NE 1/4) of the Northwest One-Quarter (NW 1/4)
 58 of said Section 17, said point being on the municipal
 59 boundary of the City of Fort Lauderdale, as
 60 established by Ordinance No. C-72-22 of the City of
 61 Fort Lauderdale; Thence along said municipal boundary
 62 the following 4 courses;

63
 64 Thence Westerly, along the South line of the Northwest
 65 One-Quarter (NW 1/4) of the Northwest One-Quarter (NW
 66 1/4) of said Section 17, to the West line of said
 67 Section 17; Thence Northerly, along said West line, to
 68 the South line of the West 264 feet of the North One-
 69 Half (N 1/2) of the North One-Half (N 1/2) of the
 70 Northwest One-Quarter (NW 1/4) of the Northwest One-
 71 Quarter (NW 1/4) of said Section 17; Thence Easterly,
 72 along said South line, to the Southeast corner
 73 thereof;

74
 75 Thence Northerly, along the East line thereof, to the
 76 POINT OF BEGINNING.

77
 78 Section 2. The legal descriptions of the areas referred to
 79 in this bill are as follows:

80 (1) Continental Plaza Annexation Boundary is described as
 81 follows:

82
 83 A portion of Section 18, Township 49 South, Range 42
 84 East, Broward County, Florida, more particularly

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85 described as follows:

86
 87 BEGIN at the intersection of a line 861.35 feet West
 88 of and parallel with the East line of the Southwest
 89 One-Quarter (SW 1/4) of said Section 18 with the South
 90 line of the North 1,011.04 feet of the Southwest One-
 91 Quarter (SW 1/4) of said Section 18, said point being
 92 on the municipal boundary of the City of Lauderdale
 93 Lakes, as established by Chapter 84-463, Laws of
 94 Florida;

95
 96 Thence Easterly along said South line and said
 97 municipal boundary to the West line of the East 331.00
 98 feet of the West 631.00 feet of the East 861.35 feet
 99 (measured at right angles) of the North 1,011.04 feet
 100 of the Southwest One-Quarter (SW 1/4) of said Section
 101 18, said point being on the municipal boundary of the
 102 City of Lauderdale Lakes, as established by Ordinance
 103 No. 87-10 of the City of Lauderdale Lakes;

104
 105 Thence Northerly along said West line and said
 106 municipal boundary to the South line of the North 565
 107 feet of the East 861.35 feet of the Southwest One-
 108 Quarter (SW 1/4) of said Section 18;

109
 110 Thence Westerly along said South line to a line 861.35
 111 feet West of and parallel with the East line of the
 112 Southwest One-Quarter (SW 1/4) of said Section 18,

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113 said point being on the municipal boundary of the City
 114 of Tamarac, as established by Ordinance No. 0-81-17 of
 115 the City of Tamarac;

116
 117 Thence Southerly along said parallel line and said
 118 municipal boundary to the POINT OF BEGINNING,

119
 120 TOGETHER WITH;

121
 122 The South 10 feet of the North 565 feet of the West
 123 731.35 feet of the East 861.35 feet of the Southwest
 124 One-Quarter (SW 1/4) of said Section 18.

125
 126 (2) West Commercial Boulevard/NW 31st Avenue Annexation
 127 Boundary is described as follows:

128
 129 A portion of Section 18, Township 49 South, Range 42
 130 East, Broward County, Florida, described as follows:
 131 BEGIN at the intersection of the North right of way
 132 line of West Commercial Boulevard with a line 53.00
 133 feet West of and parallel with the East line of the
 134 Southeast One-Quarter (SE 1/4) of said Section 18,
 135 said point being on the municipal boundary of the City
 136 of Fort Lauderdale, as established by Ordinance No. C-
 137 72-22 of the City of Fort Lauderdale; Thence along
 138 said municipal boundary the following 3 courses;
 139 Thence Northerly, along said parallel line, to a line
 140 200 feet North of and parallel with the North right of

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141 way line of West Commercial Boulevard; Thence
 142 Westerly, along said parallel line, to a line 253 feet
 143 West of and parallel with the East line of the
 144 Southeast One-Quarter (SE 1/4) of said Section 18;
 145 Thence Southerly, along said parallel line, to a point
 146 on the North right of way line of said West Commercial
 147 Boulevard, said point being on the municipal boundary
 148 of the City of Tamarac, as established by Ordinance
 149 No. 0-81-17 of the City of Tamarac;
 150
 151 Thence Easterly along said North right of way line and
 152 said municipal boundary to the POINT OF BEGINNING.

154 Section 3. The Broward County Board of County
 155 Commissioners shall schedule an election on March 11, 2008, in
 156 accordance with the provisions of the law relating to elections
 157 currently in force in Broward County. The subject of said
 158 election shall be the annexation of the subject area described
 159 in section 1. Only registered voters residing in the subject
 160 area as described in this act may vote in said election. Mail
 161 ballots shall not be used in this election; however, voters may
 162 vote by absentee ballots, as provided by law.

163 Section 4. Upon a majority of the registered voters
 164 residing in the subject area voting for annexation into the City
 165 of Tamarac, the area described in section 1, the Prospect Field
 166 Road/N.W. 31st Avenue Annexation Boundary, shall be deemed a
 167 part of said municipality on September 15, 2008, pursuant to
 168 section 171.062, Florida Statutes, and chapters 96-542 and 99-

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169 447, Laws of Florida, except as provided in this act.

170 Section 5. The areas described in section 2, the
 171 Continental Plaza Annexation Boundary and the West Commercial
 172 Boulevard/NW 31st Avenue Annexation Boundary, shall be deemed a
 173 part of the City of Tamarac on September 15, 2008, pursuant to
 174 section 171.062, Florida Statutes, and chapters 96-542 and 99-
 175 447, Laws of Florida.

176 Section 6. An interlocal agreement shall be developed
 177 between the governing bodies of Broward County and the City of
 178 Tamarac and executed prior to the effective date of the
 179 annexation, as provided in sections 4 and 5. The agreement shall
 180 address infrastructure improvement projects and include a
 181 financially feasible plan for transitioning county services,
 182 buildings, infrastructure, waterways, and employees.

183 Section 7. Upon annexation into the municipality, the
 184 areas described in sections 1 and 2 shall be governed by the
 185 relevant land use and zoning provisions of the City of Tamarac's
 186 Code of Ordinances. Any change of the zoning districts or land
 187 use designations may only be accomplished by enactment of the
 188 vote of the majority of the full governing body of the
 189 municipality plus one. Notwithstanding sections 1 and 2, any use,
 190 building, or structure that is legally in existence at the time
 191 of annexation shall not be made a prohibited use by the City of
 192 Tamarac, on the property of said use, for as long as the use
 193 shall continue and not be voluntarily abandoned.

194 Section 8. Subsequent to the effective date of this act,
 195 no change in land use designation or zoning shall be effective
 196 within the limits of the lands subjected to annexation herein

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197 until the subject area has been annexed into the municipality;
 198 and no annexation within the subject area by any municipality
 199 shall occur during the time period between the effective date of
 200 this act and the effective date of the annexation.

201 Section 9. Any resident of the area annexed by this act
 202 into the City of Tamarac shall be deemed to have met any
 203 residency requirements for candidacy for municipal office.

204 Section 10. Nothing in this act shall be construed to
 205 affect or abrogate the rights of parties to any contracts,
 206 whether the same be between Broward County and a third party or
 207 between nongovernmental entities, which contracts are in effect
 208 prior to the effective date of the annexation.

209 Section 11. All rights, title, interests, and
 210 responsibilities for all public roads and the public rights-of-
 211 way associated therewith in the Broward County Road System
 212 within the limits of the land described in sections 1 and 2,
 213 except for Prospect Field Road, including, but not limited to,
 214 the ownership, operation, maintenance, planning, design, and
 215 construction of said roads and rights-of-way, shall transfer
 216 from Broward County jurisdiction and ownership to the
 217 jurisdiction and ownership of the City of Tamarac upon the
 218 effective date of the annexation.

219 Section 12. This act shall take effect upon becoming a
 220 law.

221