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CS/HB 1315

2007 Legislature

1 A bill to be entitled
2 An act relating to local government boundaries; amending
3 ss. 7.06 and 7.50, F.S.; extending and enlarging the
4 boundaries of Broward County to include certain lands in
5 Palm Beach County; decreasing the boundaries of Palm Beach
6 County; extending and enlarging the corporate boundaries
7 of the City of Parkland in Broward County to annex
8 specified unincorporated lands; providing for continuation
9 of certain land use regulations; providing for transfer of
10 roads and rights-of-way; providing for county and
11 municipal powers; providing for continuation of contracts;
12 superseding chapters 96-542 and 99-447, Laws of Florida,
13 relating to annexation of unincorporated areas into
14 municipalities; providing for payment or apportionment of
15 public debt; providing for severability; providing a
16 contingent effective date.

17
18 Be It Enacted by the Legislature of the State of Florida:

19
20 Section 1. Section 7.06, Florida Statutes, is amended to
21 read:

22 7.06 Broward County.--The boundary lines of Broward County
23 are as follows: Beginning on the east boundary of the State of
24 Florida at a point where the south boundary of township forty-
25 seven south of range forty-three east, produced easterly, would
26 intersect the same; thence westerly on said township boundary to
27 its intersection with the axis or center line of Hillsborough
28 State Drainage Canal, as at present located and constructed;

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29 | thence westerly along the center line of said canal to its
30 | intersection with the range ~~section~~ line dividing ranges forty
31 | and sections twenty-six and thirty-five of township forty-seven
32 | ~~south, of range forty-one east; thence westerly on the said~~
33 | ~~section line dividing sections twenty-six, thirty-five and other~~
34 | ~~sections to the northwest corner of said section thirty-one of~~
35 | ~~township forty-seven south of range forty-one, east; thence~~
36 | south on the range line dividing ranges forty and forty-one
37 | east, of township forty-seven south, to the northeast corner of
38 | section twenty-five of township forty-seven, south, of range
39 | forty east, ~~a distance of one hundred and six feet, more or~~
40 | ~~less; thence due west on the north boundaries of the sections~~
41 | numbered from twenty-five to thirty, inclusive, of townships
42 | forty-seven south, of ranges thirty-seven to forty east,
43 | inclusive, as the same have been surveyed, or may hereafter be
44 | surveyed, by the authority of the Board of Trustees of the
45 | Internal Improvement Trust Fund, to the northwest corner of
46 | section thirty of township forty-seven south, of range thirty-
47 | seven east; thence continuing due west to the range line between
48 | ranges thirty-four and thirty-five east; thence southerly on the
49 | range line dividing ranges thirty-four and thirty-five east, to
50 | the southwest corner of township fifty-one south, of range
51 | thirty-five east; thence east following the south line of
52 | township fifty-one south, across ranges thirty-five, thirty-six,
53 | thirty-seven, thirty-eight, thirty-nine and forty, to the
54 | southwest corner of township fifty-one south of range forty-one
55 | east; thence north on the range line dividing ranges forty and
56 | forty-one to the northwest corner of section thirty-one of

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57 township fifty-one south, of range forty-one east; thence east
58 on the north boundary of section thirty-one and other sections
59 to the waters of the Atlantic Ocean; thence easterly to the
60 eastern boundary of the State of Florida; thence northerly along
61 said eastern boundary to the point of beginning. In addition,
62 the boundary lines of Broward County include the following:
63 Begin at the northwest corner of section thirty-five, township
64 fifty-one south, range forty-two east, Dade County, Florida;
65 thence, southerly following the west line of section thirty-
66 five, township fifty-one south, range forty-two east to the
67 intersection with a line which is two hundred and thirty feet
68 south of and parallel to the north line of section thirty-five,
69 township fifty-one south, range forty-two east; thence, easterly
70 following the line which is two hundred and thirty feet south of
71 and parallel to the north line of section thirty-five, township
72 fifty-one south, range forty-two east, to the intersection with
73 the west boundary line of the Town of Golden Beach; thence,
74 northerly following the west boundary line of the Town of Golden
75 Beach to the intersection with the north line of section thirty-
76 five, township fifty-one south, range forty-two east; thence,
77 westerly following the north line of section thirty-five,
78 township fifty-one south, range forty-two east to the point of
79 beginning.

80 Section 2. Section 7.50, Florida Statutes, is amended to
81 read:

82 7.50 Palm Beach County.--The boundary lines of Palm Beach
83 County are as follows: Beginning on the east boundary of Florida
84 at a point where the south boundary of township forty-seven

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85 south, of range forty-three east, produced easterly would
 86 intersect the same; thence westerly on said township line to its
 87 intersection with the axis or center line of the Hillsborough
 88 State Drainage Canal as at present located and constructed;
 89 thence westerly along the center line of said canal to its
 90 intersection with the range section line dividing ranges forty
 91 and sections twenty six and thirty five of township forty seven
 92 ~~south, range forty one east; thence westerly on the section line~~
 93 ~~dividing said sections twenty six and thirty five and other~~
 94 ~~sections to the northwest corner of section thirty one, of~~
 95 ~~township forty seven south, range forty-one east; thence south~~
 96 on the range line dividing ranges forty and forty-one, township
 97 forty-seven south, to the northeast corner of section twenty-
 98 five of township forty-seven south, range forty east, ~~a distance~~
 99 ~~of one hundred six feet more or less; thence due west on the~~
 100 north boundary of the sections numbered from twenty-five to
 101 thirty, inclusive, of townships forty-seven south, ranges
 102 thirty-seven to forty east, inclusive, as the same have been
 103 surveyed or may hereafter be surveyed by the authority of the
 104 Board of Trustees of the Internal Improvement Trust Fund, to the
 105 northwest corner of section thirty, township forty-seven south,
 106 range thirty-seven east; thence continuing due west to the range
 107 line between ranges thirty-four and thirty-five east, and the
 108 east boundary of Hendry County; thence north on said range line,
 109 concurrent with the east boundary of Hendry County, to the south
 110 shore of Lake Okeechobee; thence continuing north on said range
 111 line to the northeast corner of section thirty-six, township
 112 forty south, range thirty-four east; thence easterly parallel to

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113 and one mile north from the township line dividing townships
 114 forty and forty-one south to where the south boundary of section
 115 twenty-six, township forty south, range thirty-seven east
 116 intersects the normal water level on the boundary of Lake
 117 Okeechobee; thence east on the south boundary line of said
 118 section twenty-six and other sections across ranges thirty-
 119 seven, thirty-eight and thirty-nine, forty, forty-one and forty-
 120 two east, to the east line of section twenty-eight, township
 121 forty south, range forty-two east; thence north on said east
 122 section line to the north line of said section twenty-eight;
 123 thence east on the section line between sections twenty-two and
 124 twenty-seven of township forty south, range forty-two east, and
 125 other sections to the waters of the Atlantic Ocean; thence
 126 easterly to the eastern boundary of Florida; thence southward
 127 along the coast, including the waters of the Atlantic Ocean
 128 within the jurisdiction of the State of Florida, to the place of
 129 beginning.

130 Section 3. The present corporate limits of the City of
 131 Parkland, Broward County, are hereby extended and enlarged to
 132 include, in addition to the territory presently within its
 133 corporate limits, the area particularly described as follows:

134
 135 (1) That portion of the east one-half of section
 136 twenty-nine, township forty-seven south, range forty-
 137 one east, Palm Beach County, Florida, lying south and
 138 west of the Hillsborough State Drainage Canal; less
 139 and except the east eighty-five feet thereof; also
 140 less and except the west sixty-five feet thereof; also

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141 less and except road right-of-way for State Road No.
 142 827.
 143
 144 Also described as that portion of lots two through
 145 eight and twenty-five through thirty-two, Florida
 146 Fruit Lands Company, section twenty-nine, township
 147 forty-seven south, range forty-one east, according to
 148 the plat thereof, as recorded in plat book one, page
 149 one hundred and two, Public Records Palm Beach County,
 150 Florida, lying south and west of the Hillsborough
 151 State Drainage Canal; less and except the east eighty-
 152 five feet thereof; also less and except the west
 153 sixty-five feet thereof; also less and except road
 154 right-of-way for State Road No. 827.
 155
 156 Said lands lying in Palm Beach County, Florida,
 157 containing 11,722,792.53 square feet (269.1183 acres)
 158 more or less.
 159
 160 (2) All of that part of section twenty-eight,
 161 township forty-seven south, range forty-one east,
 162 lying south of the southerly right-of-way line of the
 163 Hillsborough State Drainage Canal, said right-of-way
 164 being one hundred and thirty feet southerly of the
 165 centerline of the Hillsborough State Drainage Canal,
 166 less the following portion, beginning at the southwest
 167 corner of said section twenty-eight, thence on an
 168 azimuth of 358° 44' 45", along the west line of said

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169 section twenty-eight, a distance of 4309.08 feet to a
 170 point on the southerly right-of-way line of the
 171 Hillsborough State Drainage Canal; thence on an
 172 azimuth of 107° 59' 34", along said right-of-way line,
 173 a distance of 31.78 feet; thence on an azimuth of 178°
 174 44' 45", along a line parallel with and 30.00 feet
 175 east of as measured at right angles to the said west
 176 line of section twenty-eight, a distance of 3529.06
 177 feet; thence on an azimuth of 89° 36' 40", along a
 178 line parallel with and 769.87 feet north of as
 179 measured at right angles to the south line of said
 180 section twenty-eight, a distance of 1387.00 feet;
 181 thence on an azimuth of 178° 44' 45", along a line
 182 parallel with and 1416.84 feet east of as measured at
 183 right angles to the said west line of section twenty-
 184 eight, a distance of 769.96 feet to a point on the
 185 south line of said section twenty-eight; thence on an
 186 azimuth of 269° 36'40" along the south line of said
 187 section twenty-eight, a distance of 1417.00 feet to
 188 the point of beginning.

189
 190 Said lands situate, lying and being in Palm Beach
 191 County, Florida.

192 Section 4. All land use and zoning designations applicable
 193 to the lands subject to this act shall continue in effect until
 194 changed by the entity or entities with jurisdiction over those
 195 lands subsequent to the effective date of this act. All
 196 development orders, permits, and licenses in existence on the

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197 effective date of this act shall remain in effect and be
 198 permitted to continue in accordance with their terms,
 199 notwithstanding that the lands formerly in Palm Beach County are
 200 now a part of Broward County.

201 Section 5. All public roads and the public rights-of-way
 202 associated therewith, lying within the lands transferred from
 203 Palm Beach County to Broward County by this act, are transferred
 204 from Palm Beach County's jurisdiction to the jurisdiction of
 205 Broward County, except that those public roads and rights-of-way
 206 within the lands annexed by the City of Parkland will be
 207 transferred to the jurisdiction of that municipality.

208 Section 6. On the effective date of this act, Broward
 209 County shall be responsible for and embodied with all powers
 210 granted pursuant to the State Constitution, Florida Statutes,
 211 and Broward County Charter over the territory transferred to
 212 Broward County under s. 7.06, Florida Statutes, as amended by
 213 this act.

214 Section 7. On the effective date of this act, the City of
 215 Parkland shall be responsible for and embodied with all
 216 municipal powers granted in chapter 166, Florida Statutes, and
 217 as otherwise provided by law, over territory annexed, as
 218 described in section 3.

219 Section 8. Nothing in this act shall be construed to
 220 affect or abrogate the rights of parties to any contracts, which
 221 contracts are in effect prior to the effective date of this act.

222 Section 9. For the purpose of this act, the procedures set
 223 forth in chapters 96-542 and 99-447, Laws of Florida, are hereby
 224 superseded.

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225 Section 10. Palm Beach County and Broward County shall be
226 responsible for the public debt relating to the transferred
227 property as required by s. 1, Art. VIII of the State
228 Constitution. These counties shall execute an interlocal
229 agreement no later than September 30, 2007, agreeing to the
230 payment or apportionment of any such debt.

231 Section 11. The provisions of this act shall be severable,
232 and if any provision is held invalid by a court of competent
233 jurisdiction, the decision of the court shall not affect the
234 validity of the remaining provisions except to the extent that
235 an entire section or part of a section may be inseparably
236 connected in meaning and effect with the section or part of a
237 section to which such holding directly applies.

238 Section 12. This act shall take effect upon the latter of
239 the date a final order is issued by the Department of Community
240 Affairs, finding the Comprehensive Plan Map Amendment
241 transmitted by Palm Beach County titled University Drive &
242 Riverside Drive TIM & 2020 Map Amendment (DCA No. 07-01) to be
243 in compliance with s. 163.3184, Florida Statutes, or the date a
244 final order is issued by the Administration Commission finding
245 the amendment to be in compliance with s. 163.3184, Florida
246 Statutes, or the date on which the roadway rights-of-way
247 designated in this act are abandoned by Palm Beach County and
248 all appeal periods relating to such abandonment have expired or,
249 if an appeal is filed, a final order confirming the abandonment
250 is issued by a court of competent jurisdiction. The publication
251 by the Department of Community Affairs of a notice of intent to
252 find Palm Beach County Comprehensive Plan Map Amendment No. 07-

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253 | 01 in compliance with s. 163.3184, Florida Statutes, shall be
254 | deemed to be a final order if no timely petition is filed
255 | challenging the amendment.