

By Senator Rich

34-2266-07

See HB 1163

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A bill to be entitled

An act relating to the City of Tamarac, Broward County; providing boundaries; extending and enlarging the corporate limits of the City of Tamarac to include specified unincorporated lands within said corporate limits; providing for an election; providing for an effective date of annexation; providing for an interlocal agreement; providing for land use and zoning designations; establishing residency for municipal office elections; providing for continuation of contracts in effect prior to annexation; providing for the transfer of public roads and rights-of-way; providing an effective date.

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

Section 1. (1) Prospect Field Road/West Commercial Boulevard Annexation Boundary is described as follows:

A portion of Section 17, Township 49 South, Range 42 East, Broward County, Florida, more particularly described as follows: BEGIN at the point of intersection of the North line of the Southeast One-Quarter (SE 1/4) of the Northeast One-Quarter (NE 1/4) of said Section 17 with the East line of the West One-Half (W 1/2) of the Southeast One-Quarter (SE 1/4) of the Northeast One-Quarter (NE 1/4) of said Section 17, said point being on the municipal boundary

1       of the City of Tamarac, as established by  
2       Ordinance No. 0-81-17 of the City of Tamarac;  
3       Thence along said municipal boundary the  
4       following 3 courses; Thence Westerly, along  
5       said North line, to a point 50.00 feet East of  
6       the West line of the Southeast One-Quarter (SE  
7       1/4) of the Northeast One-Quarter (NE 1/4) of  
8       said Section 17; Thence Southerly, along a line  
9       50.00 feet East of and parallel with the West  
10       line of the Southeast One-Quarter (SE 1/4) of  
11       the Northeast One-Quarter (NE 1/4) of said  
12       section 17, said line being the East right of  
13       way line of Prospect Field Road, to a point of  
14       intersection with the South line of the North  
15       One-Half (N 1/2) of the Northwest One-Quarter  
16       (NW 1/4) of the Southeast One-Quarter (SE 1/4)  
17       of the Northeast One-Quarter (NE 1/4) of said  
18       Section 17; Thence Easterly, along said South  
19       line, to the Southeast corner of the North  
20       One-Half (N 1/2) of the Northwest One-Quarter  
21       (NW 1/4) of the Southeast One-Quarter (SE 1/4)  
22       of the Northeast One-Quarter (NE 1/4) of said  
23       Section 17, said point being on the municipal  
24       boundary of the City of Fort Lauderdale, as  
25       established by Chapter 71-640, Laws of Florida;  
26       Thence Northerly, along the East line of the  
27       Northwest One-Quarter (NW 1/4) of the Southeast  
28       One-Quarter (SE 1/4) of the Northeast  
29       One-Quarter (NE 1/4) of said Section 17, and  
30       along said municipal boundary to the POINT OF  
31       BEGINNING.

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(2) Prospect Field Road/NW 31st Avenue Annexation  
Boundary is described as follows:

A portion of Sections 8 and 17, Township 49  
South, Range 42 East, Broward County, Florida,  
described as follows: BEGIN at the point of  
intersection of the North right of way line of  
Prospect Field Road with a line 264 feet East  
of and parallel with the West line of said  
Section 8, said point being on the municipal  
boundary of the City of Fort Lauderdale, as  
established by Chapter 71-640, Laws of Florida;  
Thence along said municipal boundary the  
following 3 courses; Thence Easterly, along  
said North right of way line, to the North line  
of said Section 17; Thence Easterly, along said  
North line of Section 17, to the West line of  
Lot 11 of, LITTLE FARMS, according to the plat  
thereof, as recorded in Plat Book 27, Page 29  
of the Public Records of Broward County,  
Florida; Thence Southerly, along said West line  
and the Southerly prolongation thereof, to the  
centerline of Orange Street as shown on said  
plat of, LITTLE FARMS, said point being on the  
municipal boundary of the City of Fort  
Lauderdale, as established by Ordinance No.  
C-87-10 of the City of Fort Lauderdale; Thence  
Southerly, along the West line of Lot 30 of  
said plat and the Northerly prolongation  
thereof and said municipal boundary, to a point

1       on the South line of the Northwest One-Quarter  
2       (NW 1/4) of the Northwest One-Quarter (NW 1/4)  
3       of the Northeast One-Quarter (NE 1/4) of said  
4       Section 17, said point being on the municipal  
5       boundary of the City of Tamarac, as established  
6       by Ordinance No. 0-81-17 of the City of  
7       Tamarac. Thence along said municipal boundary  
8       of the City of Tamarac the following 3 courses;  
9       Thence Westerly, along said South line, to the  
10       Southwest corner of the Northeast One-Quarter  
11       (NE 1/4) of the Northeast One-Quarter (NE 1/4)  
12       of the Northwest One-Quarter (NW 1/4) of said  
13       Section 17; Thence Southerly to the Southeast  
14       corner of the Southwest One-Quarter (SW 1/4) of  
15       the Northeast One-Quarter (NE 1/4) of the  
16       Northwest One-Quarter (NW 1/4) of said Section  
17       17;

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19       Thence Westerly to the Southwest corner of the  
20       Southwest One-Quarter (SW 1/4) of the Northeast  
21       One-Quarter (NE 1/4) of the Northwest  
22       One-Quarter (NW 1/4) of said Section 17, said  
23       point being on the municipal boundary of the  
24       City of Fort Lauderdale, as established by  
25       Ordinance No. C-72-22 of the City of Fort  
26       Lauderdale; Thence along said municipal  
27       boundary the following 4 courses;

28  
29       Thence Westerly, along the South line of the  
30       Northwest One-Quarter (NW 1/4) of the Northwest  
31       One-Quarter (NW 1/4) of said Section 17, to the

1       West line of said Section 17; Thence Northerly,  
2       along said West line, to the South line of the  
3       West 264 feet of the North One-Half (N 1/2) of  
4       the North One-Half (N 1/2) of the Northwest  
5       One-Quarter (NW 1/4) of the Northwest  
6       One-Quarter (NW 1/4) of said Section 17; Thence  
7       Easterly, along said South line, to the  
8       Southeast corner thereof;  
9  
10       Thence Northerly, along the East line thereof,  
11       to the POINT OF BEGINNING.

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13       Section 2. The legal descriptions of the areas  
14 referred to in this bill are as follows:

15       (1) "Continental Plaza" Annexation Boundary is  
16 described as follows:

17  
18       A portion of Section 18, Township 49 South,  
19       Range 42 East, Broward County, Florida, more  
20       particularly described as follows:

21  
22       BEGIN at the intersection of a line 861.35 feet  
23       West of and parallel with the East line of the  
24       Southwest One-Quarter (SW 1/4) of said Section  
25       18 with the South line of the North 1,011.04  
26       feet of the Southwest One-Quarter (SW 1/4) of  
27       said Section 18, said point being on the  
28       municipal boundary of the City of Lauderdale  
29       Lakes, as established by Chapter 84-463, Laws  
30       of Florida;  
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1           Thence Easterly along said South line and said  
2           municipal boundary to the West line of the East  
3           331.00 feet of the West 631.00 feet of the East  
4           861.35 feet (measured at right angles) of the  
5           North 1,011.04 feet of the Southwest  
6           One-Quarter (SW 1/4) of said Section 18, said  
7           point being on the municipal boundary of the  
8           City of Lauderdale Lakes, as established by  
9           Ordinance No. 87-10 of the City of Lauderdale  
10           Lakes;

11  
12           Thence Northerly along said West line and said  
13           municipal boundary to the South line of the  
14           North 565 feet of the East 861.35 feet of the  
15           Southwest One-Quarter (SW 1/4) of said Section  
16           18;

17  
18           Thence Westerly along said South line to a line  
19           861.35 feet West of and parallel with the East  
20           line of the Southwest One-Quarter (SW 1/4) of  
21           said Section 18, said point being on the  
22           municipal boundary of the City of Tamarac, as  
23           established by Ordinance No. 0-81-17 of the  
24           City of Tamarac;

25  
26           Thence Southerly along said parallel line and  
27           said municipal boundary to the POINT OF  
28           BEGINNING,

29  
30           TOGETHER WITH;  
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1           The South 10 feet of the North 565 feet of the  
2           West 731.35 feet of the East 861.35 feet of the  
3           Southwest One-Quarter (SW 1/4) of said Section  
4           18.

5  
6           (2) "West Commercial Boulevard/NW 31st Avenue"  
7 Annexation Boundary is described as follows:

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9           A portion of Section 18, Township 49 South,  
10          Range 42 East, Broward County, Florida,  
11          described as follows: BEGIN at the intersection  
12          of the North right of way line of West  
13          Commercial Boulevard with a line 53.00 feet  
14          West of and parallel with the East line of the  
15          Southeast One-Quarter (SE 1/4) of said Section  
16          18, said point being on the municipal boundary  
17          of the City of Fort Lauderdale, as established  
18          by Ordinance No. C-72-22 of the City of Fort  
19          Lauderdale; Thence along said municipal  
20          boundary the following 3 courses; Thence  
21          Northerly, along said parallel line, to a line  
22          200 feet North of and parallel with the North  
23          right of way line of West Commercial Boulevard;  
24          Thence Westerly, along said parallel line, to a  
25          line 253 feet West of and parallel with the  
26          East line of the Southeast One-Quarter (SE 1/4)  
27          of said Section 18; Thence Southerly, along  
28          said parallel line, to a point on the North  
29          right of way line of said West Commercial  
30          Boulevard, said point being on the municipal  
31          boundary of the City of Tamarac, as established

1           by Ordinance No. 0-81-17 of the City of  
2           Tamarac;

3  
4           Thence Easterly along said North right of way  
5           line and said municipal boundary to the POINT  
6           OF BEGINNING.

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8           Section 3. The Broward County Board of County  
9 Commissioners shall schedule an election on March 11, 2008, in  
10 accordance with the provisions of the law relating to  
11 elections currently in force in Broward County. The subject of  
12 said election shall be the annexation of the subject areas  
13 described in section 1. Only registered voters residing in the  
14 subject areas as described in this act may vote in said  
15 election. Mail ballots shall not be used in this election;  
16 however, voters may vote by absentee ballots, as provided by  
17 law.

18           Section 4. Upon a majority of the registered voters  
19 residing in the subject areas voting for annexation into the  
20 City of Tamarac, the areas described in section 1, the  
21 Prospect Field Road/West Commercial Boulevard Annexation  
22 Boundary and the Prospect Field Road/NW 31st Avenue Annexation  
23 Boundary, shall be deemed a part of said municipality on  
24 September 15, 2008, pursuant to section 171.062, Florida  
25 Statutes, and chapters 96-542 and 99-447, Laws of Florida,  
26 except as provided in this act.

27           Section 5. The areas described in section 2, the  
28 Continental Plaza Annexation Boundary and the West Commercial  
29 Boulevard/NW 31st Avenue Annexation Boundary, shall be deemed  
30 a part of said municipality on September 15, 2008, pursuant to  
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1 section 171.062, Florida Statutes, and chapters 96-542 and  
2 99-447, Laws of Florida.

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

10       Section 7. Upon annexation into the municipality, the  
11 areas described in sections 1 and 2 shall be governed by the  
12 relevant land use and zoning provisions of the City of  
13 Tamarac's Code of Ordinances. Any change of the zoning  
14 districts or land use designations may only be accomplished by  
15 enactment of the vote of the majority of the full governing  
16 body of the municipality plus one. Notwithstanding sections 1  
17 and 2, any use, building, or structure that is legally in  
18 existence at the time of annexation shall not be made a  
19 prohibited use by the City of Tamarac, on the property of said  
20 use, for as long as the use shall continue and not be  
21 voluntarily abandoned.

22       Section 8. Subsequent to the effective date of this  
23 act, no change in land use designation or zoning shall be  
24 effective within the limits of the lands subjected to  
25 annexation herein until the subject area has been annexed into  
26 the municipality; and no annexation within the subject area by  
27 any municipality shall occur during the time period between  
28 the effective date of this act and the effective date of the  
29 annexation.

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

4           Section 10. Nothing in this act shall be construed to  
5 affect or abrogate the rights of parties to any contracts,  
6 whether the same be between Broward County and a third party  
7 or between nongovernmental entities, which contracts are in  
8 effect prior to the effective date of the annexation.

9           Section 11. All rights, title, interests, and  
10 responsibilities for all public roads and the public  
11 rights-of-way associated therewith in the Broward County Road  
12 system within the limits of the land described in sections 1  
13 and 2, except for Prospect Field Road, including, but not  
14 limited to, the ownership, operation, maintenance, planning,  
15 design, and construction of said roads and rights-of-way,  
16 shall transfer from Broward County jurisdiction and ownership  
17 to the jurisdiction and ownership of the City of Tamarac upon  
18 the effective date of the annexation.

19           Section 12. This act shall take effect upon becoming a  
20 law.