

1 A bill to be entitled
 2 An act relating to the City of Tamarac, Broward County;
 3 extending and enlarging the corporate limits of the City
 4 of Tamarac to include specified unincorporated lands
 5 within such corporate limits; providing for an election;
 6 providing for an effective date of annexation; providing
 7 for an interlocal agreement; providing for governance of
 8 annexed areas; prohibiting land use designation or zoning
 9 changes and other annexations prior to subject annexation
 10 or defeat of annexation; providing applicability to
 11 candidacies for municipal office; providing for
 12 preservation of existing contracts; providing for transfer
 13 of public roads and rights-of-way; providing an effective
 14 date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. The legal descriptions of the areas referred to
 19 in this act are as follows:

20
 21 Prospect Field Road/West Commercial Boulevard
 22 Annexation Boundary is described as follows:

23
 24 A portion of Section 17, Township 49 South, Range 42
 25 East, Broward County, Florida, more particularly
 26 described as follows: BEGIN at the point of
 27 intersection of the North line of the Southeast One-
 28 Quarter (SE 1/4) of the Northeast One-Quarter (NE 1/4)

29 of said Section 17 with the East line of the West One-
30 Half (W 1/2) of the Southeast One-Quarter (SE 1/4) of
31 the Northeast One-Quarter (NE 1/4) of said Section 17,
32 said point being on the municipal boundary of the City
33 of Tamarac, as established by Ordinance No. 0-81-17 of
34 the City of Tamarac; Thence along said municipal
35 boundary the following 3 courses; Thence Westerly,
36 along said North line, to a point 50.00 feet East of
37 the West line of the Southeast One-Quarter (SE 1/4) of
38 the Northeast One-Quarter (NE 1/4) of said Section 17;
39 Thence Southerly, along a line 50.00 feet East of and
40 parallel with the West line of the Southeast One-
41 Quarter (SE 1/4) of the Northeast One-Quarter (NE 1/4)
42 of said section 17, said line being the East right of
43 way line of Prospect Field Road, to a point of
44 intersection with the South line of the North One-Half
45 (N 1/2) of the Northwest One-Quarter (NW 1/4) of the
46 Southeast One-Quarter (SE 1/4) of the Northeast One-
47 Quarter (NE 1/4) of said Section 17; Thence Easterly,
48 along said South line, to the Southeast corner of the
49 North One-Half (N 1/2) of the Northwest One-Quarter
50 (NW 1/4) of the Southeast One-Quarter (SE 1/4) of the
51 Northeast One-Quarter (NE 1/4) of said Section 17,
52 said point being on the municipal boundary of the City
53 of Fort Lauderdale, as established by Chapter 71-640,
54 Laws of Florida; Thence Northerly, along the East line
55 of the Northwest One-Quarter (NW 1/4) of the Southeast
56 One-Quarter (SE 1/4) of the Northeast One-Quarter (NE

HB 775

2009

57 1/4) of said Section 17, and along said municipal
58 boundary to the POINT OF BEGINNING.

59
60 Prospect Field Road/N.W. 31st Avenue Annexation
61 Boundary is described as follows:

62
63 A portion of Sections 8 and 17, Township 49 South,
64 Range 42 East, Broward County, Florida, described as
65 follows: BEGIN at the point of intersection of the
66 North right of way line of Prospect Field Road with a
67 line 264 feet East of and parallel with the West line
68 of said Section 8, said point being on the municipal
69 boundary of the City of Fort Lauderdale, as
70 established by Chapter 71-640, Laws of Florida; Thence
71 along said municipal boundary the following 3 courses;
72 Thence Easterly, along said North right of way line,
73 to the North line of said Section 17; Thence Easterly,
74 along said North line of Section 17, to the West line
75 of Lot 11 of, LITTLE FARMS, according to the plat
76 thereof, as recorded in Plat Book 27, Page 29 of the
77 Public Records of Broward County, Florida; Thence
78 Southerly, along said West line and the Southerly
79 prolongation thereof, to the centerline of Orange
80 Street as shown on said plat of, LITTLE FARMS, said
81 point being on the municipal boundary of the City of
82 Fort Lauderdale, as established by Ordinance No. C-87-
83 10 of the City of Fort Lauderdale; Thence Southerly,
84 along the West line of Lot 30 of said plat and the

85 Northerly prolongation thereof and said municipal
 86 boundary, to a point on the South line of the
 87 Northwest One-Quarter (NW 1/4) of the Northwest One-
 88 Quarter (NW 1/4) of the Northeast One-Quarter (NE 1/4)
 89 of said Section 17, said point being on the municipal
 90 boundary of the City of Tamarac, as established by
 91 Ordinance No. 0-81-17 of the City of Tamarac. Thence
 92 along said municipal boundary of the City of Tamarac
 93 the following 3 courses; Thence Westerly, along said
 94 South line, to the Southwest corner of the Northeast
 95 One-Quarter (NE 1/4) of the Northeast One-Quarter (NE
 96 1/4) of the Northwest One-Quarter (NW 1/4) of said
 97 Section 17; Thence Southerly to the Southeast corner
 98 of the Southwest One-Quarter (SW 1/4) of the Northeast
 99 One-Quarter (NE 1/4) of the Northwest One-Quarter (NW
 100 1/4) of said Section 17; Thence Westerly to the
 101 Southwest corner of the Southwest One-Quarter (SW 1/4)
 102 of the Northeast One-Quarter (NE 1/4) of the Northwest
 103 One-Quarter (NW 1/4) of said Section 17, said point
 104 being on the municipal boundary of the City of Fort
 105 Lauderdale, as established by Ordinance No. C-72-22 of
 106 the City of Fort Lauderdale; Thence along said
 107 municipal boundary the following 4 courses; Thence
 108 Westerly, along the South line of the Northwest One-
 109 Quarter (NW 1/4) of the Northwest One-Quarter (NW 1/4)
 110 of said Section 17, to the West line of said Section
 111 17; Thence Northerly, along said West line, to the
 112 South line of the West 264 feet of the North One-Half

HB 775

2009

113 (N 1/2) of the North One-Half (N 1/2) of the Northwest
114 One-Quarter (NW 1/4) of the Northwest One-Quarter (NW
115 1/4) of said Section 17; Thence Easterly, along said
116 South line, to the Southeast corner thereof;

117
118 Thence Northerly, along the East line thereof, to the
119 POINT OF BEGINNING.

120
121 Section 2. The Broward County Board of County
122 Commissioners shall schedule an election, in accordance with the
123 provisions of law relating to elections currently in force, in
124 Broward County on November 3, 2009. The subject of the election
125 shall be the annexation into the City of Tamarac of the areas
126 more particularly described in section 1. Only registered voters
127 residing in the areas described in section 1 may vote in the
128 election. Mail ballots shall be used in this election.

129 Section 3. Upon a majority of the registered voters
130 residing in the subject areas voting for annexation into the
131 City of Tamarac, the areas described in section 1 shall be
132 deemed a part of such municipality on September 15, 2010,
133 pursuant to section 171.062, Florida Statutes, except as
134 provided for in this act.

135 Section 4. An interlocal agreement shall be developed
136 between the governing bodies of Broward County and the City of
137 Tamarac and executed prior to the effective date of the
138 annexation as provided in section 3. The agreement shall address
139 infrastructure improvement projects and include a financially

HB 775

2009

140 feasible plan for transitioning county services, buildings,
141 infrastructure, waterways, and employees.

142 Section 5. Upon annexation into the City of Tamarac, the
143 areas described in section 1 shall be governed as follows:

144 (1) The annexed property shall be governed by the relevant
145 land use and zoning provisions of the City of Tamarac's Code of
146 Ordinances.

147 (2) Any change of zoning districts or land use
148 designations may only be accomplished by enactment of the vote
149 of the majority of the full governing body of the municipality
150 plus one.

151 (3) Any use, building, or structure that is legally in
152 existence at the time of annexation may not be made a prohibited
153 use by the City of Tamarac, on the property of such use, for as
154 long as the use shall continue and not be voluntarily abandoned.

155 Section 6. After the effective date of this act, no change
156 in land use designation or zoning shall be effective within the
157 limits of the lands subjected to annexation in this act until
158 the subject area has been annexed into the municipality or the
159 date of the election held pursuant to section 2 if the
160 annexation is defeated, and no annexation within the subject
161 area by any municipality shall occur during the time period
162 between the effective date of this act and the effective date of
163 the annexation or the date of the election held pursuant to
164 section 2 if the annexation is defeated.

165 Section 7. After the effective day of the annexation, any
166 resident of any of the areas to be annexed by this act into the

HB 775

2009

167 City of Tamarac shall be deemed to have met any residency
168 requirements for candidacy for municipal office.

169 Section 8. Nothing in this act shall be construed to
170 affect or abrogate the rights of parties to any contract,
171 whether the contract be between Broward County and a third party
172 or between nongovernmental entities, which contract is in effect
173 prior to the effective date of the annexation.

174 Section 9. All public roads and the public rights-of-way
175 associated therewith, in the Broward County Road System, lying
176 within the limits of the lands subject to annexation in this
177 act, as described in section 1, are transferred from Broward
178 County jurisdiction to the jurisdiction of the annexing
179 municipality. All rights, title, interests, and responsibilities
180 for any transferred roads, including, but not limited to, the
181 ownership, operation, maintenance, planning, design, and
182 construction of such roads and to the rights-of-way associated
183 therewith shall transfer from Broward County jurisdiction and
184 ownership to the jurisdiction and ownership of the annexing
185 municipality upon the effective date of the annexation.

186 Section 10. This act shall take effect upon becoming a
187 law.