

ENROLLED
CS/HB 1209

2010 Legislature

1 A bill to be entitled
2 An act relating to the City of Fort Lauderdale, Broward
3 County; extending and enlarging the corporate limits of
4 the City of Fort Lauderdale to include specified
5 unincorporated lands within such corporate limits;
6 providing for an effective date of annexation; providing
7 for an interlocal agreement, land use and zoning
8 governance, and residency qualification for candidacies
9 for municipal office; providing applicability to existing
10 contracts; providing for transfer of public roads and
11 rights-of-way; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. The following areas shall be annexed into the
16 City of Fort Lauderdale subject to the provisions of this act:

17
18 CYPRESS CREEK ROAD - A

19
20 That portion of Section 11 Township 49 South, Range 42
21 East, Broward County, Florida, described as follows:

22
23 BEGIN at the Northwest corner of HARRAH PLAT,
24 according to the plat thereof, as recorded in Plat
25 Book 100, Page 25, of the Public Records of Broward
26 County, Florida said point also being on the South
27 right of way line of Cypress Creek Road and the

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28 municipal boundary of the City of Fort Lauderdale, as
29 established by Ordinance No. C-94-16;

31 The next six courses being along said municipal
32 boundary;

34 Thence North 88°46'54" East, a distance of 256.04 feet
35 to the point of curvature of a non-tangent curve,
36 concave to the North, having a radius of 5784.58 feet,
37 a central angle of 01°48'28" and a radial bearing of
38 North 03°35'16" East;

40 Thence Easterly along said curve, a distance of 182.51
41 feet to the most Northerly Northeast corner of Parcel
42 "A" of said HARRAH PLAT;

44 Thence South 01°30'49" East, a distance of 12.02 feet
45 to the Northwest corner of Parcel "A" of AMOCO S.S.
46 7002 PLAT, according to the plat thereof, as recorded
47 in Plat Book 133, Page 29, of the Public Records of
48 Broward County, Florida;

50 Thence continue South 01°30'49" East, a distance of
51 175.90 feet;

53 Thence North 88°46'54" East, a distance of 195.00 feet;

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55 Thence South 01°30'49" East a distance of 98.25 feet to
56 the Southeast corner of Parcel "A" of said HARRAH PLAT
57 said point being on the municipal boundary of the City
58 of Oakland Park, as established by House Bill 1485,
59 2004 Legislature;

60
61 Thence North 88°44'00" East along said municipal
62 boundary and the South line of said HARRAH PLAT to the
63 Southeast corner of said Plat, said point being on the
64 municipal boundary of the City of Oakland Park, as
65 established by House Bill 2177, 1975 Legislature;

66
67 Thence North along said municipal boundary to the
68 North right of way line of Cypress Creek Road, said
69 point being on the municipal boundary of the City of
70 Fort Lauderdale as established by Ordinance No. C-94-
71 16 and on a curve concave to the North having a radius
72 of 5674.58 feet and a central angle of 05°49'13";

73
74 The next two courses being along said municipal
75 boundary per Ordinance No. C-94-16 and said North
76 right of way line;

77
78 Thence Westerly along said curve, a distance of 576.44
79 feet to a point of reverse curvature of a curve
80 concave to the South, having a radius of 5784.58 feet,

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81 a central angle of 00°35'37" and a radial bearing of
82 South 05°38'37" West;

83
84 Thence Westerly along said curve, a distance of 59.93
85 feet to the Southeast corner of "SHELL AT I-95",
86 according to the plat thereof, as recorded in Plat
87 Book 102, Page 25, of the Public Records of Broward
88 County, Florida, said point being on the municipal
89 boundary of the City of Fort Lauderdale, as
90 established by Ordinance No. C-95-6;

91
92 The next three courses being along said municipal
93 boundary per Ordinance No. C-95-6 and said North right
94 of way line;

95
96 Thence continue Westerly along said curve, a distance
97 of 337.88 feet;

98
99 Thence North 80°31'09" West, a distance of 201.82 feet;

100
101 Thence South 89°06'33" West, a distance of 125.00 feet
102 to a point on the municipal boundary of the City of
103 Oakland Park, as established by House Bill 931, 1983
104 Legislature and the East right of way line of
105 Interstate Ninety-five (I-95);
106

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107 Thence Southerly along said municipal boundary and
 108 said East right of way line to the South line of
 109 Cypress Creek Road, said point being on the municipal
 110 boundary of the City of Oakland Park, as established
 111 by House Bill 1485, 2004 Legislature;

112
 113 Thence Easterly along said municipal boundary to the
 114 POINT OF BEGINNING.

115
 116 CYPRESS CREEK ROAD - B

117
 118 That portion of Section 11, Township 49 South, Range
 119 42 East, Broward County, Florida, described as
 120 follows:

121
 122 BEGIN at the intersection of the Easterly prolongation
 123 of the North limits line of CYPRESS CREEK I-95
 124 INTERCHANGE PROPERTY, as recorded in Plat Book 88,
 125 Page 3, of the Public Records of Broward County,
 126 Florida with the East right of way line of the Florida
 127 East Coast Railroad and the present corporate limits
 128 of the City of Fort Lauderdale, as established by
 129 House Bill 2512, 1965 Legislature;

130
 131 Thence Southerly along said East right of way line and
 132 said corporate limits to the North right of way line
 133 of Northeast 62nd Street, said point being on the

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134 municipal boundary of the City of Oakland Park, as
 135 established by House Bill 1244, 1988 Legislature;
 136
 137 Thence West along said North right of way line and
 138 said municipal boundary, as established by House Bill
 139 1244, to the West right of way line of the Florida
 140 East Coast Railroad and a point on the municipal
 141 boundary of the City of Oakland Park, as established
 142 by House Bill 2177, 1975 Legislature;
 143
 144 Thence West along said North right of way line and
 145 said municipal boundary, as established by House Bill
 146 2177, to a point on the Southeast corner of Tract "A",
 147 PHILLIPS TRACT, according to the plat thereof, as
 148 recorded in Plat Book 124, Page 9, of Broward County,
 149 Florida, said point being on the municipal boundary of
 150 the City of Fort Lauderdale, as established by
 151 Ordinance No. C-94-16;
 152
 153 Thence continuing along said municipal boundary, as
 154 established by Ordinance No. C-94-16, the following 4
 155 courses;
 156
 157 Thence North 42°58'19" East, a distance of 42.63 feet;
 158
 159 Thence North 04°34'07" East, a distance of 100.31 feet
 160 to the Northeast corner of said Tract "A", the last

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161 two courses being along the Easterly line of said
 162 Tract "A";
 163
 164 Thence South 88°20'37" West, a distance of 120.11 feet
 165 to the Northwest corner of said Tract "A";
 166
 167 Thence South 02°18'05" East, a distance of 130.20 feet
 168 to the Southwest corner of said Tract "A", said point
 169 being on the North right of way line of Northeast 62nd
 170 Street and on said municipal boundary of the City of
 171 Oakland Park, as established by House Bill 2177, 1975
 172 Legislature;
 173
 174 Thence Westerly along said North right of way line and
 175 said municipal boundary, as established by House Bill
 176 2177, to the West right of way line of Northeast 9th
 177 Avenue, said point being on the municipal boundary of
 178 the City of Fort Lauderdale, as established by
 179 Ordinance No. C-94-16;
 180
 181 Thence continuing along said municipal boundary, as
 182 established by Ordinance No. C-94-16, the following 36
 183 courses;
 184
 185 Thence North 01°27'01" West, along said municipal
 186 boundary, a distance of 94.04 feet to the Southeast
 187 corner of Lot 118 of the Tax Assessor's Map of

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188 "CYPRESS CREEK TRAILER CITY", as recorded in
 189 Miscellaneous Plat Book 2, Page 17, of the Public
 190 Records of Broward County, Florida;
 191
 192 Thence South 88°46'54" West, along the South line of
 193 said "CYPRESS CREEK TRAILER CITY", a distance of
 194 119.56 feet;
 195
 196 Thence North 28°46'54" East, a distance of 56.23 feet;
 197
 198 Thence North 26°13'06" West, a distance of 20.00 feet;
 199
 200 Thence South 43°46'54" West, a distance of 20.00 feet;
 201
 202 Thence North 46°13'06" West, a distance of 16.00 feet;
 203
 204 Thence North 43°46'54" East, a distance of 31.71 feet;
 205
 206 Thence North 13°46'54" East, a distance of 34.76 feet
 207 to the Northeast corner of Lot 121 of said "CYPRESS
 208 CREEK TRAILER CITY";
 209
 210 Thence North 01°13'06" West, a distance of 40.00 feet;
 211
 212 Thence North 88°46'54" East, along the North line of
 213 Caravan Circle, as shown on said "CYPRESS CREEK
 214 TRAILER CITY", a distance of 93.29 feet to intersect

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215 the West line of N.E. 10th Avenue (now N.E. 9th
 216 Avenue), as shown on said map;
 217
 218 Thence North 01°27'01" West, along said West line and
 219 the Northerly extension thereof, a distance of 160.00
 220 feet;
 221
 222 Thence North 88°46'54" East, along the North line of
 223 said Caravan Circle, a distance of 185.18 feet;
 224
 225 Thence North 01°07'04" West, a distance of 218.42 feet;
 226
 227 Thence North 88°52'56" East, along the North line of
 228 Justamere Terrace, as shown on said map, a distance of
 229 232.19 feet to the Southeast corner of Lot 56 of said
 230 "CYPRESS CREEK TRAILER CITY";
 231
 232 Thence North 13°52'56" East, a distance of 26.47 feet;
 233
 234 Thence North 26°07'04" West, a distance of 39.27 feet;
 235
 236 Thence North 63°52'56" East, a distance of 24.00 feet
 237 to the Westernmost corner of Lot 82, of said "CYPRESS
 238 CREEK TRAILER CITY";
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240 Thence North 08°52'56" East, a distance of 49.45 feet
 241 to a point on the South right of way line of Cypress
 242 Creek Canal (C-14);
 243

244 Thence North 88°52'56" East, along said South right of
 245 way line, a distance of 40.96 feet;
 246

247 Thence South 18°37'04" East, a distance of 61.70 feet;
 248

249 Thence South 88°52'56" West, a distance of 39.35 feet,
 250 the last four courses being coincident with the
 251 perimeter of said Lot 82;
 252

253 Thence South 46°07'04" East, a distance of 7.30 feet;
 254

255 Thence South 43°52'56" West, a distance of 31.71 feet;
 256

257 Thence South 13°52'56" West, a distance of 34.76 feet;
 258

259 Thence South 01°07'04" East, a distance of 35.00 feet;
 260

261 Thence South 88°52'56" West, along the South line of
 262 said Justamere Terrace, a distance of 206.69 feet;
 263

264 Thence South 01°07'04" East, a distance of 95.00 feet
 265 to the Northwest corner of Lot 31 of said "CYPRESS
 266 CREEK TRAILER CITY";

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267
268 Thence North 88°52'56" East, a distance of 76.41 feet;
269
270 Thence South 28°52'56" West, a distance of 56.23 feet;
271
272 Thence South 63°52'29" West, a distance of 24.00 feet;
273
274 Thence South 88°52'56" West, a distance of 26.55 feet
275 to the Southwest corner of said Lot 31, the last four
276 courses being along the boundary of said Lot 31;
277
278 Thence South 01°07'04" East, a distance of 36.16 feet;
279
280 Thence South 61°35'26" West, a distance of 72.97 feet;
281
282 Thence South 88°46'54" West, a distance of 100.10 feet;
283
284 Thence South 01°27'01" East, along the East line of
285 said N.E. 10th Avenue (now N.E. 9th Avenue), a
286 distance of 98.23 feet;
287
288 Thence North 88°20'37" East, along the North limits and
289 the Easterly extension thereof, of the Plat of
290 "CYPRESS CREEK I-95 INTERCHANGE PROPERTY", as recorded
291 in Plat Book 88, Page 3, of the Public Records of
292 Broward County, Florida, a distance of 940.93 feet to
293 the POINT OF BEGINNING.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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ANDREWS - NE 62 STREET - NORTH

A portion of Section 10, Township 49 South, Range 42 East, Broward County, Florida, described as follows:

BEGIN at the intersection of the West right-of-way line of State Road 9, (I-95) with the East right-of-way line of North Andrews Avenue Extension as shown on, "CHARTER PLAT", as recorded in Plat Book 92, Page 23 of the Public Records of Broward County, Florida, said point also being on the municipal boundary of the City of Fort Lauderdale, established by Ordinance No. C-84-33 of the City of Fort Lauderdale;

Thence along said municipal boundary the following 4 courses;

Thence Northerly on said East right-of-way line to intersect the South line of the North One-Half (N 1/2), of the Southwest One-Quarter (SW 1/4), of the Southwest One-Quarter (SW 1/4), of the Northeast One-Quarter (NE 1/4) of Section 10, Township 49 South, Range 42 East;

Thence South 88°38'01" West on said South line to a point on the West line of the Northeast One-Quarter (NE 1/4) of said Section 10;

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322
323 Thence South 88°36'42" West on the South line of the
324 North One-Half (N 1/2), of the Southeast One-Quarter
325 (SE 1/4), of the Southeast One-Quarter (SE 1/4), of
326 the Northwest One-Quarter (NW 1/4) of said Section 10,
327 a distance of 225.47 feet to intersect the East right-
328 of-way line of North Andrews Avenue realigned shown on
329 "STEAK & ALE OF FLA." as recorded in Plat Book 96,
330 Page 16, of the Public Records of Broward County,
331 Florida;

332
333 Thence Southerly on said East right-of-way line to
334 intersect the North right-of-way line of Northeast
335 62nd Street (Cypress Creek Road), said point being on
336 the municipal boundary of the City of Oakland Park, as
337 established by House Bill 931, 1983 Legislature;

338
339 Thence Easterly, Northerly, Easterly and Northeasterly
340 along said North right of way line and along said
341 municipal boundary, to the POINT OF BEGINNING.

342
343 ANDREWS - NE/NW 62nd STREET - SOUTH

344
345 A portion of Section 10, Township 49 South, Range 42 East,
346 Broward County, Florida, described as follows:

347
348 BEGIN at the Southwest corner of, CYPRESS FINANCIAL
349 CENTER, according to the plat thereof, as recorded in

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350 Plat Book 125, Page 48 of the Public Records of
 351 Broward County, Florida, said point being on the
 352 municipal boundary of the City of Fort Lauderdale, as
 353 established by Ordinance C-95-43 of the City of Fort
 354 Lauderdale;

355
 356 Thence along said municipal boundary the following 8
 357 courses;

358
 359 Thence North 01°55'43" West, a distance of 89.24 feet;

360
 361 Thence North 43°04'17" East, a distance of 42.43 feet;

362
 363 Thence North 88°04'17" East, along the south right-of-
 364 way line of Northwest 60th Street, a distance of 13.16
 365 feet;

366
 367 Thence North 01°55'43" West, a distance of 60.00 feet;

368
 369 Thence North 40°23'11" West, a distance of 39.14 feet
 370 to the point of intersection with the arc of a
 371 circular curve, concave to the Southeast, whose radius
 372 point bears South 78°50'36" East from said point;

373
 374 Thence Northerly, along the arc of said curve, having
 375 a radius of 882.93 feet, a central angle of 04°47'41"
 376 and an arc distance of 73.89 feet, to the point of
 377 tangency;

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378
 379 Thence North 15°57'05" East, a distance of 312.64
 380 feet;
 381
 382 Thence North 52°13'39" East, a distance of 41.42 feet
 383 to the Northwest corner of Parcel "A", CYPRESS CREEK
 384 CENTER, according to the plat thereof, as recorded in
 385 Plat Book 104, Page 13 of the Public Records of
 386 Broward County, Florida, said point being on the
 387 municipal boundary of the City of Oakland Park, as
 388 established by House Bill 931, 1983 Legislature;
 389
 390 Thence Northerly, along said municipal boundary, to
 391 the Southwest corner of, CHARTER PLAT, according to
 392 the plat thereof, as recorded in Plat Book 92, Page 23
 393 of the Public Records of Broward County, Florida, said
 394 point being on the North right-of-way line of
 395 Northeast 62 Street (Cypress Creek Road) and the
 396 municipal boundary of the City of Fort Lauderdale, as
 397 established by Ordinance C-84-33 of the City of Fort
 398 Lauderdale;
 399
 400 Thence West, along said North right-of-way line and
 401 said municipal boundary, to intersect the West line of
 402 the Southeast One-Quarter (SE 1/4), of the Southeast
 403 One-Quarter (SE 1/4), of the Northwest One-Quarter (NW
 404 1/4) of said Section 10;
 405

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406 Thence North 01°56'19" West, along said West line and
 407 said municipal boundary, 262.64 feet to a point on the
 408 Easterly right-of-way line of the Seaboard System
 409 Railroad, said point being on the municipal boundary
 410 of the City of Fort Lauderdale, as established by
 411 House Bill 1499, 1979 Legislature;

412
 413 Thence Southerly, along said East right-of-way line
 414 and said municipal boundary, to a point on the South
 415 right-of-way line of Cypress Creek Road, said point
 416 being on the municipal boundary of the City of Fort
 417 Lauderdale, as established by Ordinance C-94-15 of the
 418 City of Fort Lauderdale;

419
 420 Thence along said municipal boundary the following 6
 421 courses;

422
 423 Thence North 88°30'11" East, along the South right-of-
 424 way line of Cypress Creek Road, a distance of 183.77
 425 feet to a point on the West right-of-way line of North
 426 Andrews Avenue, as shown on the Florida Department of
 427 Transportation right-of-way map section 86070-2497,
 428 sheet 1 of 1, dated 02/87;

429
 430 Thence South 64°38'08" East, a distance of 69.17 feet;

431
 432 Thence South 10°54'48" East, a distance of 64.81 feet;

433

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434 Thence South 15°57'06" West, a distance of 191.81 feet
 435 to the point of curvature of a curve concave to the
 436 East;

437
 438 Thence Southerly along said curve, having a radius of
 439 1,014.93 feet, a central angle of 6°29'43", for a
 440 distance of 115.06 feet to a point on a non-tangent
 441 line;

442
 443 Thence South 16°02'01" West, to a point of
 444 intersection with the South line of the North One-Half
 445 (N 1/2), of the North One-Half (N 1/2), of the
 446 Southwest One-Quarter (SW 1/4) of said Section 10,
 447 said point being on the municipal boundary of the City
 448 of Oakland Park, as established by House Bill 931,
 449 1983 Legislature;

450
 451 Thence Easterly, along said municipal boundary, to the
 452 POINT OF BEGINNING.

453 Section 2. The areas described in Section 1 shall be
 454 deemed a part of the City of Fort Lauderdale on September 15,
 455 2010, pursuant to section 171.062, Florida Statutes, except as
 456 provided for in this act.

457 Section 3. An interlocal agreement shall be developed
 458 between the governing bodies of Broward County and the City of
 459 Fort Lauderdale and executed prior to the effective date of the
 460 annexation of the property described in Section 1. The agreement
 461 shall address infrastructure improvement projects and include a

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462 financially feasible plan for transitioning county services,
463 buildings, infrastructure, waterways, and employees.

464 Section 4. Upon annexation into the City of Fort
465 Lauderdale, the area described in Section 1 shall be governed as
466 follows:

467 (1) The annexed property shall be governed by the relevant
468 land use and zoning provisions of the City of Fort Lauderdale
469 Code of Ordinances.

470 (2) Any change of the zoning districts or land use
471 designations may be accomplished only by enactment of the vote
472 of the majority of the full governing body of the municipality
473 plus one.

474 (3) Notwithstanding subsections (1) and (2), any use,
475 building, or structure that is legally in existence at the time
476 an area becomes a part of the City of Fort Lauderdale may not be
477 made a prohibited use by the City of Fort Lauderdale, on the
478 property of such use, for as long as the use continues and is
479 not voluntarily abandoned.

480 Section 5. After the effective date of this act, no change
481 in land use designation or zoning shall be effective within the
482 limits of the lands subject to annexation in this act until the
483 subject area has been annexed into the City of Fort Lauderdale
484 and no annexation within the subject area by any other
485 municipality shall occur during the time period between the
486 effective date of this act and the effective date of the
487 annexation.

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488 Section 6. Any resident in the area to be annexed by this
489 act into the City of Fort Lauderdale shall be deemed to have met
490 any residency requirements for candidacy for municipal office.

491 Section 7. Nothing in this act may be construed to affect
492 or abrogate the rights of parties to any contracts, whether they
493 be between Broward County and a third party or between
494 nongovernmental entities, which contracts are in effect prior to
495 the effective date of the annexation.

496 Section 8. All public roads, and the public rights-of-way
497 associated therewith, in the Broward County Road System, lying
498 within the limits of the lands subject to annexation in this
499 act, as described in Section 1, are transferred from the
500 jurisdiction of Broward County to the jurisdiction of the City
501 of Fort Lauderdale, except those portions of Cypress Creek Road
502 (NE/NW 62nd Street) and Andrews Avenue lying within the
503 annexation area, on the effective date of annexation. All
504 rights, title, interests, and responsibilities for any
505 transferred roads, including, but not limited to, the ownership,
506 operation, maintenance, planning, design, and construction of
507 such roads and the rights-of-way associated therewith, shall
508 transfer from the jurisdiction and ownership of Broward County
509 to the jurisdiction and ownership of the City of Fort Lauderdale
510 on the effective date of annexation.

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