

House Bill No. 1779

An act relating to the City of Pompano Beach, Broward County; extending and enlarging the corporate limits of the City of Pompano Beach to include the unincorporated area known as “Cresthaven” within said corporate limits; providing an effective date.

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

Section 1. The present corporate limits of the City of Pompano Beach, Broward County, Florida, are hereby extended and enlarged so as to include, in addition to the territory presently within its corporate limits, the area particularly described as follows:

Description of the Cresthaven Area:

A portion of Sections 19 and 30, Township 48 South, Range 43 East; and a portion of Sections 24 and 25, Township 48 South, Range 42 East, being more particularly described as follows:

BEGINNING at the intersection of the Westerly right-of-way line of U.S. Highway No. 1 as described in Chapter 69-1513, Laws of Florida, with the South line of the North half of the North half of the Northwest quarter of said Section 30;

THENCE Westerly along said South line and the South line of the North half of the North half of the Northeast quarter of said Section 25 and the South line of the North half of the North half of the Northwest quarter of said Section 25 to the Easterly right-of-way line of the Florida East Coast Railway as described in Ordinance No. 80-38 of the City Commission of the City of Pompano Beach, Florida;

THENCE Northeasterly along said Easterly right-of-way line to the centerline of N.E. 36th Street (Sample Road);

THENCE Easterly along said centerline to the Westerly right-of-way line of U.S. Highway No. 1 (Federal Highway) as described in Chapter 70-784 and Chapter 69-1513, Laws of Florida;

THENCE Southwesterly along said Westerly right-of-way line to the POINT OF BEGINNING.

LESS AND EXCEPT:

That parcel of land annexed to the City of Pompano Beach, Florida, by Ordinance 97-89 of the City Commission of the City of Pompano Beach, Florida, more particularly described as follows:

A portion of the P.C. PROPERTIES PLAT NO. 1 as recorded in Plat Book 93, Page 37, and a portion of the lands comprising the plat of POMPANO PROFESSIONAL PLAZA as recorded in Plat Book 82, Page 33, all being recorded in the Public Records of Broward County, Florida, and being more particularly described as follows:

BEGIN at the Southwest corner of said plat of P.C. PROPERTIES PLAT NO. 1;

THENCE North 00°32'26" West along the West line of said P.C. PROPERTIES PLAT NO. 1, a distance of 676.93 feet;

THENCE North 01°13'13" West, a distance of 449.88 feet to the Northwest corner of said plat of P.C. PROPERTIES PLAT NO. 1;

THENCE North 89°03'58" East, a distance of 543.79 feet;

THENCE South 01°12'02" East, a distance of 195.92 feet;

THENCE North 89°03'58" East, a distance of 190.35 feet to the West right-of-way line of U.S. Highway No. 1;

THENCE South 11°04'01" West, a distance of 68.64 feet;

THENCE South 07°15'10" West, a distance of 140.00 feet;

THENCE South 82°44'50" East, a distance of 9.97 feet;

THENCE South 07°15'10" West, a distance of 453.82 feet;

THENCE South 88°50'38" West, a distance of 150.00 feet;

THENCE South 07°15'47" West, a distance of 25.13 feet;

THENCE South 89°05'19" West, a distance of 27.50 feet;

THENCE South 00°54'41" East, a distance of 123.14 feet;

THENCE South 88°50'38" West, a distance of 133.88 feet;

THENCE South 00°32'33" East, a distance of 124.15 feet to the North right-of-way line of N.E. 23 Street (A.K.A. Copans Road);

THENCE South 88°50'37" West, a distance of 332.63 feet to the POINT OF BEGINNING.

Section 2. On the effective date of this act, the City of Pompano Beach shall be responsible for and embodied with all municipal powers granted in chapter 166, Florida Statutes, over territory hereby annexed.

Section 3. An interlocal agreement shall be developed between the governing bodies of Broward County and the annexing city and executed prior to the effective date of the annexation. The agreement shall include a financially feasible plan for transitioning county services, buildings, infrastructure, waterways, roads and rights-of-way, employees, and provisions for Broward County to continue to receive certain revenues generated by the Cresthaven Area until the completion of programmed infrastructure improvements, as appropriate.

Section 4. Upon annexation into a municipality, the following shall govern the areas described in section 1.

(1) The present land use designations and zoning districts provided for under the Broward County Comprehensive Plan and Code of Ordinances of Broward County shall remain the law governing the Cresthaven Area, notwithstanding the fact that the Cresthaven Area is now a part of a municipality. The land use designations and zoning of Broward County shall be

deemed the conforming laws of the municipality of which the Cresthaven Area is now a part.

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

(3) Notwithstanding subsections (1) and (2), any use, building, or structure that is legally in existence at the time that the Cresthaven Area becomes a part of the municipality, said use shall not be made a prohibited use by the municipality, on the property of said use, for as long as the use shall continue, and not be voluntarily abandoned.

Section 5. Subsequent to the effective date of this act, no change in land use designation or zoning shall be effective within the limits of the lands subject to annexation herein until the Cresthaven Area has been annexed into the municipality; no annexation by any municipality shall occur during the time period between the effective date of this act and the effective date of the annexation.

Section 6. All public roads and the public rights-of-way associated therewith, on the Broward County Road System, lying within the limits of the lands subject to annexation herein, as described in section 1, are transferred from Broward County jurisdiction to the jurisdiction of the annexing municipality, except for those portions of Copans Road lying within the limits of the annexation area. All rights, title, interests, and responsibilities for any transferred roads, including, but not limited to, the ownership, operation, maintenance, planning, design, and construction of said roads and to the rights-of-way associated therewith shall transfer from Broward County jurisdiction and ownership to the jurisdiction and ownership of the annexing municipality upon the effective date of this act.

Section 7. This act shall take effect September 15, 2000.

Approved by the Governor June 7, 2000.

Filed in Office Secretary of State June 7, 2000.