

Senate Bill No. 2342

An act relating to Broward County; providing for extending the corporate limits of the City of Fort Lauderdale; providing for annexation of the unincorporated area known as Melrose Park; providing for an election; providing for an effective date of annexation; providing for an interlocal agreement; providing legislative intent; providing for a continuation of certain Broward County regulations; 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. The legal description of the Melrose Park Area is as follows:

That portion of Section 7, Township 50 South, Range 42 East, Broward County, Florida, described as follows:

Beginning at a point on the boundary of the City of Plantation established by Chapter 68-101, Laws of Florida, being the Southeast corner of Lot 34, Block 11, MELROSE PARK Section 7, as recorded in Plat Book 39, Page 35, Public Records of Broward County, Florida;

thence continuing along the said boundary of the City of Plantation, the following 10 courses and distances;

thence Northerly along the East lines of Lots 34 through 24, and the Northerly extension thereof, and the East lines of Lots 12 through 1, Block 6, and the Northerly extension thereof, and the East line of Lot 9, Block 1, to a point 50 ft. North of the Northeast corner of Lot 9, Block 1, all in the said MELROSE PARK Section 7;

thence Easterly 133.75 ft. along the North right-of-way line of a canal as shown by said MELROSE PARK Section 7;

thence Northerly along the East line of Tract 1, as shown by said MELROSE PARK Section 7, 425 ft. to the Northeast corner of said Tract 1;

thence Northerly 70 ft. more or less to the Southeast corner of Tract 3, according to MELROSE PARK Section 8, as recorded in Plat Book 39, Page 36, of the Public Records of Broward County, Florida;

thence Northerly along the East line of said Tract 3 to a point of intersection with the Westerly extension of the South line of Lot 1, Block 4, according to the said MELROSE PARK Section 8;

thence Easterly along the South line of said Lot 1, Block 4, and the Westerly extension thereof according to said MELROSE PARK Section 8, to the Southeast corner of said Lot 1, Block 4;

thence Northerly along the East line of said Lot 1, Block 4, and the Northerly extension thereof to the North right-of-way line of Southwest 2nd Court, according to said MELROSE PARK Section 8;

thence East along the North right-of-way line of said Southwest 2nd Court to the West right-of-way line of S.W. 38th Ave., as shown by said MELROSE PARK Section 8;

thence North along the said West right-of-way line of S.W. 38th Ave., 865 ft. more or less to the South right-of-way line of Broward Blvd., as shown by the said MELROSE PARK Section 8;

thence East along the said South right-of-way line of Broward Blvd., to a point of intersection with the North line of Tract 2 of said MELROSE PARK Section 8, being the point of curvature of a circular curve concave to the Southeast having a radius of 25 ft. and tangent to the West line of said Tract 2 and the boundary of the City of Plantation established by City of Plantation Ordinance No. 581;

thence continuing along said boundary of the City of Plantation the following 6 courses:

thence West through South along the arc of said curve to the said point of tangency;

thence Southerly along the said West line of Tract 2 to the Southwest corner of said Tract 2;

thence East along the South line of said Tract 2 to the West line of the East One-Half of the Northwest One-Quarter of said Section 7, also being a point on the West line of Tract 1A, MELROSE PARK Section 6, recorded in Plat Book 36, Page 24, Public Records of Broward County, Florida;

thence South along said West line to the Southwest corner of said Tract 1A;

thence East along the South line of said Tract 1A to the Southeast corner thereof;

thence North along the East line of said Tract 1A to the point of intersection with the North line of the South 90 ft. of said Tract 1A;

thence continuing along the boundary of the City of Plantation established by City of Plantation Ordinance No. 1083, the following 4 courses;

thence continuing North along the said East line of Tract 1A to the point of curvature of a curve concave to the Southwest, having a radius of 25 feet;

thence North through West along said curve to the point of tangency with the North line of said Tract 1A;

thence West along said North line to a point of intersection with the West line of the North 140 feet of the East 46 feet of aforesaid Tract 2, MELROSE PARK Section 8;

thence South along the said West line to a point of intersection with the South line of the North 140 feet of the East 46 feet of said Tract 2;

thence continuing along the boundary of the City of Plantation established by aforesaid Ordinance No. 581, the following 4 courses;

thence South along the West line of the North 10 ft. of the South 90 ft. of said Tract 2 to the North line of the South 80 ft. of said Tract 2;

thence West along the said North line to the West line of the East 136 ft. of said Tract 2;

thence North along the said West line to the North line of said Tract 2;

thence West along the said North line to the Southerly prolongation of the centerline of N.W. 38th Way, as shown by the plat of BROWARD ESTATES, as recorded in Plat Book 34, Page 19, Public Records of Broward County, Florida;

thence North along the said prolongation of the centerline of N.W. 38th Way, being along the boundary of the City of Plantation established by aforesaid Chapter 68-101, to the North line of said Section 7;

thence East along the North line of said Section 7 to the West right-of-way line of S.W. 31st Avenue, as described in Chapter 69-1057, Laws of Florida, annexing lands into the City of Fort Lauderdale, Florida;

thence along the boundary of the City of Fort Lauderdale, established by said Chapter 69-1057 the following 2 courses;

thence South along the said West right-of-way line to the South boundary of said Section 7;

thence West along the said South boundary to the Point of Beginning.

Section 2. The Broward County Board of County Commissioners shall schedule an election on November 6, 2001, in accordance with the provisions of the law relating to elections currently in force in Broward County. The subject of said election shall be the annexation of the area described in section 1 commonly known as the Melrose Park Area. Only registered voters residing in the Melrose Park Area as described in this act may vote in said election. On the ballot provided for in this section shall appear the name of the City of Fort Lauderdale. The voters residing in the Melrose Park Area shall, by majority vote of the voters participating in the election, choose the effective date for annexation with the City of Fort Lauderdale. The dates appearing on the ballot shall be a choice of September 15, 2002, or September 15, 2003. A mail ballot shall not be used in this election.

Section 3. Upon a majority of the registered voters voting in the referendum as provided in section 2, for annexation into the City of Fort Lauderdale, the area described in this act shall be deemed a part of said municipality on either September 15, 2002, or September 15, 2003. The City of Fort Lauderdale shall have all powers pursuant to section 171.062, Florida Statutes, except as provided in this act.

Section 4. No later than December 31, 2001, Broward County shall adopt an improvement plan for the unincorporated land subject to this act. Such plan shall provide for the upgrade of the Melrose Park Area, including, but not limited to, park and recreation, roadway, utilities, and public safety infrastructure, to a level of services at least equivalent to the levels of services for such infrastructure as is defined or maintained by adjacent municipalities. The improvement plan shall identify the specific capital

improvements required to meet such level of service. The plan shall be completed no later than December 31, 2001, shall be submitted to the Broward Legislative Delegation, and shall be utilized in formulation of an interlocal agreement between the county and the annexing city.

Section 5. The Board of County Commissioners of Broward County is authorized to set the election provided for in section 2 by special election for the time period provided in this act at the cost of Broward County. A mail ballot shall not be used for any election provided for in this act.

Section 6. Upon annexation into the City of Fort Lauderdale, the following shall govern the areas described in section 1: for any use, building, or structure that is legally in existence at the time the Melrose Park Area becomes a part of the City of Fort Lauderdale, such 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 is not voluntarily abandoned.

Section 7. 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 Melrose Park Area has been annexed into the City of Fort Lauderdale, nor shall annexation by any municipality occur during the period between the effective date of this act and the effective date of the annexation.

Section 8. All public roads of the Broward County Road System, and the public rights-of-way associated therewith, 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 Martin Luther King, Jr., Avenue (SW 31 Avenue) 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 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 the annexation.

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

Approved by the Governor June 15, 2001.

Filed in Office Secretary of State June 15, 2001.