

House Bill No. 1417

An act relating to Broward County; providing for extending the corporate limits of the City of Pompano Beach; providing for annexation of specified unincorporated areas; providing for an interlocal agreement; providing for continuation of certain Broward County regulations; providing for the transfer of Broward County roads and rights-of-way; providing an effective date.

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

Section 1. Effective September 15, 2004, the following described lands shall be annexed into and become a part of the City of Pompano Beach:

That portion of Sections 22, 23, 24, 25 and 26, Township 48 South, Range 42 East, Broward County, Florida, described as follows:

BEGINNING at the intersection of 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 with the South right-of-way line of N.E. 24 Street (Copans Road), as described in said Ordinance No. 80-38;

Thence Northwesterly and Westerly along said South right-of-way line and along the municipal boundary of the City of Pompano Beach, as described in said Ordinance No. 80-38, through said Section 25 and into said Section 26, to the East line of the West half of said Section 26;

Thence Northerly along said East line and along the municipal boundary of the City of Pompano Beach, as described in Chapter 69-1513, Laws of Florida, to the North line of the West One-Half (W ½) of said Section 26;

Thence Westerly along said North line, along the South line of the Southeast One-Quarter (SE ¼) of said Section 22 and along said municipal boundary, to the Easterly right-of-way line of the Seaboard Coastline Railroad;

Thence Northeasterly along said Easterly right-of-way line and along the municipal boundary of the City of Pompano Beach, as described in Chapter 2000-458, Laws of Florida, to the Westerly right-of-way line of Interstate 95 (State Road No. 9) as shown on Florida Department of Transportation Right-of-way Map (Section 86070-2413);

Thence North 88°30'27" East along said Westerly right-of-way line and the South line of a parcel described in Ordinance No. 90-53 of the City Commission of the City of Pompano Beach, Florida, a distance of 277.01 feet;

Thence North 59°00'27" East along said Westerly right-of-way line and the Southerly line of said parcel, a distance of 88.64 feet;

Thence North 29°30'27" East along said Westerly right-of-way line and the Easterly line of said parcel, a distance of 435.76 feet to the point of curvature of a curve concave to the Southeast;

Thence Northeasterly along said Westerly right-of-way line and the Easterly line of a parcel described in Ordinance No. 90-54 of the City Commission of the City of Pompano Beach, Florida, and along the arc of said curve, having a radius of 772.00 feet and a central angle of 43°27'07", an arc distance of 585.47 feet to a point of tangency;

Thence continuing along the boundary of said parcel described in said Ordinance No. 90-54, the following 12 courses;

North 73°03'48" East along said Westerly right-of-way line, a distance of 679.79 feet to the point of curvature of a curve concave to the Northwest;

Northeasterly along said Westerly right-of-way line and the arc of said curve, having a radius of 901.74 feet and a central angle of 31°24'05", an arc distance of 494.20 feet to a point of tangency;

North 41°39'43" East along said Westerly right-of-way line, a distance of 474.37 feet;

North 37°39'43" East along said Westerly right-of-way line, a distance of 929.07 feet to a point of curvature of a curve concave to the Northwest;

Northeasterly along the Westerly right-of-way line and the arc of said curve, having a radius of 3300.52 feet, a central angle of 03°19'12", an arc distance of 191.25 feet to the North line of the Southwest One-Quarter (SW ¼) of said Section 23;

South 88°36'48" West along said North line, a distance of 1242.61 feet to the East line of the West One-Half (W ½) of the Northwest One-Quarter (NW ¼) of said Section 23;

North 01°31'35" West along said East line, a distance of 1960.40 feet to the North line of the South One-Half (S ½) of the Northwest One-Quarter (NW ¼) of the Northwest One-Quarter (NW ¼) of said Section 23;

South 88°40'22" West along said North line, a distance of 564.24 feet;

North 01°17'56" West, a distance of 153.74 feet;

South 88°42'03" West, a distance of 100.00 feet;

South 01°17'56" East, a distance of 208.79 feet to a line 55.00 feet South of and parallel with the North line of the South One-Half (S ½) of the Northwest One-Quarter (NW ¼) of the Northwest One-Quarter (NW ¼) of said Section 23;

South 88°40'22" West along said parallel line, a distance of 285.52 feet to the Easterly right-of-way line of the Seaboard Coastline Railroad, being a point on the municipal boundary of the City of Pompano Beach, as described in Chapter 2000-458, Laws of Florida;

Thence Northeasterly along said municipal boundary and along said Easterly right-of-way line to the centerline of N.W. 36 Street (Sample Road);

Thence Easterly along said centerline to the Easterly right-of-way line of the Florida East Coast Railway, being a point on the municipal bound-

ary of the City of Pompano Beach, as described in Chapter 2000-476, Laws of Florida;

Thence Southwesterly along said Easterly right-of-way line and along said municipal boundary to the POINT OF BEGINNING.

Section 2. An interlocal agreement shall be developed between the governing bodies of Broward County and the City of Pompano Beach and executed prior to the effective date of the annexation as provided for in section 1. The agreement shall include a financially feasible plan for transitioning county services, buildings, infrastructure, waterways, and employees.

Section 3. Upon annexation into the 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 area described in section 1, notwithstanding the fact that the area described in section 1 is now a part of a municipality.

(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 the municipality plus one.

(3) Notwithstanding subsections (1) and (2), any use, building, or structure that is legally in existence at the time that the area described in section 1 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 4. 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 area described in section 1 has been annexed into the municipality; and no annexation within the area described in section 1 by any municipality shall occur during the time period between the effective date of this act and the effective date of the annexation.

Section 5. Subsequent to the effective date of the annexation, any resident in the area to be annexed into the City of Pompano Beach by this act shall be deemed to have met any residency requirements for candidacy for any municipal office.

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

Section 7. All public roads on 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 City of Pompano Beach. All rights, title, interests, and responsibilities for such 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 City of Pompano Beach upon the effective date of the annexation.

Section 8. This act shall take effect upon becoming a law.

Approved by the Governor June 17, 2004.

Filed in Office Secretary of State June 17, 2004.