

House Bill No. 1045

An act relating to Broward County; providing for extending the corporate limits of the Town of Davie; providing for annexation of the unincorporated area known as Pine Island Ridge; providing for an election; providing for an effective date of annexation; providing for an interlocal agreement; 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 Pine Island Ridge Area is as follows:

That portion of Section 17, Township 50 South, Range 41 East, Broward County, Florida, described as follows:

Beginning at a point on the municipal boundary of the Town of Davie, as established by Chapter 84-420, Laws of Florida, being the point of intersection of the West right-of-way line of Pine Island Road (Southwest 88 Avenue) and the South line of said Section 17;

Thence along said municipal boundary of the Town of Davie the following seven (7) courses;

Thence Northerly along said West right-of-way line to a point of intersection with the Southerly right-of-way line of Orange Grove Drive;

Thence Westerly and Southwesterly along said Southerly right-of-way line to a point of inter-section with the Southeasterly projection of the Southerly line of Tract "C", PINE ISLAND PLAZA ASSOCIATES, according to the Plat thereof, as recorded in Plat Book 115, Page 35, of the Public Records of Broward County, Florida;

Thence Northwesterly along said Southeasterly projection and the Southerly line of said Tract "C" and the Northwesterly projection to a point of intersection with the Westerly right-of-way line of Pine Ridge Drive;

Thence Northeasterly along said westerly right-of-way line to the Southeast corner of Tract "Q", RIDGE PLAZA, according to the Plat thereof, as recorded in Plat Book 116, Page 27 of the Public Records of Broward County, Florida;

Thence Northwesterly along the Southerly line of said Tract "Q" to the Southwest corner of said Tract "Q" and a point on the boundary of Tract "A", PINE ISLAND RIDGE SECTION TWO, according to the Plat thereof, as recorded in Plat Book 83, Page 20, of the Public Records of Broward County, Florida;

Thence Southwesterly and Westerly along said boundary of Tract "A" to the Westerly line of Tract 1, Tier 81, NEWMAN'S SURVEY, according to the Plat thereof, as recorded in Plat Book 2, Page 26 of the Public

Records of Dade County, Florida and the Southwesterly projection of the Westerly line of ROUTE 84 SQUARE, according to the Plat thereof, as recorded in Plat Book 117, Page 11 of the Public Records of Broward County, Florida;

Thence Northeasterly along said Westerly line to the Southerly line of the Northerly 330.00 feet of the land included within the existing 100 foot wide canal easement, per Official Records Book 5192, Page 899, of the Public Records of Broward County, Florida, in said Tract "A", PINE ISLAND RIDGE SECTION TWO and the municipal boundary of the Town of Davie, as established by Ordinance 85-60 of the Town of Davie;

Thence along said municipal boundary the following two (2) courses;

Thence Northwesterly along said Southerly line to the Westerly line of said existing 100 foot wide canal easement;

Thence Northeasterly along said Westerly line to the Southerly right-of-way line of State Road 84 and the municipal boundary of the Town of Davie, as established by aforesaid Chapter 84-420, Laws of Florida;

Thence continuing along said municipal boundary the following two (2) courses;

Thence Northwesterly along said Southerly right-of-way line to a point of intersection with the Easterly line of T. BRYAN'S SUBDIVISION, according to the Plat thereof, as recorded in Plat Book 32, Page 16 of the Public Records of Broward County, Florida and the East line of Tracts "A" and "B", "CALUSA RIDGE", according to the Plat thereof, as recorded in Plat Book 147, Page 47, of the Public Records of Broward County, Florida;

Thence Southerly along said Easterly line to the Southerly line of said T. BRYAN'S SUBDIVISION;

Thence along the municipal boundary of the Town of Davie, as established by Ordinance 87-30 of the Town of Davie, the following three (3) courses and distances;

Thence Southerly along the Southerly extension of the East line of said T. BRYAN'S SUBDIVISION a distance of 1.24 feet to a point of intersection with a 655 foot radius non-tangent curve concave to the Southeast, a radial line through said point bears North 14°31'36" West;

Thence Southwesterly along said curve through a central angle of 63°20'39" an arc distance of 724.14 feet to an intersection with a line being parallel with and 500.00 feet Southerly of the South line of said T. BRYAN'S SUBDIVISION;

Thence North 89°43'11" West along said parallel line to an intersection with the Easterly right-of-way line of Nob Hill Road (Southwest 100 avenue) and a point on the municipal boundary of the Town of Davie, as established by aforesaid Chapter 84-420, Laws of Florida;

Thence along said municipal boundary the following two (2) courses;

Thence Southerly along said Easterly right-of-way line and the Southerly projection of said Easterly right-of-way line to a point of intersection with the South line of said Section 17;

Thence Easterly along said South line to the POINT OF BEGINNING.

Section 2. The Broward County Board of County Commissioners shall schedule, at the expense of Broward County, an election on March 14, 2006, 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 Pine Island Ridge Area. Only registered voters residing in the Pine Island Ridge Area as described in this act may vote in said election. The voters residing in the Pine Island Ridge Area shall, by majority vote of the voters participating in the election, choose to be annexed into the Town of Davie or remain unincorporated. Mail ballots shall not be used in this election; however, voters may vote by absentee ballot as provided by law.

Section 3. Upon a majority of the registered voters participating in the election as provided in section 2 voting for annexation, the Pine Island Ridge Area described in section 1 shall be deemed a part of the Town of Davie on September 15, 2006, pursuant to s. 171.062, Florida Statutes, except as provided for in this act.

Section 4. An interlocal agreement shall be developed between the governing bodies of Broward County and the Town of Davie and executed prior to the effective date of the annexation as provided for in section 3. The agreement shall address infrastructure improvement projects and include a financially feasible plan for transitioning county services, buildings, infrastructure, waterways, and employees.

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

Section 6. Nothing in this act 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. Subsequent to the effective date of this act, within the limits of the Pine Island Ridge Area, no change in land use designation or zoning shall be effective, and 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 8. Upon annexation into the Town of Davie, the following shall govern the area 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 Pine Island Ridge Area, notwithstanding the fact that the Pine Island Ridge Area is now a part of the Town of Davie.

(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 Town of Davie plus one.

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

Section 9. All public roads and the public rights-of-way associated therewith, on the Broward County Road System, lying within the limits of the Pine Island Ridge Area, as described in section 1, are transferred from Broward County jurisdiction to the jurisdiction of the Town of Davie. All rights, titles, 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 Town of Davie upon the effective date of the annexation.

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

Approved by the Governor June 10, 2005.

Filed in Office Secretary of State June 10, 2005.