

House Bill No. 1359

An act relating to Broward County; providing for extending the corporate limits of the City of Coral Springs and the City of Parkland; providing for the annexation of specified unincorporated areas; providing for annexation of the unincorporated area known as Country Acres; 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 following described areas are hereby annexed into the City of Parkland effective September 15, 2006:

Parkland Section 32 Area described as that portion of Section 32, Township 47 South, Range 41 East, Broward County, Florida:

COMMENCING at the Northwest corner of the South One-Half (S ½) of the South One-Half (S ½) of the Northwest One-Quarter (NW ¼) of said Section 31, being a point on the municipal boundary of the City of Parkland, as described in City of Parkland Ordinance No. 97-13 and 02-11;

Thence along said municipal boundary the following six courses;

Thence North 89°57'06" East, along the North line of said South One-Half (S ½) of the South One-Half (S ½) of the Northwest One-Quarter (NW ¼), a distance of 2268.58 feet to the Northeast corner of said South One-Half (S ½) of the South One-Half (S ½) of the Northwest One-Quarter (NW ¼);

Thence North 89°57'16" East, along the North line of the South One-Half (S ½) of the South One-Half (S ½) of the Northeast One-Quarter (NE ¼) of said Section 31, a distance of 2268.08 feet to the Northeast corner of said South One-Half (S ½) of the South One-Half (S ½) of the Northeast One-Quarter (NE ¼);

Thence continue North 89°57'16" East, along the Easterly prolongation of said North line, a distance of 16.58 feet to a line parallel with and 16.58 feet Easterly from the West line of the Northwest One-Quarter (NW ¼) of said Section 32;

Thence North 01°22'19" West, along said parallel line, a distance of 655.48 feet to a line parallel with and 1313.28 feet Southerly from the North line of said Northwest One-Quarter (NW ¼);

Thence North 89°36'52" East, along said parallel line, a distance of 2623.50 feet to the East line of said Northwest One-Quarter (NW ¼);

Thence North 01°21'25" West, along said East line, a distance of 775.99 feet to the POINT OF BEGINNING;

Thence along said municipal boundary of the City of Parkland, as described in City of Parkland Ordinance No. 97-13, the following three courses:

Thence North 89°37'21" East, parallel to the North line of the Northeast One-Quarter (NE ¼) of said Section 32, a distance of 482.47 feet;

Thence North 01°21'25" West, parallel to said East line of the Northwest One-Quarter (NW ¼) of said Section 32, a distance of 417.46 feet to a line parallel with and 120.00 feet Southerly from said North line of the Northeast One-Quarter (NE ¼) of said Section 32;

Thence South 89°37'21" West, along said parallel line, a distance of 482.47 feet to said East line of the Northwest One-Quarter (NW ¼) of said Section 32;

Thence South 01°21'25" East, along said East line and said municipal boundary of the City of Parkland, as described in City of Parkland Ordinance No. 02-11, a distance of 417.46 feet to the POINT OF BEGINNING.

Together with:

Parkland Section 35 Area described as that portion of Section 35, Township 47 South, Range 41 East, Broward County, Florida:

COMMENCE at the Southwest corner of Tract 16, "Florida Fruit Lands Company's Subdivision No. 2," according to the plat thereof, as recorded in Plat Book 1, Page 102 of the Public Records of Palm Beach County, Florida;

Thence Easterly along the South line of said Tract 16 to a point on a line 75 feet East of and parallel with, as measured at right angles to, the West line of said Section 35 also being the municipal boundary of the City of Parkland, as described in City of Parkland Ordinance No. 20 and to the POINT OF BEGINNING;

Thence along said municipal boundary the following four courses;

Thence Easterly along the South line of said Tract 16 to the Southeast corner of said Tract 16;

Thence Southerly along the West lines of Tracts 10, 11 and 12 of said, "Florida Fruit Lands Company's Subdivision No. 2," to a point on the South line of the North One-Half (N ½) of said Section 35;

Thence Easterly along said South line to the Southeast corner of Tract 5 of said, "Florida Fruit Lands Company's Subdivision No. 2;"

Thence Northerly along the East lines of Tracts 5, 6 and 7 of said, "Florida Fruit Lands Company's Subdivision No. 2," to a line 285 feet South of and parallel with, as measured at right angles to, the South right-of-way line of the Hillsboro Canal;

Thence Northwesterly along said parallel line to a line 100 feet West of and parallel with, as measured at right angles to, the East line of Tracts 7 and 8 of said "Florida Fruit Lands Company's Subdivision No. 2;"

Thence Northerly along said parallel line to a point on the South Canal right-of-way line and a point on the municipal boundary of the City of Parkland, as described in Chapter 84-505, Laws of Florida;

Thence Northwesterly along said municipal boundary of the City of Parkland to a point on the North line of said Section 35 also being the North boundary of Broward County, as described in Section 7.06, Florida Statutes;

Thence Westerly along said North line and North boundary to a point on a line 75 feet East of and parallel with, as measured at right angles to, the West line of said Section 35 also being a point on the municipal boundary of the City of Parkland, as described in Chapter 84-505, Laws of Florida;

Thence Southerly along said parallel line and municipal boundary to the POINT OF BEGINNING.

Together with:

Parkland Section 35 Area A described as that portion of Section 35, Township 47 South, Range 41 East, Broward County, Florida;

BEGINNING at the intersection of the East line of said Section 35 with the Southerly right-of-way line of that certain 35-foot right-of-way for State Road No. 827, as shown on the State of Florida, State Road Department right-of-way map for said State Road No. 827, Section 86002-2501, sheet 8 of 11;

Thence Northwesterly along said Southerly right-of-way line and along the municipal boundary of the City of Parkland, as described in Chapter 84-505, Laws of Florida, to the East line of the West One-Half (W ½) of Tract 2, "Florida Fruit Lands Company's Subdivision No. 2," according to the plat thereof, as recorded in Plat Book 1, Page 102 of the Public Records of Palm Beach County, Florida;

Thence South along said East line and along the municipal boundary of the City of Parkland, as described in Ordinance 20 of the City of Parkland, to a point on the municipal boundary of the City of Parkland, as described in Ordinance 2001-6 of the City of Parkland, said point being 1372.22 feet North of the South line of Tract 4 of said "Florida Fruit Lands Company's Subdivision No. 2," as measured along the West line of the East One-Half (E ½) of Tracts 4, 3 and 2 of said, "Florida Fruit Lands Company's Subdivision No. 2;"

Thence along said municipal boundary the following four (4) courses and distances;

Thence North 52°44'13" East, a distance of 48.54 feet;

Thence South 73°15'40" East, a distance of 307.97 feet;

Thence South 01°15'45" East, along a line 320 feet West of and parallel to the East line of said Tracts 2, 3 and 4, a distance of 1311.06 feet;

Thence Southerly along a line 320 feet West of the East line of Tracts 25, 26 and 27 of said "Florida Fruit Lands Company's Subdivision No. 2," to the South line of said Tract 27;

Thence Easterly along said South line and along the municipal boundary of the City of Parkland, as described in Ordinance 91-40 of the City of Parkland, to the East line of said Section 35;

Thence North 01°15'45" West, along said East line and along the municipal boundary of the City of Parkland, as described in Chapter 88-531, Laws of Florida, to the POINT OF BEGINNING.

Together with:

Parkland Section 35 and 36 Area C described as that portion of Section 35 & 36, Township 47 South, Range 41 East, Broward County, Florida:

BEGINNING at the intersection of the North Boundary of Broward County, as described in Section 7.06, Florida Statutes, with the West right-of-way line of State Road 7 (U.S. 441);

Thence Southerly along said West right-of-way line to a point on the municipal boundary of the City of Parkland, as described in Resolution No. 88-28 of the City of Parkland, said point being on the Southerly right-of-way line of the Hillsboro Canal;

Thence Westerly along said municipal boundary and Southerly right-of-way line to a point on the municipal boundary of the City of Parkland, as described in Chapter 84-505, Laws of Florida, being a point of intersection with the North right-of-way line of State Road No. 827, as shown on the State of Florida, State Road Department right-of-way map for said State Road No. 827, Section 86002-2501, sheet 8 of 11;

Thence Northwesterly along said municipal boundary and North right-of-way line to the intersection with the North line of said Section 35 and a point on the said North boundary of Broward County;

Thence Easterly along said North line and said North boundary to the centerline of the Hillsboro State Drainage Canal (Hillsboro Canal);

Thence Southeasterly along said centerline and said North boundary of Broward County to the POINT OF BEGINNING.

Together with:

Parkland Section 36 Area D described as that portion of Section 36, Township 47 South, Range 41 East, Broward County, Florida:

COMMENCING at the intersection of the South right-of-way line of the Hillsboro Canal (260-foot right-of-way) with the West right-of-way line of State Road 7 (U.S. 441) said point being on the municipal boundary of the City of Parkland, as described in Resolution No. 88-28 of the City of Parkland;

Thence South 89°35'25" West, along said South right-of-way line and municipal boundary, for a distance of 261.99 feet to a point of curvature;

Thence Westerly along said curve to the right and said South right-of-way line and municipal boundary, having a radius of 860.00 feet, a central angle of 18°32'40", for an arc distance of 278.35 feet to a point of tangency;

Thence North 71°51'55" West, along said South right-of-way line and municipal boundary, for a distance of 718.80 feet to the POINT OF BEGINNING;

Thence continue along said municipal boundary and relocated State Road No. 827 (Loxahatchee Road), the following four (4) courses;

Thence Southeasterly along a curve to the right whose tangent bears South 37°31'22" East, having a radius of 405.09 feet, a central angle of 01°10'48", for an arc distance of 8.34 feet to a point of tangency;

Thence South 36°20'34" East, for a distance of 568.75 feet to a point of curvature;

Thence Southeasterly along a curve to the left, having a radius of 625.00 feet, a central angle of 55°00'00", for an arc distance of 599.96 feet to a point of tangency;

Thence North 88°39'26" East to a point on the West right-of-way line of State Road No. 7 (U.S. 441) and the municipal boundary of the City of Parkland, as described in Chapter 2003-379, Laws of Florida;

Thence Southerly, along said West right-of-way line and municipal boundary, for a distance of 60.00 feet;

Thence along the municipal boundary of the City of Parkland, as described in Resolution No. 88-28 of the City of Parkland, the following four (4) courses;

Thence South 88°39'26" West to a point of curvature;

Thence Northwesterly along a curve to the right having a radius of 685.00 feet, a central angle of 55°00'00", for an arc distance of 657.55 feet to a point of tangency;

Thence North 36°20'34" West, for a distance of 568.75 feet to a point of curvature;

Thence Northwesterly along a curve to the left, with a radius of 345.09 feet, a central angle of 21°16'28", for an arc distance of 128.13 feet to a point on the South right-of-way line of aforesaid Hillsboro Canal;

Thence South 71°51'55" East, along said South right-of-way line and the municipal boundary of the City of Parkland, as described in Chapter 84-505, Laws of Florida, to the POINT OF BEGINNING.

Section 2. The legal description of the Country Acres Area is:

That portion of Section 11, Township 48 South, Range 41 East, Broward County, Florida, described as follows:

BEGINNING at the intersection of the Southerly right-of-way line of the Sawgrass Expressway with the East line of the Northeast One-Quarter (NE ¼) of said Section 11 being a point on the municipal boundary of the City of Coral Springs as established by Chapter 2002-364, Laws of Florida;

THENCE along said municipal boundary by Chapter 2002-364, Laws of Florida, the following eight (8) courses;

THENCE South 00°59'57" East along the said East line of the said Northeast One-Quarter (NE ¼), a distance of 2,338.34 feet to the Northeast corner of the Southeast One-Quarter (SE ¼) of said Section 11;

THENCE North 89°26'26" West along the North line of the said Southeast One-Quarter (SE ¼) of said Section 11, a distance of 1,320.24 feet;

THENCE South 00°56'23" East thru the said Southeast One-Quarter (SE ¼) of said Section 11, a distance of 1,236.11 feet;

THENCE South 01°03'06" East continuing thru the said Southeast One-Quarter (SE ¼) of said Section 11, a distance of 1,387.13 feet to the South line of the Southeast One-Quarter (SE ¼) of said Section 11;

THENCE North 89°25'25" West along the said South line of said Southeast One-Quarter (SE ¼), for a distance of 661.43 feet;

THENCE North 00°59'43" West thru the Southeast One-Quarter (SE ¼) of said Section 11, a distance of 1,440.04 feet;

THENCE North 01°03'18" West continuing thru said Southeast One-Quarter (SE ¼) of said Section 11, a distance of 1,198.02 feet to the North line of the said Southeast One-Quarter (SE ¼) of said Section 11;

THENCE North 01°01'19" West thru the Northeast One-Quarter (NE ¼) of said Section 11 to the South right-of-way line of the Sawgrass Expressway being a point on the municipal boundary of the City of Coral Springs as established by Chapter 2003-378, Laws of Florida;

THENCE Easterly along said South right-of-way line and along said municipal boundary by Chapter 2003-378, Laws of Florida, to the POINT OF BEGINNING.

Section 3. 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 Country Acres Area into the City of Coral Springs or the City of Parkland. Only registered voters residing in the Country Acres Area as described in section 2 may vote in said election. The voters residing in the Country Acres Area shall, by majority vote of the voters participating in the election, choose either the City of Coral Springs or the City of Parkland for annexation. A mail ballot shall not be used in this election. However, voters may vote by absentee ballot as provided by law.

Section 4. Upon a majority of the registered voters participating in the election as provided in section 3 voting for annexation into the City of Coral Springs or the City of Parkland, the Country Acres Area described in section 2 shall be deemed a part of said municipality on September 15, 2006, pursuant to section 171.062, Florida Statutes, except as provided for in this act.

Section 5. An interlocal agreement shall be developed between the governing bodies of Broward County and the annexing municipality and executed prior to the effective date of the annexation as provided for in section 4. The agreement shall address infrastructure improvement projects and include a financially feasible plan for transitioning county services, buildings, infrastructure, waterways, and employees.

Section 6. Subsequent to the effective date of the annexation, any resident in the area to be annexed by this act into the City of Coral Springs or the City of Parkland shall be deemed to have met any residency requirements for candidacy for any municipal office.

Section 7. Nothing in this act shall be construed to affect or abrogate the rights of parties to any contracts, or between nongovernmental entities, which contracts are in effect prior to the effective date of the annexation.

Section 8. Upon annexation into a municipality, the following shall govern the areas described in section 2: for any use, building, or structure that is legally in existence and legally compliant at the time that the Country Acres 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 9. 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 Country Acres Area has been annexed into the municipality, and no annexation within the Country Acres Area by any municipality shall occur during the time period between the effective date of this act and the effective date of the annexation.

Section 10. (1) Upon a majority of the registered voters residing in the Country Acres Area voting for annexation into the City of Coral Springs, the Country Acres Area, as described in section 2, will be considered a preservation area and, in order to protect the community's rural atmosphere, all Broward County land use and zoning classifications and rules and regulations that are applicable to this area on the effective date of this act shall be adopted by the City of Coral Springs for the Country Acres Area. If the Country Acres Area land use and zoning classifications and rules and regulations differ from those that exist in the City of Coral Springs, the City of Coral Springs shall modify its codes by September 15, 2006, to enable the Country Acres Area to be maintained as it exists on the effective date of this act. Any and all proposed municipal enactments that may effect a change in the Country Acres Area, including, but not limited to, all quasi-judicial items, including zoning modifications, site plans, plats, and variances, must be approved by a supermajority of the municipality's designated governing body. All applications for zoning changes within the Country Acres Area require written notification of all Country Acres Area residents. Moreover, any application for a change of zoning within the Country Acres Area must first come before a preservation board made up of five members residing in the Country Acres Area who will be appointed every 2 years by the residents of Country Acres and will be responsible for issuing recommendations on zoning changes within the Country Acres Area.

(2) Upon a majority of the registered voters residing in the Country Acres Area voting for annexation into the City of Parkland, the City of Parkland shall adopt and enforce land use and zoning rules and regulations that preserve the rural lifestyle of the Country Acres Area.

Section 11. 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, are transferred from Broward County jurisdiction to the jurisdiction of the annexing municipality. All rights, title, interests, and responsibilities for any transferred public roads, including, but not limited to, the ownership, operation, maintenance, planning, design, and construction of said public 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. Private roads within the Country Acres Area shall remain private subject to right of entry by municipal vehicles and vehicles providing municipal services.

Section 12. This act shall take effect upon becoming a law.

Approved by the Governor June 3, 2005.

Filed in Office Secretary of State June 3, 2005.