

Council Substitute for House Bill No. 1163

An act relating to the City of Tamarac, Broward County; providing boundaries; extending and enlarging the corporate limits of the City of Tamarac to include specified unincorporated lands within said corporate limits; providing for an election; providing for an effective date of annexation; providing for an interlocal agreement; 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. Prospect Field Road/N.W. 31st Avenue Annexation Boundary is described as follows:

A portion of Sections 8 and 17, Township 49 South, Range 42 East, Broward County, Florida, described as follows: BEGIN at the point of intersection of the North right of way line of Prospect Field Road with a line 264 feet East of and parallel with the West line of said Section 8, said point being on the municipal boundary of the City of Fort Lauderdale, as established by Chapter 71-640, Laws of Florida; Thence along said municipal boundary the following 3 courses; Thence Easterly, along said North right of way line, to the North line of said Section 17; Thence Easterly, along said North line of Section 17, to the West line of Lot 11 of, LITTLE FARMS, according to the plat thereof, as recorded in Plat Book 27, Page 29 of the Public Records of Broward County, Florida; Thence Southerly, along said West line and the Southerly prolongation thereof, to the centerline of Orange Street as shown on said plat of, LITTLE FARMS, said point being on the municipal boundary of the City of Fort Lauderdale, as established by Ordinance No. C-87-10 of the City of Fort Lauderdale; Thence Southerly, along the West line of Lot 30 of said plat and the Northerly prolongation thereof and said municipal boundary, to a point on the South line of the Northwest One-Quarter (NW $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of the Northeast One-Quarter (NE $\frac{1}{4}$) of said Section 17, said point being on the municipal boundary of the City of Tamarac, as established by Ordinance No. 0-81-17 of the City of Tamarac. Thence along said municipal boundary of the City of Tamarac the following 3 courses; Thence Westerly, along said South line, to the Southwest corner of the Northeast One-Quarter (NE $\frac{1}{4}$) of the Northeast One-Quarter (NE $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of said Section 17; Thence Southerly to the Southeast corner of the Southwest One-Quarter (SW $\frac{1}{4}$) of the Northeast One-Quarter (NE $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of said Section 17;

Thence Westerly to the Southwest corner of the Southwest One-Quarter (SW $\frac{1}{4}$) of the Northeast One-Quarter (NE $\frac{1}{4}$) of the Northwest One-Quarter (NW $\frac{1}{4}$) of said Section 17, said point being on the municipal boundary of the City of Fort Lauderdale, as established by Ordinance No. C-72-22 of the City of Fort Lauderdale; Thence along said municipal boundary the following 4 courses;

Thence Westerly, along the South line of the Northwest One-Quarter (NW ¼) of the Northwest One-Quarter (NW ¼) of said Section 17, to the West line of said Section 17; Thence Northerly, along said West line, to the South line of the West 264 feet of the North One-Half (N ½) of the North One-Half (N ½) of the Northwest One-Quarter (NW ¼) of the Northwest One-Quarter (NW ¼) of said Section 17; Thence Easterly, along said South line, to the Southeast corner thereof;

Thence Northerly, along the East line thereof, to the POINT OF BEGINNING.

Section 2. The legal descriptions of the areas referred to in this bill are as follows:

(1) Continental Plaza Annexation Boundary is described as follows:

A portion of Section 18, Township 49 South, Range 42 East, Broward County, Florida, more particularly described as follows:

BEGIN at the intersection of a line 861.35 feet West of and parallel with the East line of the Southwest One-Quarter (SW ¼) of said Section 18 with the South line of the North 1,011.04 feet of the Southwest One-Quarter (SW ¼) of said Section 18, said point being on the municipal boundary of the City of Lauderdale Lakes, as established by Chapter 84-463, Laws of Florida;

Thence Easterly along said South line and said municipal boundary to the West line of the East 331.00 feet of the West 631.00 feet of the East 861.35 feet (measured at right angles) of the North 1,011.04 feet of the Southwest One-Quarter (SW ¼) of said Section 18, said point being on the municipal boundary of the City of Lauderdale Lakes, as established by Ordinance No. 87-10 of the City of Lauderdale Lakes;

Thence Northerly along said West line and said municipal boundary to the South line of the North 565 feet of the East 861.35 feet of the Southwest One-Quarter (SW ¼) of said Section 18;

Thence Westerly along said South line to a line 861.35 feet West of and parallel with the East line of the Southwest One-Quarter (SW ¼) of said Section 18, said point being on the municipal boundary of the City of Tamarac, as established by Ordinance No. 0-81-17 of the City of Tamarac;

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

TOGETHER WITH;

The South 10 feet of the North 565 feet of the West 731.35 feet of the East 861.35 feet of the Southwest One-Quarter (SW ¼) of said Section 18.

(2) West Commercial Boulevard/NW 31st Avenue Annexation Boundary is described as follows:

A portion of Section 18, Township 49 South, Range 42 East, Broward County, Florida, described as follows: BEGIN at the intersection of the North right of way line of West Commercial Boulevard with a line 53.00

feet West of and parallel with the East line of the Southeast One-Quarter (SE ¼) of said Section 18, said point being on the municipal boundary of the City of Fort Lauderdale, as established by Ordinance No. C-72-22 of the City of Fort Lauderdale; Thence along said municipal boundary the following 3 courses; Thence Northerly, along said parallel line, to a line 200 feet North of and parallel with the North right of way line of West Commercial Boulevard; Thence Westerly, along said parallel line, to a line 253 feet West of and parallel with the East line of the Southeast One-Quarter (SE ¼) of said Section 18; Thence Southerly, along said parallel line, to a point on the North right of way line of said West Commercial Boulevard, said point being on the municipal boundary of the City of Tamarac, as established by Ordinance No. 0-81-17 of the City of Tamarac;

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

Section 3. The Broward County Board of County Commissioners shall schedule an election on March 11, 2008, 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 subject area described in section 1. Only registered voters residing in the subject area as described in this act may vote in said election. Mail ballots shall not be used in this election; however, voters may vote by absentee ballots, as provided by law.

Section 4. Upon a majority of the registered voters residing in the subject area voting for annexation into the City of Tamarac, the area described in section 1, the Prospect Field Road/N.W. 31st Avenue Annexation Boundary, shall be deemed a part of said municipality on September 15, 2008, pursuant to section 171.062, Florida Statutes, and chapters 96-542 and 99-447, Laws of Florida, except as provided in this act.

Section 5. The areas described in section 2, the Continental Plaza Annexation Boundary and the West Commercial Boulevard/NW 31st Avenue Annexation Boundary, shall be deemed a part of the City of Tamarac on September 15, 2008, pursuant to section 171.062, Florida Statutes, and chapters 96-542 and 99-447, Laws of Florida.

Section 6. An interlocal agreement shall be developed between the governing bodies of Broward County and the City of Tamarac and executed prior to the effective date of the annexation, as provided in sections 4 and 5. The agreement shall address infrastructure improvement projects and include a financially feasible plan for transitioning county services, buildings, infrastructure, waterways, and employees.

Section 7. Upon annexation into the municipality, the areas described in sections 1 and 2 shall be governed by the relevant land use and zoning provisions of the City of Tamarac's Code of Ordinances. Any change of the 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. Notwithstanding sections 1 and 2, any use, building, or structure that is legally in existence at the time of annexation shall not be made a

prohibited use by the City of Tamarac, on the property of said use, for as long as the use shall continue and not be voluntarily abandoned.

Section 8. 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 subjected to annexation herein until the subject area has been annexed into the municipality; and no annexation within the subject 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 9. Any resident of the area annexed by this act into the City of Tamarac shall be deemed to have met any residency requirements for candidacy for municipal office.

Section 10. 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 11. All rights, title, interests, and responsibilities for all public roads and the public rights-of-way associated therewith in the Broward County Road System within the limits of the land described in sections 1 and 2, except for Prospect Field Road, including, but not limited to, the ownership, operation, maintenance, planning, design, and construction of said roads and rights-of-way, shall transfer from Broward County jurisdiction and ownership to the jurisdiction and ownership of the City of Tamarac upon the effective date of the annexation.

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

Approved by the Governor June 19, 2007.

Filed in Office Secretary of State June 19, 2007.