

JUL 26 2005

**JOINT RESOLUTION NO. 2005-03
TOWN OF BIG LAKE AND CITY OF BIG LAKE
SHERBURNE COUNTY**

**A JOINT RESOLUTION FOR ANNEXATION OF LAND TO THE
CITY OF BIG LAKE**

WHEREAS, Big Lake Township (the "Township") and the City of Big Lake (the "City") desire to plan appropriately for growth and development in each community; and

WHEREAS, the Township and City desire to prevent the premature conversion of agricultural land for urban development; and

WHEREAS, the Township and City are working together to promote contiguous and orderly growth patterns, consistent with the goals and policies of each community's comprehensive plan; and

WHEREAS, the Township and City acknowledge it is in the best interests of the residents of each community to work cooperatively in the future planning and development of the areas abutting the common borders of the communities; and

WHEREAS, the City of Big Lake currently owns the 8.18 acre parcel identified on Exhibit B and it houses the City's Waste Water Treatment Plant; and

WHEREAS, the use or development proposal is determined by the City of Big Lake to be consistent with the City's adopted land use plan, and utilities are available to the OAA.

WHEREAS, the City of Big Lake's intent for annexation is based on the parcel being owned by the City and the City of Big Lake agrees not to annex contiguous properties to this parcel except as agreed to by the Township.

NOW, THEREFORE, BE IT RESOLVED the Township and City agree to the following terms and conditions:

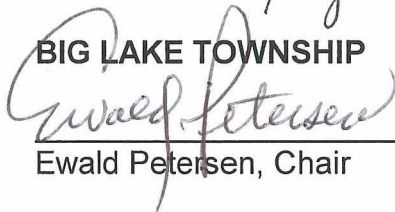
1. The Township and City hereby establish an Orderly Annexation Area ("OAA") as authorized by Minnesota Statute §414.0325, Subdivision 1, as shown on the attached Exhibit A and legally described on Exhibit B.
2. The property located within the OAA, shown on Exhibit A and described in Exhibit B, may be immediately annexed to the City without contest by the Township.
3. The City agrees that it shall not at any time in the future attempt to annex any property contiguous to the parcel being annexed hereby by virtue of said property being contiguous pursuant to Minnesota Statue Section 414.033 or any other statute that may permit annexation through contiguity of property with this property located in the City. Should the City attempt an annexation in a manner contrary to this provision, the Township may file a copy of this executed agreement with the Department of Administration or successor agency and upon such filing the parties agree that the Department of Administration or successor agency shall deny the proposed annexation.
4. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction upon the Department of Administration so as to accomplish the orderly annexation of the lands described in the attached Exhibit A in accordance with the terms of this joint resolution and agreement.
5. The City and the Township mutually state that no alteration of the stated boundaries is appropriate, no conditions for the annexation are required, and no consideration by the Department of Administration is necessary.

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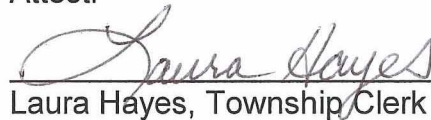
6. Having designated the area illustrated on Exhibit A and described in Exhibit B as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document, the parties to this agreement agree that The Department of Administration may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Resolution.
7. The parties may amend this joint resolution by mutual consent at any time.

Approved and Adopted this
13 day of July, 2005.

BIG LAKE TOWNSHIP

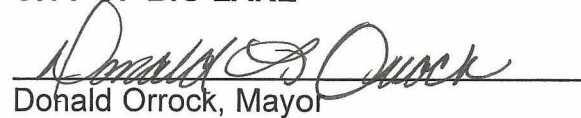

Ewald Petersen, Chair

Attest:

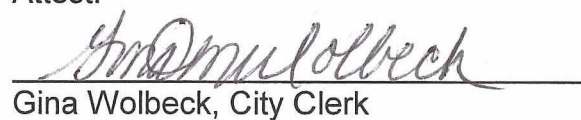

Laura Hayes, Township Clerk

Approved and Adopted this
29th day of June, 2005

CITY OF BIG LAKE


Donald Orrock, Mayor

Attest:


Gina Wolbeck, City Clerk

Whereupon the motion was duly passed and executed.

The following Council Members voted in favor: Heitz, Kampa, Langsdorf, May, and Orrock.
The following Council Members voted against or abstained: None.


The following Town Board Members voted in favor: Petersen, Alford, Sanford, Quinn, Leslie
The following Town Board Members voted against or abstained: None.


Document prepared by: City of Big Lake
160 Lake Street North
Big Lake MN 55309
(763) 263-2107

Attachments:

- Exhibit A-I: OAA Site Location Map
- Exhibit A-II: Certificate of Survey
- Exhibit B: Legal Description

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 **KENNETH O WARNEKE**
NOTARY PUBLIC
MY COMM. EXP. 01/31/2010

 CATHLEEN LINDBERG
NOTARY PUBLIC
MY COMM. EXP. 01/31/2006

FOUND IRON PIPE
REGISTRATION #15223

PROPOSED ANNEXATION AREA

ANNEXATION AREA

9.89 ACRES GROSS
0.19 ACRES RIGHT OF WAY
9.70 ACRES NET

NORTH LINE OF SW1/4 OF THE SE1/4, SEC. 31

COUNTY STATE AID HIGHWAY 14

R/W LINE CSAH 14

SE 1/4 - SW 1/4, SEC. 31

PID 10-131-4310

PID 10-131-4301

CITY OF BIG LAKE

SLEEPY HOLLOW SOUTH
OUTLOT "A"

PID 10-131-4301

1/2" Iron pipe

1/2" Iron pipe

1/2" Iron pipe

1/2" Iron pipe

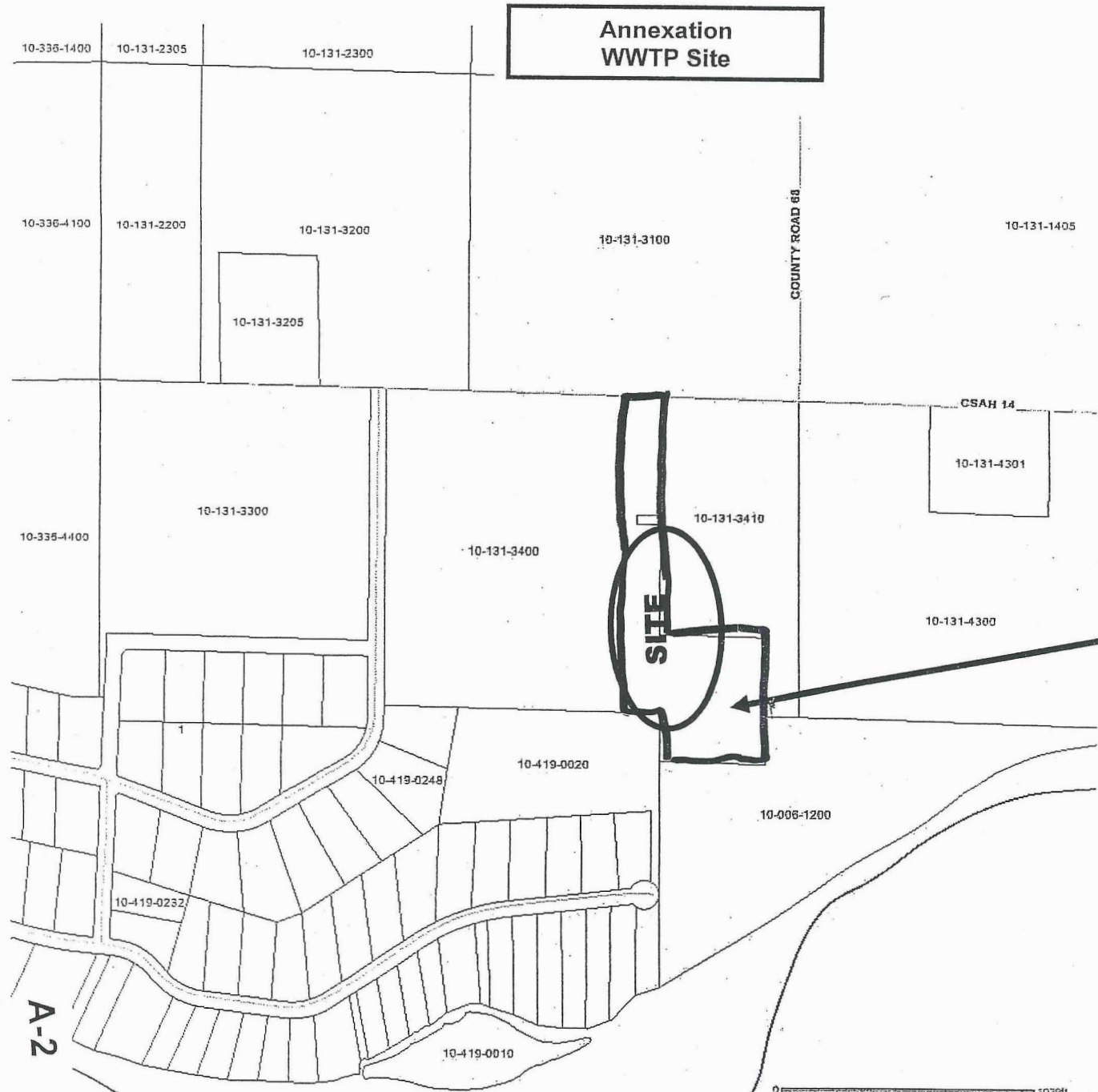
Found 2 - 1/2" Iron pipes Reg. #15233
set approximately 0.1 feet apart

ANNEXATION EXHIBIT
BIG LAKE, MN

BOLTON & MENK, INC.
Consulting Engineers & Surveyors

2040 HIGHWAY 12 EAST, WILLMAR, MN 56201 (320) 231-3956
MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN WILLMAR, MN
BURNSVILLE, MN CHASKA, MN AMES, IA

FOR: WWTP



Waste Water
Treatment
Plant Site

Annexation of
City Owned
Property

OAA
Resolution

Totaling
8.18 Acres

Parcel I.D. No.
10-131-3405
10-800-0007



RECD BY
JUL 26 2005

REC'D BY
MMP

JUL 26 2005

Exhibit "B"
LEGAL DESCRIPTIONS (Waste Water Treatment Plant Property)

Acres: 8.18

LEGAL DESCRIPTION: ANNEXATION AREA

The East 154.77 feet of the West 781.77 feet of the Southeast Quarter of the Southwest Quarter, Section 31, Township 33, Range 27, Sherburne County, Minnesota.

AND

The North 200 feet of the East 430 feet of the West 1211.77 feet of Government Lot 2, Section 6, Township 32, Range 27, Sherburne County, Minnesota.

AND

The South 328 feet of the East 430 feet of the West 1211.77 feet of the Southeast Quarter of the Southwest Quarter of Section 31, Township 33, Range 27, Sherburne County, Minnesota.

Exhibit B