

RECD. BY  
MAR 07 1997

**CITY OF BIG LAKE  
TOWN OF BIG LAKE**

**RESOLUTION NO. 96-34**

**A JOINT RESOLUTION AS TO ORDERLY ANNEXATION**

WHEREAS, the City of Big Lake and the Town of Big Lake, Sherburne County, Minnesota are in agreement as to the orderly annexation of certain lands described herein for the purpose of the creating of an Industrial Park, orderly growth, planned growth and an increase in non-residential tax base; and

WHEREAS, such annexation and growth is of benefit to the citizens of the Big Lake community; and

WHEREAS, the parties hereto desire to set forth such terms of orderly annexation by means of this resolution as follows;

The following described area in Big Lake Township is property subject to orderly annexation under and pursuant to Minnesota Statutes 414.0325, subdivision 1, and the parties hereto do hereby designate this area as in need of orderly annexation as provided by statues; this area consists of approximately 68 acres.

1. The Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ), Section Twenty (20), Township Thirty-three (33) North, Range Twenty-seven (27) West, Sherburne County, Minnesota; and
2. The Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section Twenty-one (21), Township Thirty-three (33) North, Range Twenty-seven (27) West; except that part thereof described as follows: Commencing at the Southeast corner of the said Northeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section Twenty-one (21); thence North on and along the 1/16 section line a distance of 567.5 feet; thence West at right angles to the said 1/16 section line a distance of 868 feet; thence South and parallel with the said 1/16 section line to the South line of the said Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section Twenty-one (21); thence East on and along the said South line of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of section Twenty-one (21) to the point of beginning and except the West two (2) rods of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section Twenty (20), Township Thirty-three (33) North, Range Twenty-seven (27) West, and also less except that part thereof taken for highway purposes, Sherburne County, Minnesota.
3. Subject to existing highways, easements and rights of way of record. The above described premises contain 68 acres, more or less.
4. The West Thirty-three (33) feet of the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$  of SE $\frac{1}{4}$ ), Section Twenty (20), Township Thirty-three (33), Range Twenty-seven (27), Sherburne County, Minnesota.

All being within Sherburne County, Minnesota.

**I. CONDITIONS OF ANNEXATION:**

1. The Municipal Board may review and comment but shall, within thirty (30) days, order the annexation of the described property in accordance with the terms of the joint resolution. This annexation shall take effect when the Municipal Board is advised by resolution that parcels have been developed and should be annexed.
2. The Parties acknowledge that the orderly annexation area is urban or suburban in character, within the county urban expansion area, and that the City is capable of providing Municipal services, such as sanitary sewer, and water to said area.
3. The Town of Big Lake does, upon passage of this resolution and its adoption by the Big Lake City Council, confer jurisdiction upon the Minnesota Municipal Board so as to accomplish said orderly annexation in accordance with the terms and conditions of this resolution.

**I. CONDITIONS OF ANNEXATION - Continued:**

4. The Big Lake City Council and the Big Lake Town Board, as part of this proposal, desire continued discussion on other possible orderly annexation areas, including lands adjacent to this annexation area.

**II. PLANNING AND DEVELOPMENT OF PROPERTY CONSIDERED BY THIS RESOLUTION:**

1. The City of Big Lake and the Town of Big Lake shall be the planning authority for this annexed area.
2. It is the intent that the entire area proposed in this Special Orderly Annexation District be zoned for "industrial" use.
3. The City of Big Lake and the Town of Big Lake will jointly approve extensions of sewer and water, will jointly approve all sales of industrial sites and will jointly build all roadways necessary to the development of this property.
4. The City of Big Lake and the Town of Big Lake shall develop as part of the planning of this annexed area a set of covenants reflecting the development of the area.
5. Road designation shall be as per the grid system established in the Town of Big Lake.

**III. FINANCIAL AGREEMENTS REGARDING PROPERTY CONSIDERED BY THIS RESOLUTION:**

1. Property annexed to the City pursuant to this Resolution, the property tax rate for said area will increase to the Cities tax rate immediately. Taxes will be paid to the City as soon as possible according to Minnesota Statutes once parcels have been developed and sold. The taxes will be divided between the City of Big Lake and the Town of Big Lake as follows:  
The taxes shall be shared equally (50%-50%), on a perpetual basis between the City of Big Lake and the Town of Big Lake. It is further understood that the taxes are to include all HACA and Special Assessment revenue collected for this annexed area.
2. The City of Big Lake and the Town of Big Lake will each be responsible for 50% of all costs of development, including, but not limited to, all infrastructure and roadways.
3. The City of Big Lake and the Town of Big Lake shall share equally (50%-50%) all revenues from sales of industrial sites on this property.
4. Other costs associated with this project, such as Municipal Board fees, Etc., shall be shared equally between the City of Big Lake and the Town of Big Lake.

**IV. ADMINISTRATION, MAINTENANCE FOR PROPERTY CONSIDERED BY THIS RESOLUTION:**

1. Building permits shall be issued by the City of Big Lake's Building Inspector.
2. It is understood by the City of Big Lake and the Town of Big Lake that the municipal utility system (sewer and water) is owned and operated by the City of Big Lake under its ordinances, policies, and regulations. Maintenance of the utility lines is to be completed and paid for by the City of Big Lake.
3. Maintenance of said streets that may be constructed will be completed as agreed by the City of Big Lake and the Town of Big Lake. Costs for road maintenance shall be billed after proof of labor, equipment and materials have been verified. Maintenance will include, but is not limited to, street sweeping, snow removal, seal coating, crack filling, etc.

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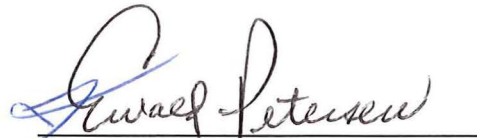
4. All other administrative responsibilities and agreements, including this document, shall be part of an official Joint Powers Agreement between the City of Big Lake and the Town of Big Lake.
- V. THIS ORIGINAL AGREEMENT MAY BE AMENDED FROM TIME TO TIME BY THE CITY COUNCIL AND THE TOWN BOARD:

Adopted by the Big Lake City Council this 17<sup>th</sup> day of December, 1996.

  
\_\_\_\_\_  
Mayor Erv Danielowski

  
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City Administrator Curtis M. Jacobsen

Adopted by the Town of Big Lake Town Board of Supervisors this 17<sup>th</sup> day  
of DECEMBER, 1996.

  
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Chairperson Ewald Petersen

  
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Clerk Kathleen Preuss



R.28W. + R.27W.



BIG LAKE

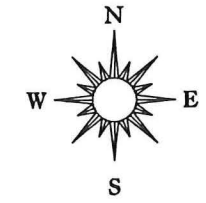


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T.32&33N. - R.27&28W.



# CITY OF BIG LAKE



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