

**CITY OF BIG LAKE
MINNESOTA**

A special meeting of the City Council of the City of Big Lake, Minnesota was called to order by Mayor Don Orrock at 5:30 p.m. in the Council Chambers of City Hall, Big Lake, Minnesota, on Thursday, August 30, 2001. The following Council Members were present: Janice Halvorson, Chuck Heitz, Duane Langsdorf and Don Orrock. Council Member absent: Jim Dickinson. A motion to adopt the following resolution was made by Council Member Heitz and seconded by Council Member Halvorson.

**CITY OF BIG LAKE
RESOLUTION NO. 2001-58**

**A RESOLUTION ANNEXING LAND TO THE
CITY OF BIG LAKE UNDER AN ORDERLY ANNEXATION
AGREEMENT FOR ARCON DEVELOPMENT INCORPORATED**

WHEREAS, the City of Big Lake and the Town of Big Lake have entered into an orderly annexation agreement identified by Minnesota Municipal Board Number OA-569 (Exhibit A); and

WHEREAS, said orderly annexation agreement designates the land legally described in Exhibit B for annexation; and

WHEREAS, the requested annexation parcel Exhibit C lies entirely within the orderly annexation area; and

WHEREAS, the necessary criteria for annexation of land legally described in Exhibit B as outlined in the Joint Resolution for orderly annexation have been met.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Big Lake that the following be annexed to the City:

Land legally described in Exhibit B.

Adopted by the Big Lake City Council this 30th day of August, 2001.


Mayor Don Orrock

Attest:


Patrick Wussow, City Administrator

The following Council Members voted in favor: Janice Halvorson, Chuck Heitz, Duane Langsdorf, and Don Orrock. The following Council Members voted against or abstained: none.

Whereupon the motion was duly passed and executed.

Attachments:

5. Orderly Annexation Agreement OA-569.
6. Annexation Property Legal Description
7. Annexation Property Parcel Map
8. Annexation Subject Site Map

This Resolution is to be filed with the Minnesota Office of Strategic and Long Range Planning upon adoption.

Drafted By:
Northwest Associated Consultants Inc.
5775 Wayzata Boulevard
Suite 555
St. Louis Park, MN 55416

CA-569

AUG

REC'D BY
MMB

SEP 04 2001

CITY OF BIG LAKE
TOWN OF BIG LAKE

CITY RESOLUTION NO. 98-14
TOWN RESOLUTION NO. 98-_____

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 orderly planned growth and development; and

WHEREAS, such annexation and growth is of benefit to the City of Big Lake and Town of Big Lake; and

WHEREAS, the parties hereto desire to set forth the terms of orderly annexation by means of this Resolution.

NOW THEREFORE, BE IT RESOLVED by the City of Big Lake and Town of Big Lake as follows:

1. The following described area consisting of 379.94 acres of land in the Town of Big Lake (see attached Exhibit A) is property subject to orderly annexation under and pursuant to Minnesota Statute 414.0325, Subdivision 1 and the parties hereto do hereby designate this area as in need of orderly annexation as provided by Statute.
2. The annexation of the above-mentioned parcels shall be staged to coordinate with the extension of sewer and water onto said parcel. Notification to be made to the Municipal Board by City Council Resolution of the effective date.

EXHIBIT A

3. Annexation of the Orderly Annexation Area to the City of Big Lake shall be forwarded for review to the Minnesota Municipal Board for proceedings consistent with the Agreement. The Minnesota Municipal Board may review and comment, but shall order the annexation of the property described in Exhibit A in accordance with the terms of this Joint Resolution.
4. The parties acknowledge that the Orderly Annexation area is urban and suburban in character, contiguous to the City of Big Lake, and that the City is capable of providing municipal services to said areas. The population of each parcel on date of annexation shall be zero.
5. For all property annexed to the City of Big Lake, pursuant to the Resolution, the tax rate shall convert to the City tax rate immediately. Taxes shall be paid to the City of Big Lake as soon as possible according to Minnesota Statute.
6. 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.
7. The City of Big Lake shall, upon notification of receipt of Joint Resolution by the Municipal Board, be authorized to process Comprehensive Plan Amendments, Zoning Amendments and Preliminary Plat requests as per the property owner/developer.

Adopted by the Big Lake City Council this 8th day of July, 1998.

Erv Danielowski
Mayor Erv Danielowski

Attest:

Curtis M. Jacobsen
Curtis M. Jacobsen, City Administrator

STATE OF MINNESOTA }
COUNTY OF SHERBURNE } SS.

The foregoing instrument was acknowledged before me this 8th day of July, 1998 by Erv Danielowski, the Mayor of the City of Big Lake and Curtis M. Jacobsen, the City Administrator of the City of Big Lake.

Sandra L. Petrowski
Notary Public



EXHIBIT A

Adopted by the Big Lake Town Board of Supervisors this 12th day of August, 1998.

REC'D BY
MMB
SEP 04 2001

Ewald Petersen

Chair Ewald Petersen

Attest:

Kathleen Preuss

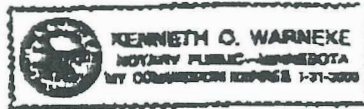
Clerk Kathleen Preuss

STATE OF MINNESOTA }
COUNTY OF SHERBURNE } SS.

The foregoing instrument was acknowledged before me this 12th day of August, 1998 by Ewald Petersen, the Chairman of the Big Lake Town Board of Supervisors and Kathy Preuss, the Clerk of the Town of Big Lake.

Kenneth O. Warneke

Notary Public



This instrument drafted by:

The City of Big Lake
PO Box 250
Big Lake, MN 55309-0250

EXHIBIT A

The SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of 12, Township 33, Range 28, Sherburne County, Minnesota lying easterly of the centerline of County Road No. 73 as shown on the THOMPSON LAKE PINES according to the recorded plat thereof. (42.95 acres)

AND

That part of the West Half of the Southwest Quarter of Section 7, Township 33, Range 27, Big Lake Township, Sherburne County, Minnesota, Lying southerly of the following described line:

Commencing at the southwest corner of said West Half, thence North 00 degrees 00 minutes 31 seconds West, assumed bearing, along the west line of said West Half, a distance of 1015.35 feet to the point of beginning of the line to be described; thence North 45 degrees 23 minutes 06 seconds East a distance of 1800.00 feet; thence South 65 degrees 56 minutes 58 seconds East a distance of 212.63 feet; thence Southeasterly, along a tangential curve concave to the north, having a central angle of 22 degrees 48 minutes 25 seconds, a radius of 346.00 feet and a distance of 137.73 feet to the east line of said West Half and said line there terminating. Said point of termination is South 00 degrees 34 minutes 56 seconds East, along the east line of said West Half, a distance of 452.48 feet from the northeast corner of said West Half.

WITH

That part of the Northeast Quarter of the Southwest Quarter of Section 7, Township 33, Range 27, Big Lake Township, Sherburne County, Minnesota, lying westerly of the westerly right-of-way line of County Road Number 5 and lying southerly of the following described line:

Commencing at the northwest corner of said quarter-quarter; thence South 00 degrees 34 minutes 56 seconds East, along the west line of said quarter-quarter, a distance of 452.48 feet to the point of beginning of the line to be described, said point being on a 346.00 foot radius curve, the center of circle of said curve bears North 01 degrees 14 minutes 36 seconds East from said point; thence Easterly along said curve having a central angle of 03 degrees 58 minutes 18 seconds and a distance of 23.98 feet; thence North 87 degrees 16 minutes 18 seconds East a distance of 114.60 feet to the southwest corner of the driveway easement in Document Number 131298 on file in the office of the County Recorder, Sherburne County, Minnesota; thence continue North 867 degrees 16 minutes 18 seconds East, along the south line of the said Document Number 13298, a distance of 039.81 feet to the northwest corner of the parcel of land described in Document Number 260211 on file in the office of the County Recorder, Sherburne County, Minnesota; thence South 00 degrees 20 minutes 24 seconds East, along the west line of said Document Number 260211, a distance of 300.26 feet to the southwest corner of said Document Number 260211; thence North 87 degrees 16 minutes 18 seconds East, along the south line of said Document Number 260211, a distance of 391.18 feet to the center line of County Road 5 and said line there terminating.

WITH

EXHIBIT A

That part of the Southeast Quarter of the Southwest Quarter of Section 7, Township 33, Range 27, Big Lake Township, Sherburne County, Minnesota, Lying westerly of the westerly right-of-way line of County Road Number 5.

WITH

That part of the North 10 rods of the Northeast Quarter of the Northwest Quarter of Section 18, Township 33, Range 27, Big Lake Township, Sherburne County, Minnesota, lying westerly of the westerly right-of-way line of County Road Number 5. (The above four descriptions consisting of 120.99 acres)

AND

All that part of the Northeast Quarter (NE $\frac{1}{4}$), of Section 18, Township 33, Range 27, Sherburne County, Minnesota except the North 10 rods thereof and the South 273.56 feet thereof, lying East of the centerline of County State Aid Highway 5, as now existing and traveled, and West of the Elk River. (56 acres)

AND

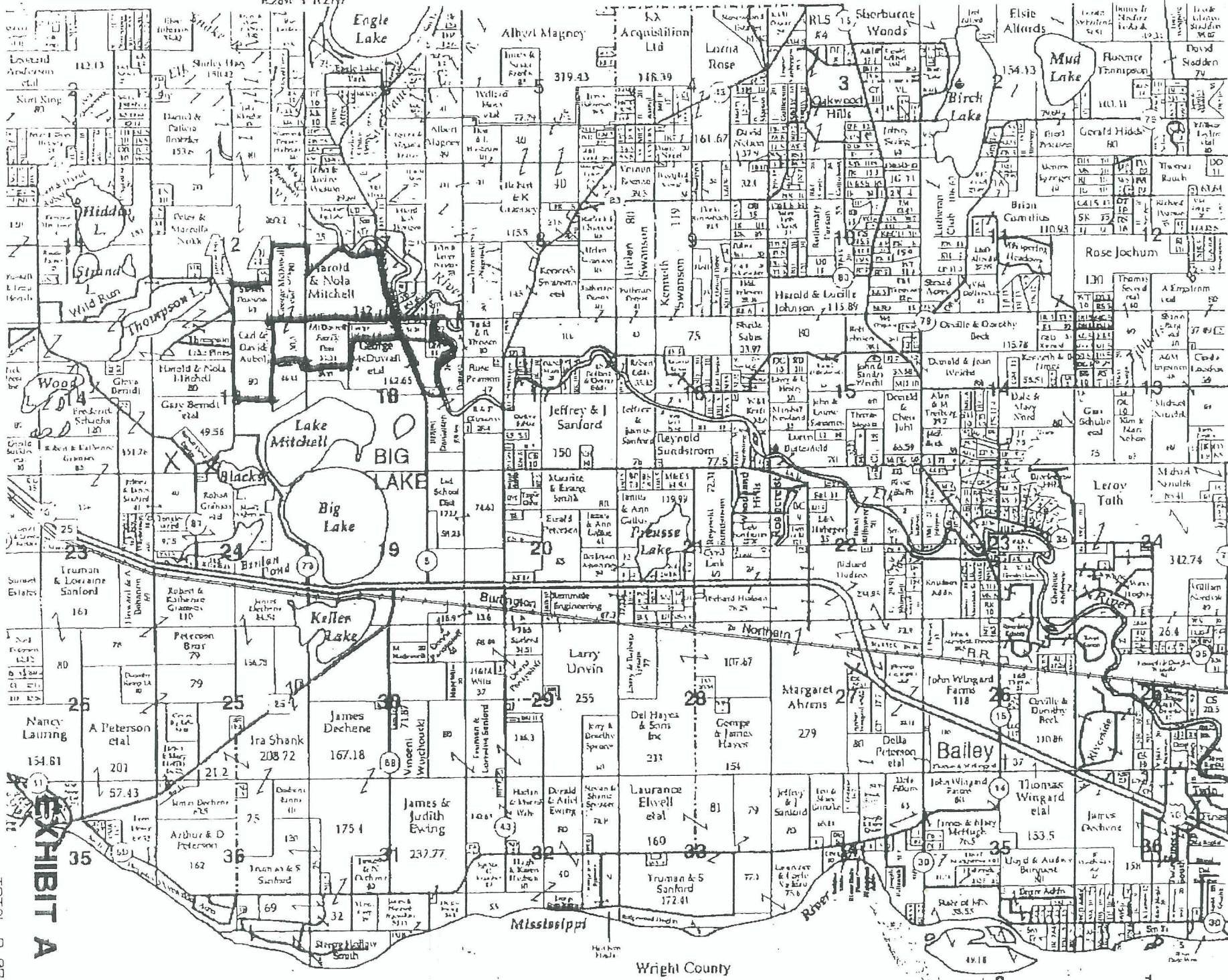
The East half of the Southeast Quarter of Section 12, Township 33, Range 28, Sherburne County, Minnesota. (80 acres)

AND

The West half of the Northeast Quarter of Section 13, Township 33, Range 28, Sherburne County, Minnesota. (80 acres)

EXHIBIT A

R.28W + R.27N



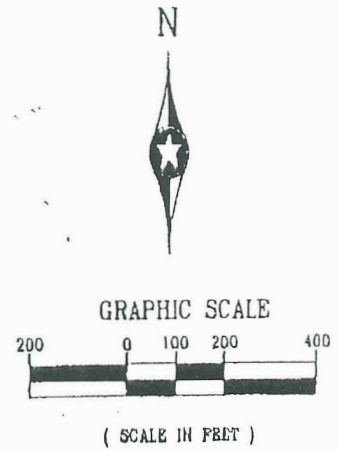
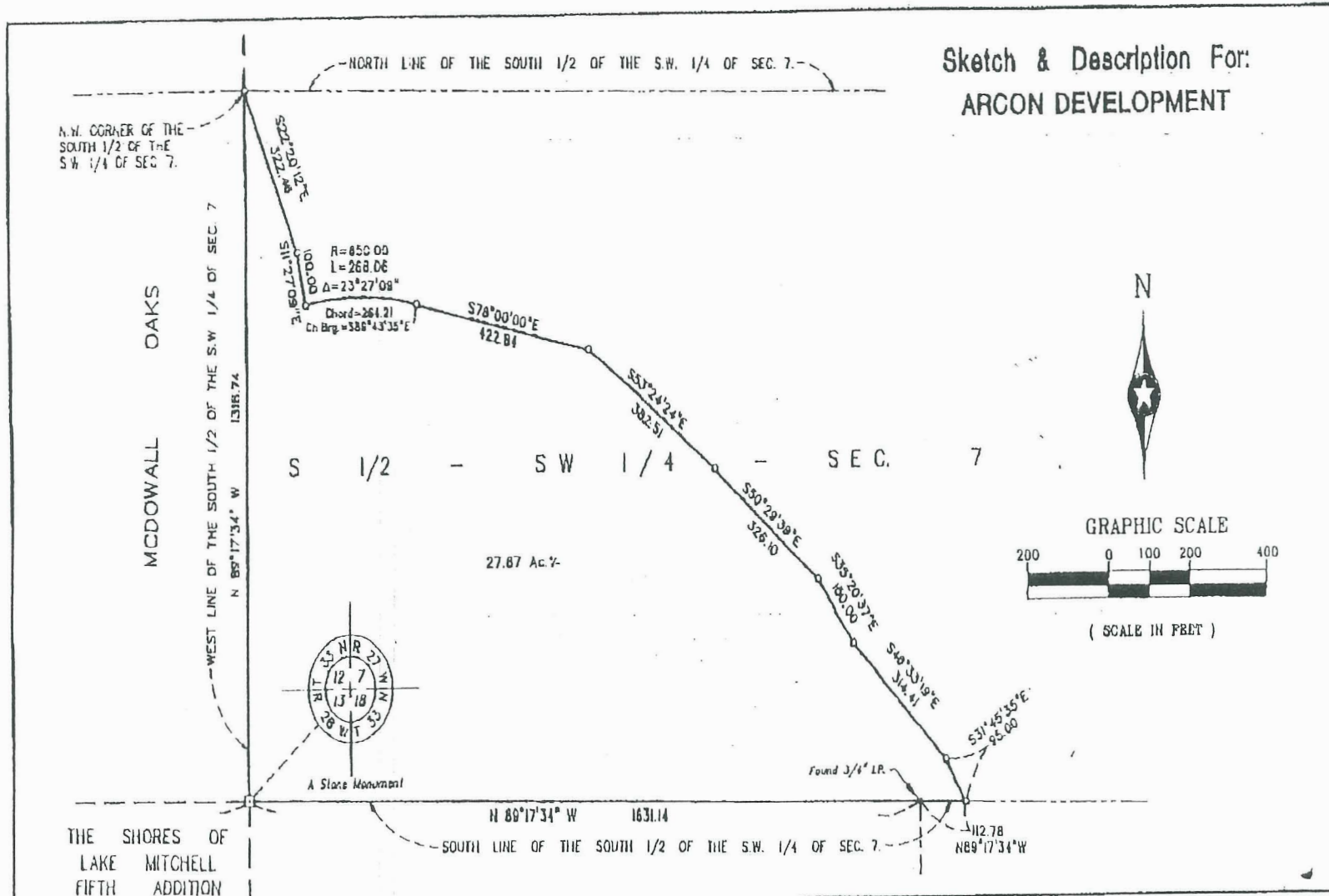
BIG LAKE
 MAP OF
 BIG LAKE
 OASL
 OASL
 See Page 14 Make
 MAP 0
 T.32&33N. - R.27&28W.
 SEP 04
 Page 13
 + See
 W27E + W28E

TOTAL P. 07

EXHIBIT B**LEGAL DESCRIPTION – MCDOWALL OAKS 3RD ANNEXATION**

That part of the West half of the Southwest quarter of Section 7, Township 33, Range 27, Sherburne County, Minnesota, lying southerly and southwesterly of the following: Commencing at the Southwest corner of said West half of Southwest quarter; thence North 00 degrees 00 minutes 31 seconds West, distance 1015.35 feet to point of beginning; thence North 45 degrees 23 minutes 06 seconds East, distance 124.56 feet; thence South 22 degrees 20 minutes 12 seconds East, distance of 89.04 feet; thence South 11 degrees 27 minutes 09 seconds East, distance 100.0 feet; thence Easterly along a nontangential curve concave to the South having a radius of 650.00 feet and a central angle of 23 degrees 27 minutes 09 seconds, distance of 266.06 feet, the chord of said curve bears South 89 degrees 43 minutes 35 seconds East, distance 264.21 feet; thence South 78 degrees 00 minutes 00 seconds East, tangent to said curve, distance 422.84 feet; thence South 53 degrees 24 minutes 24 seconds East, distance 382.51 feet; thence South 50 degrees 29 minutes 39 seconds east, distance 326.10 feet; thence South 35 degrees 20 minutes 37 seconds East, distance 150.00 feet; thence South 46 degrees 33 minutes 19 seconds East, distance 225.99 feet to East line of West half of Southwest quarter; thence South 00 degrees 35 minutes 08 seconds East along said East line, distance 140.20 feet to the Southeast corner of West half of Southwest quarter and there terminating.

Sketch & Description For: ARCON DEVELOPMENT



SUBJECT PROPERTY:
 That part of the South Half of the Southwest Quarter of Section 7, Township 33, Range 27, Sherburne County, Minnesota, lying southwesterly and southerly of the following described line: Beginning at the northwest corner of the South Half of the Southwest Quarter of said Section 7, thence South 22 degrees 20 minutes 12 seconds East, a distance of 322.48 feet; thence South 11 degrees 27 minutes 09 seconds East, a distance of 100.00 feet; thence easterly along a non-tangential curve concave to the south having a radius of 850.00 feet and a central angle of 23 degrees 27 minutes 09 seconds, a distance of 268.06 feet, the chord of said curve bears South 82 degrees 48 minutes 36 seconds East, distant 264.21 feet; thence South 53 degrees 24 minutes 24 seconds East, a distance of 302.51 feet; thence South 50 degrees 29 minutes 39 seconds East, a distance of 326.10 feet; thence South 53 degrees 20 minutes 37 seconds East, a distance of 160.00 feet; thence South 49 degrees 33 minutes 19 seconds East, a distance of 314.41 feet; thence South 48 degrees 33 minutes 19 seconds East, a distance of 150.00 feet; thence South 31 degrees 45 minutes 35 seconds East, a distance of 95.00 feet to the south line of the South Half of the Southwest Quarter of said Section 7 and there terminating.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.
 Signed: *Rick M. Blom*
 Date: 5/14/99 REG. No. 21729

John Oliver & Associates, Inc.
 Civil Engineering Land Surveying Real Estate
 580 Dodge Avenue
 214 River, Minnesota 55310
 (612)441-2072 (FAX)441-5865
 201 W. Traverser Trail, Suite 200
 Burnsville, Minnesota 55337
 (612)897-8045 (FAX)894-3319
 DRAWING FILE: EXH-NE.dwg FILE NO. 7700.10-03

EXHIBIT C

RECORDED BY
 J.M.M.B.
 SEP 04 2001

McDowall Oaks 3rd Addn.
Annexation Subject Site

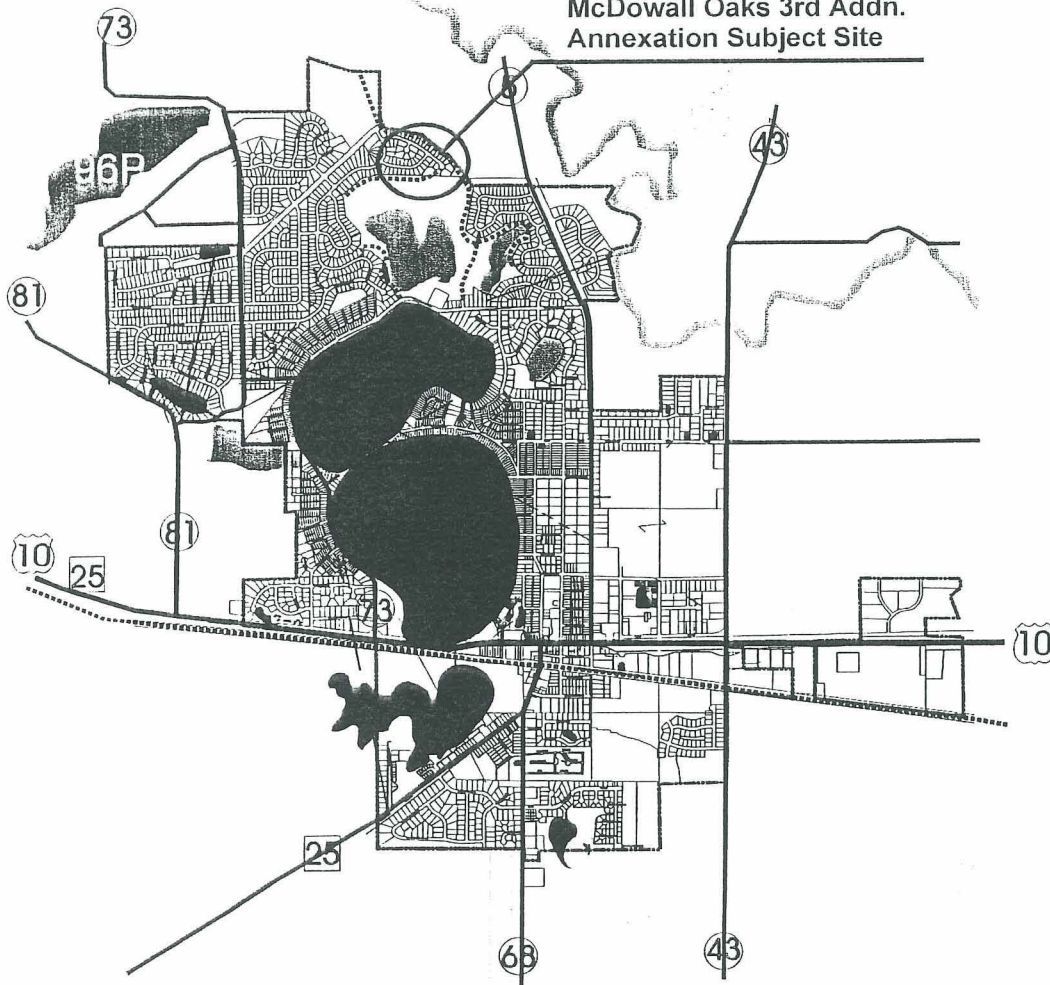


EXHIBIT D



CITY OF BIG LAKE, MINNESOTA



Source: City of Big Lake



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RECORDED BY
M M B
SEP 04 2001