

**CITY OF BIG LAKE  
MINNESOTA**

A general meeting of the City Council of the City of Big Lake, Minnesota was called to order by Mayor Don Orrock at 7:00 p.m. in the Council Chambers of City Hall, Big Lake, Minnesota, on Wednesday, January 9, 2002. The following Council Members were present: Jim Dickinson, Janice Halvorson, Chuck Heitz, Duane Langsdorf, and Don Orrock. 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. 2002-03**

**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 9<sup>th</sup> day of January, 2002.

  
\_\_\_\_\_  
Mayor Don Orrock

Attest:

  
\_\_\_\_\_  
Patrick Wussow, City Administrator

The following Council Members voted in favor: Jim Dickinson, 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:

1. Orderly Annexation Agreement OA-569.
2. Annexation Property Legal Description
3. Annexation Property Parcel Map
4. Annexation Subject Site Map

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

Drafted By:  
City of Big Lake  
160 Lake Street North  
Big Lake MN 55309

CA-569

REC'D BY  
MMB

JAN 28 2002

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

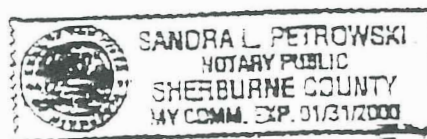


EXHIBIT A



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

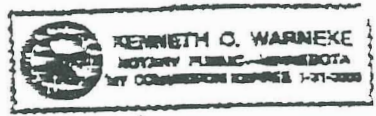
Ewald Petersen  
Chair Ewald Petersen

Attest:  
Kathleen Preuss  
Clerk Kathleen Preuss

STATE OF MINNESOTA }  
COUNTY OF SHERBURNE } SS.

The foregoing instrument was acknowledged before me this 12<sup>th</sup> 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



REC'D BY  
MMB  
JAN 28 2002

This instrument drafted by:  
  
The City of Big Lake  
PO Box 250  
Big Lake, MN 55309-0250

EXHIBIT A

The SE ¼ of the SW ¼ and the SW ¼ of the SE ¼ 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 ¼), 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

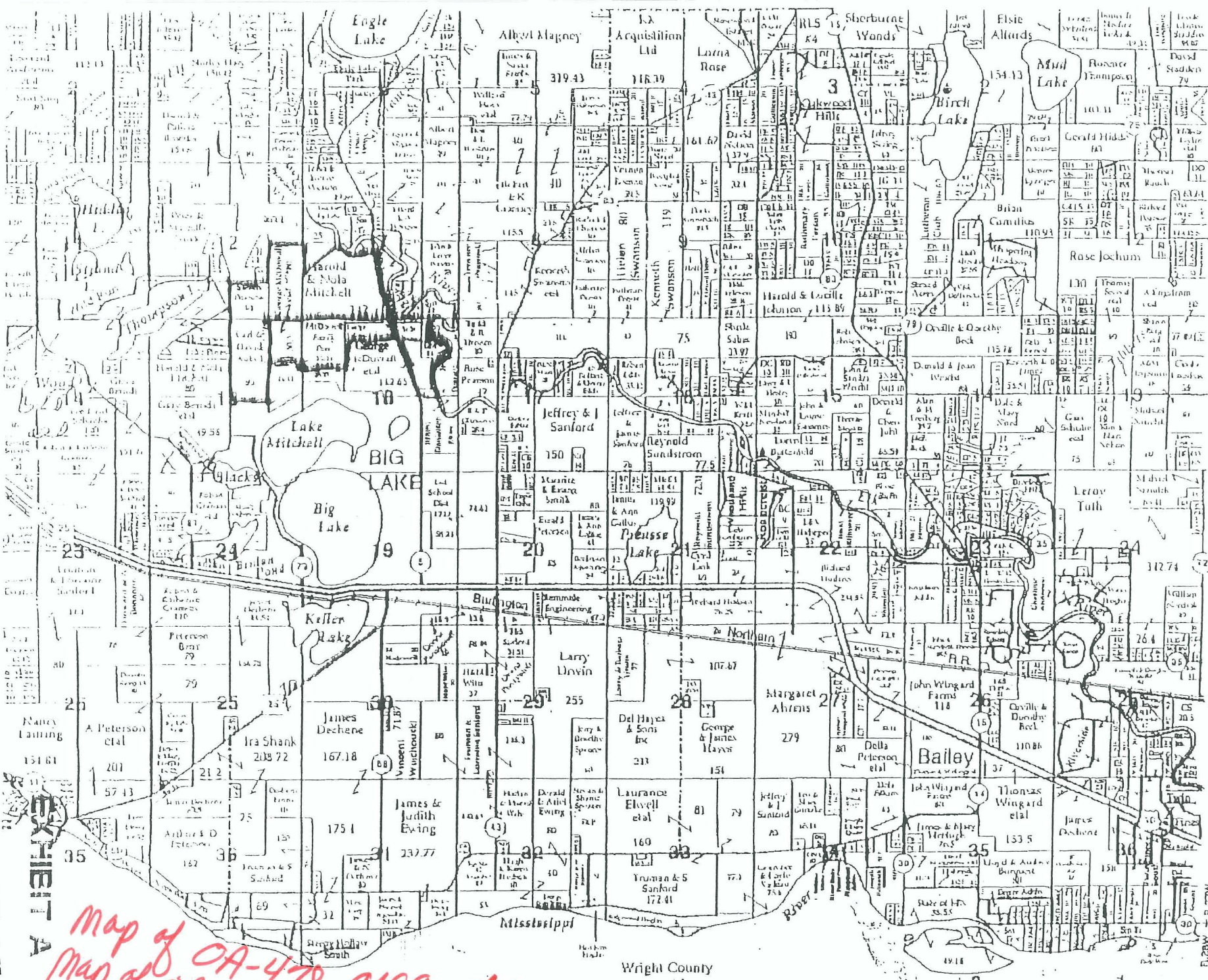
The East half of the Southeast Quarter of Section 12, Township 33, Range 28, Sherburne County, Minnesota. (80 acres)

AND

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

EXHIBIT A





MAP OF BOY OAS OAL

See page 14 in the MAP O

REC'D BY IAN 28 21 Page 15

Map of OA-478 area +  
Map of OA-569 area

TOTAL 9.07

EXHIBIT A

132&33N. - R.27&28W.



REC'D BY  
MMB

JAN 28 2002

EXHIBIT B

LEGAL DESCRIPTION - MCDOWALL OAKS 3<sup>RD</sup> & 4<sup>TH</sup> ANNEXATION

Sect/Town/Range/Dir . . : 7 33.0 27  
Plat/Lot/Block . . . . :  
Man. home court number:  
Deed acr/undiv interst: .31 1.0000  
Legal description . . . :

PART OF W1/2 OF SW1/4 DESC AS FOLLOWS: COMMENCING AT THE SW CORN OF SAID W1/2 OF SW1/4; THENCE N 00 DEG 00 MIN 31 SEC W ALONG THE W LINE THEREOF A DIS OF 1015.35 FT TO POB; THENCE N 45 DEG 23 MIN 06 SEC E, A DIS OF 124.56 FT; THENCE N 22 DEG 20 MIN 12 SEC W, DIS 233.42 FT TO NW CORNER OF SW1/4 OF SW1/4; THENCE S 00 DEG 00 MIN 31 SEC E ALONG THE W LINE THEREOF, DIS OF 303.39 FT TO POB.

Sect/Town/Range/Dir . . : 7 33.0 27  
Plat/Lot/Block . . . . :  
Man. home court number:  
Deed acr/undiv interst: .21 1.0000  
Legal description . . . :

PACEL C:  
THAT PART OF E1/2 OF SW1/4 DESC AS: BEG AT THE SW CORNER OF SAID E1/2 OF SW1/4; THENCE N 00 DEG 35 MIN 08 SEC W ALONG THE W LINE THERE OF A DIS OF 140.20 FT; THENCE S 46 DEG 33 MIN 19 SEC E, DIS OF 88.42 FT; THENCE S 31 DEG 45 MIN 35 SEC E, A DIS OF 95.00 FT TO THE S LINE OF SAID E1/2 OF SW1/4; THENCE N 89 DEG 17 MIN 34 SEC W ALONG SAID S LINE A DIS OF 112.78 FT TO POB.

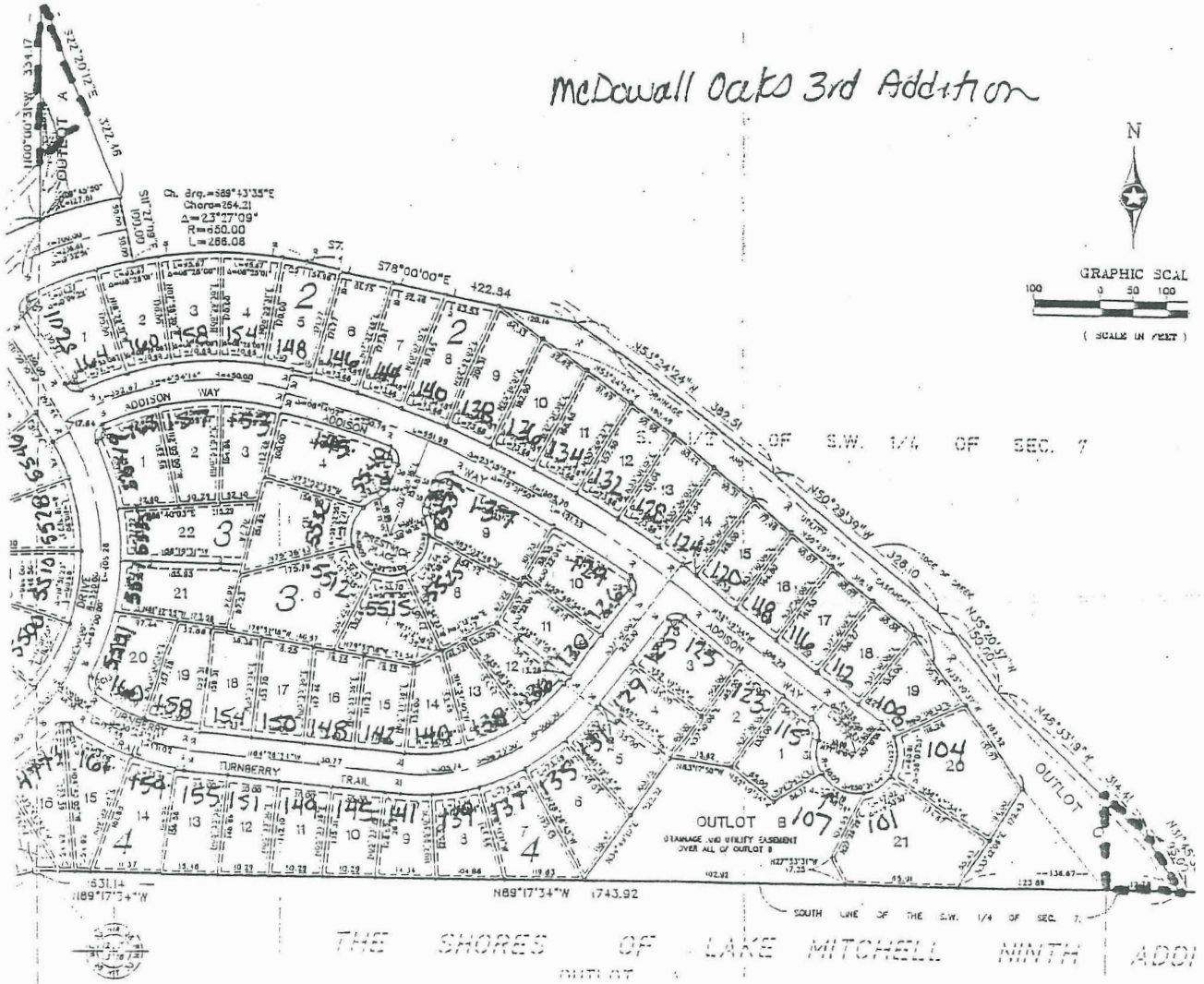
REC'D BY  
MMB

JAN 28 2002

EXHIBIT C

(ANNEXATION PROPERTY PARCEL MAP)

McDowall Oaks 3rd Addition



REC'D BY  
MMB

JAN 28 2002

EXHIBIT D

SITE LOCATION MAP - MCDOWALL OAKS 3<sup>RD</sup> & 4<sup>TH</sup> ADDITION ANNEXATION

