

**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, July 11, 2001. 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 Dickinson and seconded by Council Member Langsdorf.

**CITY OF BIG LAKE
RESOLUTION NO. 2001-44**

**JOINT RESOLUTION AND AGREEMENT BETWEEN THE CITY OF
BIG LAKE AND BIG LAKE TOWNSHIP FOR ORDERLY ANNEXATION**

THIS JOINT RESOLUTION AND AGREEMENT is made between the City of Big Lake, Sherburne County, Minnesota ("City") and Big Lake Township, Sherburne County, Minnesota ("Town"), and constitutes a "Joint Resolution" between the City and Town authorized by Minnesota Statutes §414.0325 providing for a procedure and a framework for orderly annexation of a part of the Town to the City.

**SECTION ONE
INTRODUCTION**

- 1.01 The parties to this agreement intend it to be binding with all the rights, privileges, and obligations attached thereto. Both parties intend to be bound by this agreement and shall not violate its terms. Neither party shall exercise any legislative authority now existing nor which may be later created in a way that

violates the terms of the agreement. Both parties understand that they may not limit the power of the legislature over annexation, and such is not their intent. Instead, the parties agree to refrain from exercising any legislative authority, now or into the future, in a way that would violate the terms of this agreement.

- 1.02 The parties recognize recent legislative changes dissolving the Municipal Board and transferring its responsibilities to the Office of Strategic and Long-Range Planning. Throughout this agreement, reference continues to be made to the Municipal Board since the legislature has not yet modified Minnesota Statutes Chapter 414 to fully reflect the 1999 changes. In all respects, the use of the term Municipal Board and reference to Minn. Stat. Chapter 414 shall be read to apply to the Municipal Boundary Adjustment Division of the Office of Strategic and Long-Range Planning as the successor to the Municipal Board's responsibilities in administering the provisions of the state law regarding orderly annexation agreements and to subsequent amendments to state law.

SECTION TWO ORDERLY ANNEXATION AREA

- 2.01 The legal description of the property within Big Lake Township that is the subject of this orderly annexation agreement is attached hereto as Exhibit "A."
- 2.02 The Orderly Annexation Area is hereby designated as in need of orderly annexation and no consideration by the Minnesota Municipal Board is necessary, no alteration of the boundaries is appropriate, and all conditions of annexation have been provided for in this Resolution: the Minnesota Municipal Board may review and comment but shall, within thirty (30) days of receipt of this Resolution, order the annexation in accordance with the terms of this resolution.

SECTION THREE REAL ESTATE TAXATION

- 3.01 **Year of Annexation.** If the annexation becomes effective on or before August 1 of any year, the City may levy on the annexed area beginning with that year. If the annexation becomes effective after August 1 of any year, the Town may continue to levy on the annexed area for that year, and the City may not levy in the annexed area until the following year. The City shall not share with the Township any portion of the property taxes received from the annexed property.

**SECTION FOUR
GENERAL PROVISIONS**

- 4.01 If any provision of this agreement is declared invalid, for any reason, by a court of competent jurisdiction, the validity of the remaining terms and provisions shall not be affected and the agreement shall be construed and enforced as if the agreement did not contain the particular term or provision held to be invalid.

Adopted by the Big Lake City Council this 11th day of July, 2001.



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.

REC'D BY
MMB

SEP 05 2001

EXHIBIT "A"

**LEGAL DESCRIPTION OF PROPERTY TO
BE ANNEXED TO THE CITY OF BIG LAKE**

The Northwest One Quarter (NW $\frac{1}{4}$) of the Northeast One Quarter (NE $\frac{1}{4}$) of Section 20, Township 33, Range 27, Sherburne County, Minnesota ("Parcel A")

and

The North 33.00 feet of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 20, Township 33, Range 27, Sherburne County, Minnesota.

**TOWN OF BIG LAKE
RESOLUTION NO. 2001-18**

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THE CITY OF BIG LAKE AND BIG LAKE TOWNSHIP
FOR ORDERLY ANNEXATION**

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**SECTION FOUR
GENERAL PROVISIONS**

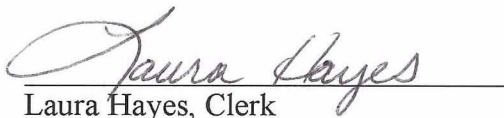
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Adopted by the Big Lake Town Board this 11th day of July 2001.



Ewald Petersen, Chairman of the Board

Attest:



Laura Hayes, Clerk

The motion for adoption of the foregoing resolution was duly moved by Supervisor Sanford, seconded by Supervisor Alford. After discussion thereof and upon a vote taken thereon, the following number of supervisors voted in favor 5; against 0; whereupon said resolution was declared duly passed and adopted.

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Section 20, Township 33, Range 27, Sherburne County, Minnesota ("Parcel A")

and

The North 33.00 feet of the Northeast Quarter of the Northwest Quarter of
Section 20, Township 33, Range 27, Sherburne County, Minnesota.

Sandy P.
CBL City

JUL-25-01 11:32 TOWN OF BIG LAKE 763 263 3660 P.01



1st -40 acres
of School Annex.
Res. 2001-18
Maurice + Evangeline
Smith Property.

REC'D BY MMB SEP 05 2001

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1 19200 6 4 Wright County 16000 2 15200 1 14400