

OA-880-1 Biwabik
City Signed Resolution 9-18-02
Town Signed Resolution 9-16-02

BEFORE THE ACTING DIRECTOR OF THE OFFICE OF
STRATEGIC AND LONG RANGE PLANNING
OF THE STATE OF MINNESOTA

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF BIWABIK AND)
THE TOWN OF WHITE PURSUANT TO MINNESOTA) ORDER
STATUTES 414)

WHEREAS, following extended mediation, a joint resolution for orderly annexation was adopted by the City of Biwabik and the Town of White representing among other things, a resolution of contested issues contained in Municipal Boundary Adjustment (hereinafter "MBA") Docket A-6474; and

WHEREAS, said joint resolution requests that certain property, previously the subject of MBA Docket A-6474, be designated for orderly annexation and that part of the designated area be immediately annexed to the City of Biwabik pursuant to M.S. 414.0325, Subd. 1; and

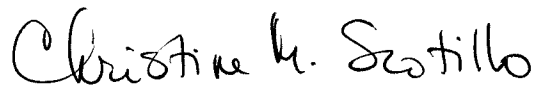
WHEREAS, M.S. 414.0325 states that in certain circumstances the Director of the Office of Strategic and Long Range Planning may review and comment, but shall within 30 days order the annexation of land pursuant to said subdivisions; and

WHEREAS, on November 21, 2002, the Acting Director of the Office of Strategic and Long Range Planning has reviewed and accepted the resolution for orderly annexation, and approved the immediate annexation of certain lands as set forth in said agreement;

IT IS HEREBY ORDERED: That the property described in attached Exhibit 1 is hereby annexed in accordance with the terms of the resolution to the City of Biwabik, Minnesota, the same as if it had originally been made a part thereof.

Dated this 21st day of November, 2002.

For the Acting Director of the Office of Strategic
and Long Range Planning
658 Cedar Street - Room 300
St. Paul, MN 55155

A handwritten signature in black ink that reads "Christine M. Scotillo". The signature is written in a cursive style with a large initial 'C'.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

EXHIBIT 1

Property located in Township 58 north, Range 15 west:

That part of the northwest quarter of Section 6, Township 58 north, Range 15 west located north and west of the diversion canal between Embarrass Lake and Wynne Lake.

Property located in Township 59 north, Range 15 west:

That part of Section 31 located west of the centerline of St. Louis County Highway No. 138 and north of the diversion canal between Embarrass Lake and Wynne Lake; and

That part of Section 30 located west of Wynne Lake, excepting therefrom the southwest quarter of the southeast quarter of said Section 30 and excepting therefrom the following property:

That part of Government Lots 6 and 7, Section 30, Township 59 North, Range 15 West of the 4th Principal Meridian, St. Louis County, Minnesota, described as follows:

Commencing at the Southeast corner of said Government Lot 6; thence Northerly along the East line of said Government Lot 6 a distance of 280.00 feet; thence Easterly parallel with the South line of said Government Lot 7 a distance of 480.00 feet to the point of beginning of the property to be described; thence Westerly parallel with said South line of Government Lot 7 a distance of 480.00 feet; thence Westerly parallel with the South line of Government Lot 6 a distance of 310.00 feet; thence Northerly parallel with the East line of Government Lot 6 a distance of 520.00 feet; thence Northeasterly deflecting to the right 40 degrees 00 minutes 00 seconds a distance of

200 feet, more or less, to the shoreline of Wynne Lake; thence Easterly along said shoreline to the intersection with a line drawn Northerly, parallel with the West line of Government Lot 7, from the point of beginning; thence Southerly parallel with said West line of Government Lot 7 a distance of 435 feet, more or less, to the point of beginning.

That part of Section 19 located west of Wynne Lake; and

That part of Section 18 located west of Wynne Lake and west of the Embarrass River; and

Property located in Township 59 north, Range 16 west:

The southeast quarter of the northeast quarter of Section 13 and that portion of Section 13 located east of the centerline of St. Louis County Highway No. 138; and

The northeast quarter of the northwest quarter of Section 24, and the southeast quarter of Section 24 and the south half of the northeast quarter of Section 24; and

The east one-quarter of Section 25 and the northwest quarter of the northeast quarter of Section 25 and the southwest quarter of the southeast quarter of Section 25.

Excepting therefrom the TIF District 1-1 and TIF District 1-2 properties as described on the following pages:

TIF DISTRICT 1-1

DESCRIPTION OF REDEVELOPMENT PROPERTY

1. That part of Government Lots 2 and 1, Section 30, Township 59 North, Range 15 West of the fourth principal Meridian, described as follows:

Commencing at the Southwest corner of Government Lot 4, Section 30, Township 59 North, Range 15 West, thence North 16°-42'-43" East (assumed bearing), along the West line of said Government Lot 4, a distance of 592.12 feet to the center line of C.S.A.H. 138; thence North 01°-14'-45" East, along said center line, a distance of 199.04 feet; thence Northerly and Westerly, along said center line being a tangential curve concave to the West, having a radius of 1909.86 feet and a central angle of 10°-10'-00", a distance of 338.89 feet; thence North 08°-55'-15" West, along said center line also being the tangent of the last described curve, a distance of 538.62 feet; thence Westerly and Northerly, along said center line being a tangential curve concave to the East, having a radius of 1145.92 feet and a central angle of 27°-24'-50", a distance of 548.28 feet; thence North 18°-29'-35" East, along said center line also being the tangent to the last described curve, a distance of 495.18 feet; thence south 71°-30'-25" East a distance of 50.00 feet to the intersection with the Easterly right of way line of C.S.A.H. 138 and said intersection being the point of beginning of the land to be described; thence North 18°-29'-35" East, along said right of way line, a distance of 193.28 feet; thence South 80°-20'-15" East, a distance of 304 feet, more or less, to the shore line of Wynne Lake; thence Southerly, along said shore line, to the intersection with a line bearing South 72°-46'-30" East from the point of beginning; thence North 72°-46'-30" West a distance of 318 feet, more or less, to the point of beginning.

2. A 30.00 foot wide easement for ingress, egress and utility purposes over, under and across that part of Government Lot 1, Section 30, Township 59 North, Range 15 West, St. Louis County, Minnesota, the centerline of said easement is described as follows:

Commencing at the Southwest corner of Government Lot 4, said Section 30; thence North 16 degrees 42 minutes 43 seconds East assumed bearing, along the West line of said Government Lot 4 a distance of 592.12 feet to the centerline of County State Aid Highway Number 138; thence North 01 degree 14 minutes 45 seconds East along said centerline 199.04 feet; thence Northerly and Westerly, along said centerline being a tangential curve concave to the West, having a radius of 1909.86 feet and a central angel of 10 degrees 10 minutes 00 seconds, a distance of 338.89

feet; thence North 08 degrees 55 minutes 15 seconds West, along said centerline also being the tangent of the last described curve, 538.62 feet; thence Westerly and Northerly, along said centerline being a tangential curve concave to the East, having a radius of 1145.92 feet and a central angle of 27 degrees 24 minutes 50 seconds, a distance of 548.28 feet; thence North 18 degrees 29 minutes 35 seconds East, along said centerline also being the tangent to the last described curve 495.18 feet; thence South 71 degrees 30 minutes 25 seconds East 50.00 feet to the intersection with the Easterly right of way line of County State Aid Highway Number 138; thence North 18 degrees 29 minutes 35 seconds East along said right of way line 193.28 feet; thence South 80 degrees 20 minutes 15 seconds East 58.00 feet to the point of beginning of said centerline to be herein described; thence North 27 degrees 30 minutes 09 seconds East 124.31 feet; thence North 34 degrees 34 minutes 00 seconds East 143.00 feet; thence North 55 degrees 26 minutes 00 seconds West 68.85 feet; thence North 71 degrees 30 minutes 25 seconds West 50.22 feet to the intersection with the Easterly right of way line of said county State Aid Highway Number 138 and said centerline there terminating. The side lines of said easement shall be prolonged or shortened to terminate on the Easterly right of way line of said County State Aid Highway Number 138 and on a line bearing South 80 degrees 20 minutes 15 seconds East and North 80 degrees 20 minutes 15 seconds West from the point of beginning.

3. PARCEL 5

That part of Government Lot 2, Section 30, Township 59 North, Range 15 West of the Fourth Principal Meridian, described as follows:

Commencing at the Southwest corner of Government Lot 4, Section 30, Township 59 North, Range 15 West, thence North $16^{\circ}-42'-43''$ East (assumed bearing), along the West line of said Government Lot 4, a distance of 592.12 feet to the center line of C.S.A.H. 138; thence North $01^{\circ}-14'-45''$ East, along said center line, a distance of 199.04 feet; thence Northerly and Westerly, along said center line being a tangential curve concave to the West, having a radius of 1909.86 feet and a central angle of $10^{\circ}-10'-00''$, a distance of 338.89 feet; thence North $08^{\circ}-55'-15''$ West, along said center line also being the tangent of the last described curve, a distance of 538.62 feet; thence Westerly and Northerly, along said center line being a tangential curve concave to the East, having a radius of 1145.92 feet and a central angle of $27^{\circ}-24'-50''$, a distance of 548.28 feet; thence North $18^{\circ}-29'-35''$

East, along said center line also being the tangent to the last described curve, a distance of 219.16 feet; thence South 71°-30'-25" East, a distance of 50.00 feet to the intersection with the Easterly right of way line of C.S.A.H. 138 and said intersection being the point of beginning of the land to be described; thence North 18°-29'-35" East, along said right of way line, a distance of 276.02 feet; thence South 72°-46'-30" East a distance of 318 feet, more or less, to the shore line of Wynne Lake; thence Southerly, along said shore line, to the intersection with a line bearing South 76°-32'-08" East from the point of beginning; thence North 76°-32'-08" West a distance of 266 feet, more or less, to the point of beginning.

4. **PARCEL 6**

That part of Government Lot 2, Section 30, Township 59 North, Range 15 West of the Fourth Principal Meridian, described as follows:

Commencing at the Southwest corner of Government Lot 4, Section 30, Township 59 North, Range 15 West, thence North 16°-42'-43" East (assumed bearing), along the West line of said Government Lot 4, a distance of 592.12 feet to the center line of C.S.A.H. 138; thence North 01°-14'-45" East, along said center line, a distance of 199.04 feet; thence Northerly and Westerly, along said center line being a tangential curve concave to the West, having a radius of 1909.86 feet and a central angle of 10°-10'-00", a distance of 338.89 feet; thence North 08°-55'-15" West, along said center line also being the tangent of the last described curve, a distance of 538.62 feet; thence Westerly and Northerly, along said center line being a tangential curve concave to the East, having a radius of 1145.92 feet and a central angle of 27°-24'-50", a distance of 548.28 feet; thence North 18°-29'-35" East, along said center line also being the tangent to the last described curve, a distance of 219.16 feet; thence South 71°-30'-25" East a distance of 50.00 feet to the intersection with the Easterly right of way line of C.S.A.H. 138 and said intersection being the point of beginning of the land to be described; thence South 18°-29'-35" West, along said right of way line, a distance of 219.16 feet; thence Southerly and Westerly, along said right of way line being a tangential curve concave to the Southeast, having a radius of 1095.92 feet and a central angle of 04°-59'-19", a distance of 95.42 feet; thence South 77°-01'-26" East a distance of 303 feet, more or less, to the shore line of Wynne Lake; thence Northerly, along said shore line, to the intersection with a line bearing South 76°-32'-08" East from the point of beginning; thence North 76°-32'-08" West a distance of 266 feet, more or less, to the point of beginning.

5. PARCEL 7

Those parts of Governmental Lot 2, 3, and 4, Section 30, Township 59 North, Range 15 West of the Fourth Principal Meridian, described as follows:

Commencing at the Southwest corner of said Government Lot 4, thence North $16^{\circ}-42'-43''$ East (assumed bearing), along the West line of said Government Lot 4, a distance of 373.67 feet; thence South $73^{\circ}-17'-17''$ East a distance of 112.32 feet to the Easterly right of way line of C.S.A.H. 138; thence North $01^{\circ}-14'-45''$ East, along said Easterly right of way line, a distance of 215.39 feet to the point of beginning of the land to be described; thence continue North $01^{\circ}-14'-45''$ East, along said right of way line, a distance of 224.14 feet; thence Northerly and Westerly, along said right of way line, being a tangential curve concave to the West, having a radius of 1959.86 feet and a central angle of $6^{\circ}-53'-09''$, a distance of 235.54 feet; thence North $84^{\circ}-21'-36''$ East, along the right of way line of C.S.A.H. 138, a distance of 10.00 feet; thence Northerly and Westerly, along said right of way line, being a non-tangential curve concave to the West, having a radius of 1969.86 feet and a central angle of $3^{\circ}-16'-51''$, a distance of 112.80 feet and the chord of said curve bears North $07^{\circ}-16'-49''$ West; thence South $81^{\circ}-04'-45''$ West, along said right of way line a distance of 10.00 feet; thence North $08^{\circ}-55'-15''$ West, along said right of way line, a distance of 228.62 feet to the South line of said Government Lot 2; thence South $73^{\circ}-25'-56''$ East, along said south line also being the right of way line of C.S.A.H. 138, a distance of 60.93 feet; thence North $08^{\circ}-55'-15''$ West, along said right of way line, a distance of 336.22 feet; thence Northerly, along said right of radius of 1040.92 feet and a central angle of $05^{\circ}-06'-04''$, a distance of 92.67 feet; thence South $86^{\circ}-10'-49''$ West, along said right of way line, a distance of 55.00 feet; thence Northerly, along said right of way line, being a non-tangential curve concave to the East, having a radius of 1095.92 feet and a central angle of $17^{\circ}-19'-27''$, a distance of 331.37 feet and said chord bears North $04^{\circ}-50'-32''$ East; thence South $77^{\circ}-01'-26''$ East a distance of 266 feet, more or less, to the shore line of Wynne Lake; thence Southerly, along said shore line of Wynne Lake, to the intersection with a line bearing North $77^{\circ}-55'-00''$ East from said point of beginning; thence South $77^{\circ}-55'-00''$ West a distance of 110.00 feet, more or less, to the point of beginning.

TIF DISTRICT 1-2

DESCRIPTION OF REDEVELOPMENT PROPERTY

1. Parcel 1(A) (FUGLIE)

That part of Government Lot 1, Section 30, Township 59 North, Range 15 West of the Fourth Principal Meridian, described as follows:

Commencing at the Southwest corner of Government Lot 4, Section 30, Township 59 North, Range 15 West, thence North $16^{\circ}-42'-43''$ East (assumed bearing), along the West line of said Government Lot 4, a distance of 592.12 feet to the center line of C.S.A.H. 138; thence North $01^{\circ}-14'-45''$ East, along said center line, a distance of 199.04 feet; thence Northerly and Westerly, along said center line being a tangential curve concave to the West, having a radius of 1909.86 feet and a central angle of $10^{\circ}-10'-00''$, a distance of 338.89 feet; thence North $08^{\circ}-55'-15''$ West, along said center line also being the tangent of the last described curve, a distance of 538.62 feet; thence Westerly and Northerly, along said center line being a tangential curve concave to the East, having a radius of 1145.92 feet and a central angle of $27^{\circ}-24'-50''$, a distance of 548.28 feet; thence North $18^{\circ}-29'-35''$ East, along said center line also being the tangent to the last described curve, a distance of 688.46 feet; thence South $71^{\circ}-30'-25''$ East a distance of 50.00 feet to the intersection with the Easterly right of way line of C.S.A.H. 138 and said intersection being the point of beginning of the land to be described; thence North $18^{\circ}-29'-35''$ East, along said right of way line, a distance of 291.15 feet; thence South $71^{\circ}-31'-30''$ East a distance of 423 feet, more or less, to the shore line of Wynne Lake; thence Southerly, along said shore line, to the intersection with a line bearing South $80^{\circ}-20'-15''$ East from the point of beginning; thence North $80^{\circ}-20'-15''$ West a distance of 304 feet, more or less, to the point of beginning.

2. Parcel 2(A) (KARISH)

That part of Government Lot 1, Section 30, Township 59 North, Range 15 West of the Fourth Principal Meridian, described as follows:

Commencing at the Southwest corner of Government Lot 4, Section 30, Township 59 North, Range 15 West, thence North $16^{\circ}-42'-43''$ East (assumed bearing), along the West line of said Government Lot 4, a distance of 592.12 feet to the center line of C.S.A.H. 138; thence North $01^{\circ}-14'-45''$ East, along said center line, a distance of 199.04 feet; thence Northerly and Westerly,

along said center line being a tangential curve concave to the West, having a radius of 1909.86 feet and a central angle of $10^{\circ}-10'-00''$, a distance of 338.89 feet; thence North $08^{\circ}-55'-15''$ West, along said center line also being the tangent of the last described curve, a distance of 538.62 feet; thence Westerly and Northerly, along said center line being a tangential curve concave to the East, having a radius of 1145.92 feet and a central angle of $27^{\circ}-24'-50''$, a distance of 548.28 feet; thence North $18^{\circ}-29'-35''$ East, along said center line also being the tangent to the last described curve, a distance of 979.61 feet; thence South $71^{\circ}-30'-25''$ East a distance of 50.00 feet to the intersection with the Easterly right of way line of C.S.A.H. 138 and said intersection being the point of beginning of the land to be described; thence North $18^{\circ}-29'-35''$ East, along said right of way line, a distance of 228.49 feet; thence South $70^{\circ}-35'-08''$ East a distance of 402 feet, more or less, to the shore line of Wynne Lake; thence Southerly, along said shore line, to the intersection with a line bearing South $71^{\circ}-31'-30''$ East from the point of beginning; thence North $71^{\circ}-31'-30''$ West a distance of 423 feet, more or less, to the point of beginning.

3. Parcel 1(B) (FUGLIE)

An easement for a recreational trail over the Westerly 25.00 feet of the following described real property located in St. Louis County, State of Minnesota:

That part of Government Lot 1, Section 30, Township 59 North, Range 15 West of the Fourth Principal Meridian, described as follows:

Commencing at the Southwest corner of Government Lot 4, Section 30, Township 59 North, Range 15 West, thence North $16^{\circ}-42'-43''$ East (assumed bearing), along the West line of said Government Lot 4, a distance of 592.12 feet to the center line of C.S.A.H. 138; thence North $01^{\circ}-14'-45''$ East, along said center line, a distance of 199.04 feet; thence Northerly and Westerly, along said center line being a tangential curve concave to the West, having a radius of 1909.86 feet and a central angle of $10^{\circ}-10'-00''$, a distance of 338.89 feet; thence North $08^{\circ}-55'-15''$ West, along said center line also being the tangent of the last described curve, a distance of 538.62 feet; thence Westerly and Northerly, along said center line being a tangential curve concave to the East, having a radius of 1145.92 feet and a central angle of $27^{\circ}-24'-50''$, a distance of 548.28 feet; thence North $18^{\circ}-29'-35''$ East, along said center line also being the tangent to the last described curve, a distance of 688.46 feet; thence South $71^{\circ}-30'-25''$ East a distance of 50.00 feet to the intersection with the Easterly right of way line of C.S.A.H. 138 and said intersection

being the point of beginning of the land to be described; thence North 18°-29'-35" East, along said right of way line, a distance of 291.15 feet; thence South 71°-31'-30" East a distance of 423 feet, more or less, to the shore line of Wynne Lake; thence Southerly, along said shore line, to the intersection with a line bearing South 80°-20'-15" East from the point of beginning; thence North 80°-20'-15" West a distance of 304 feet, more or less, to the point of beginning, subject to easements of record.

4. Parcel 2(B) (KARISH)

An easement for a recreational trail over the Westerly 25.00 feet of the following described real property located in St. Louis County, State of Minnesota:

That part of Government Lot 1, Section 30, Township 59 North, Range 15 West of the Fourth Principal Meridian, described as follows:

Commencing at the Southwest corner of Government Lot 4, Section 30, Township 59 North, Range 15 West, thence North 16°-42'-43" East (assumed bearing), along the West line of said Government Lot 4, a distance of 592.12 feet to the center line of C.S.A.H. 138; thence North 01°-14'-45" East, along said center line, a distance of 199.04 feet; thence Northerly and Westerly, along said center line being a tangential curve concave to the West, having a radius of 1909.86 feet and a central angle of 10°-10'-00", a distance of 338.89 feet; thence North 08°-55'-15" West, along said center line being the tangent of the last described curve, a distance of 538.62 feet; thence Westerly and Northerly, along said center line being a tangential curve concave to the East, having a radius of 1145.92 feet and a central angle of 27°-24'-50", a distance of 548.28 feet; thence North 18°-29'-35" East, along said center line also being the tangent to the last described curve, a distance of 979.61 feet; thence South 71°-30'-25" East a distance of 50.00 feet to the intersection with the Easterly right of way line of C.S.A.H. 138 and said intersection being the point of beginning of the land to be described; thence North 18°-29'-35" East, along said right of way line, a distance of 228.49 feet; thence South 70°-35'-08" East a distance of 402 feet, more or less, to the shore line of Wynne Lake; thence Southerly along said shore line, to the intersection with a line bearing South 71°-31'-30" East from the point of beginning; thence North 71°-31'-30" West a distance of 423 feet, more or less, to the point of beginning.