

City of Big Lake Ordinance No. 2023-12

AN ORDINANCE ANNEXING LAND LOCATED IN BIG LAKE TOWNSHIP, SHERBURNE COUNTY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE

WHEREAS, all of the property owners of the lands described below have petitioned the Big Lake City Council to annex this property to the City of Big Lake, pursuant to Minnesota Statutes Section 414.033, subdivision 2(3); and:

WHEREAS, the property is unincorporated and abuts the City of Big Lake on its northern and western boundaries; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, the property is designated for future medium and high density housing, and annexation is requested to facilitate the extension of city services for industrial development of the property; and

WHEREAS, the area of land proposed for annexation is 5.695 acres; and

WHEREAS, City of Big Lake held a public hearing pursuant to Minnesota Statutes § 414.033, subd. 2b, on November 27th, 2023, following thirty (30) days' written notice by certified mail to Big Lake Township and to all landowners within and contiguous to the area legally described herein to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BIG LAKE HEREBY ORDAINS AS FOLLOWS:

1. The Land as described herein abuts the city limits and is or is about to become urban or suburban in nature in that industrial use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of Big Lake, Minnesota, are hereby extended to include the following described property, said land abutting the City of Big Lake

and being 120 acres or less in area, which is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

Parcel A

Part of the Northwest Quarter of the Southwest Quarter of Section 21, Township 33, Range 27, more particularly described as follows: Commencing at the Southeast corner of the Northwest Quarter of the Southwest Quarter of Section 21, Township 33, Range 27, thence North on and along the 1/16th section line a distance of 417.5 feet, thence West at right angles to the said 1/16th section line a distance of 417.5 feet to place of beginning; thence continuing West and parallel to the South line of said Northwest Quarter of the Southwest Quarter of Section 21 a distance of 417.5 feet, thence South and parallel to said 1/16th section line to the South line of the Northwest Quarter of the Southwest Quarter of Section 21; thence East on and along the South line of the Northwest Quarter of the Southwest Quarter of Section 21, a distance of 417.5 feet, thence North to the place of beginning.

Tax Parcel Property ID No. 10-121-3201

Parcel B

The Northwest Quarter of the Southwest Quarter (NW¼ SW¼), 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 Northwest Quarter of the Southwest Quarter (NW¼ SW¼) of Section Twenty-one (21); thence North on and along the 1/16 section line a distance of 417.5 feet; thence West at right angles to the said 1/16 section line a distance of 835 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 (NW¼ SW¼) of Section Twenty-one (21); thence East on and along the said South line of the Northwest Quarter of the Southwest Quarter (NW¼ SW¼) of Section Twenty-one (21) to the point of beginning. AND Except the East 417.5 feet of the Northwest Quarter of the Southwest Quarter (NW¼ SW¼) of Section Twenty-one (21), Township Thirty-three (33), Range Twenty-seven (27). AND except that part of the Northwest Quarter of the Southwest Quarter (NW¼ SW¼) of Section Twenty-one (21), Township Thirty-three (33), Range Twenty-seven (27), lying North of the South 567.50 feet AND Except property platted as Big Lake Industrial Park East Plat Two, Big Lake Industrial Part East Plat Three and Big Lake Industrial Park East Plat Four.

Tax Parcel Property ID No. 10-121-3202

The above-described property consists of a total of 5.695 acres, more or less.

Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. That the population of the area legally described herein and hereby annexed is zero.
5. The City of Big Lake, pursuant to Minnesota Statutes § 414.036, shall provide reimbursement to Big Lake Township to compensate the town for the loss of taxable property in the amount of Two Thousand Nine Hundred Fifty-Six Dollars (\$2,956.00), which represents one (1) year of township taxes on the property, payable in two (2) annual payments in accordance with the following schedule:
 1. In 2025, an amount equal to One Thousand Four Hundred Seventy-Eight Dollars (\$1,478.00);

(1/2 total amount)
 2. In 2026, an amount equal to One Thousand Four Hundred Seventy-Eight Dollars (\$1,478.00);

There are no outstanding assessments against the Land.

6. That the City Clerk of the City of Big Lake is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Sherburne County Auditor, and the Big Lake Township Clerk.
7. That the Office of Administrative Hearings is hereby requested to issue its order approving this annexation.
8. This ordinance shall be effective immediately upon its passage and publication, and approval by the Office of Administrative Hearings, Boundary Adjustments, and State of Minnesota.

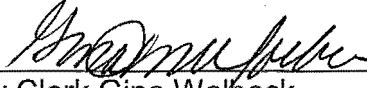
Adopted by the Big Lake City Council this 27th day of November, 2023.

CITY OF BIG LAKE



Mayor Paul Knier

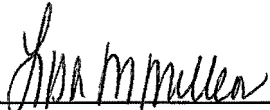
Attest:


City Clerk Gina Wolbeck

Drafted by:
City of Big Lake
160 North Lake Street
Big Lake, MN 55309

STATE OF MINNESOTA)
) SS.
COUNTY OF SHERBURNE)

The foregoing instrument was acknowledged before me this 21 day of November, 2023 by Paul Knier and Gina Wolbeck, the Mayor and City Clerk respectively of the City of Big Lake, a Minnesota municipal corporation, on behalf of the corporation.

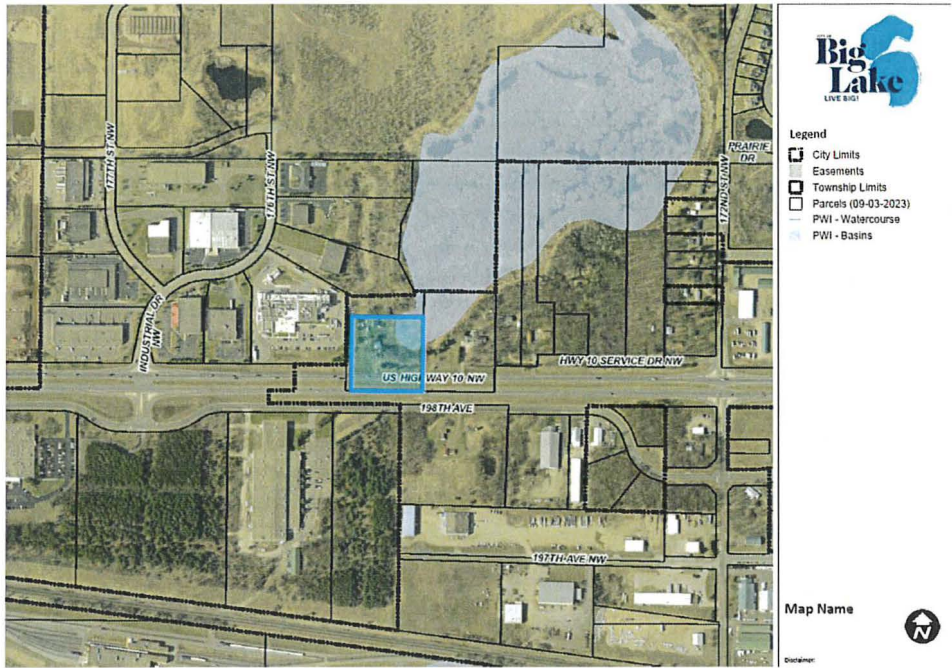


Notary Public

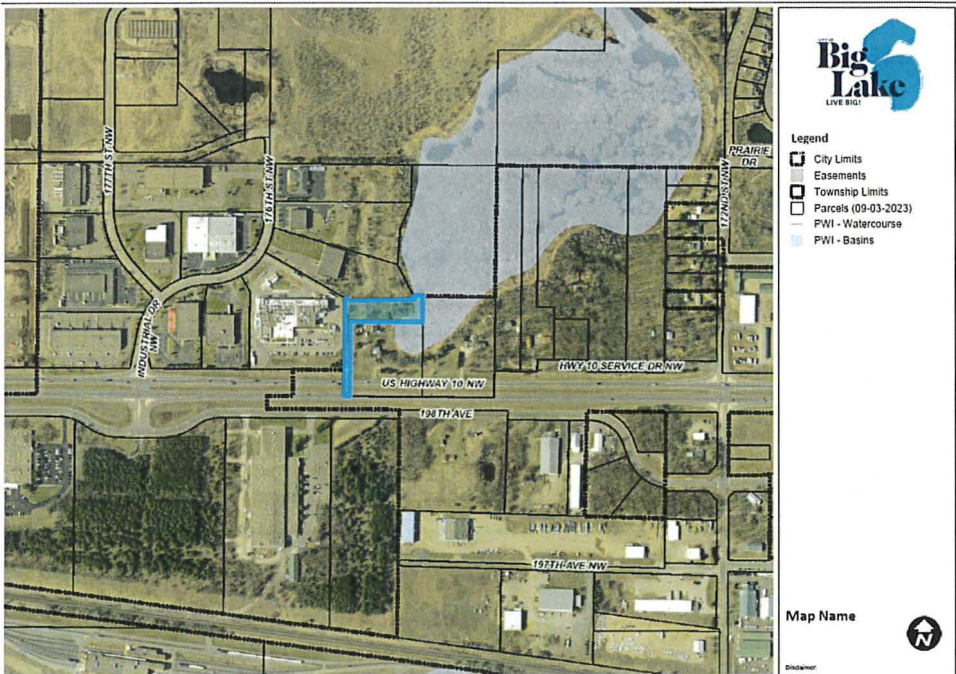


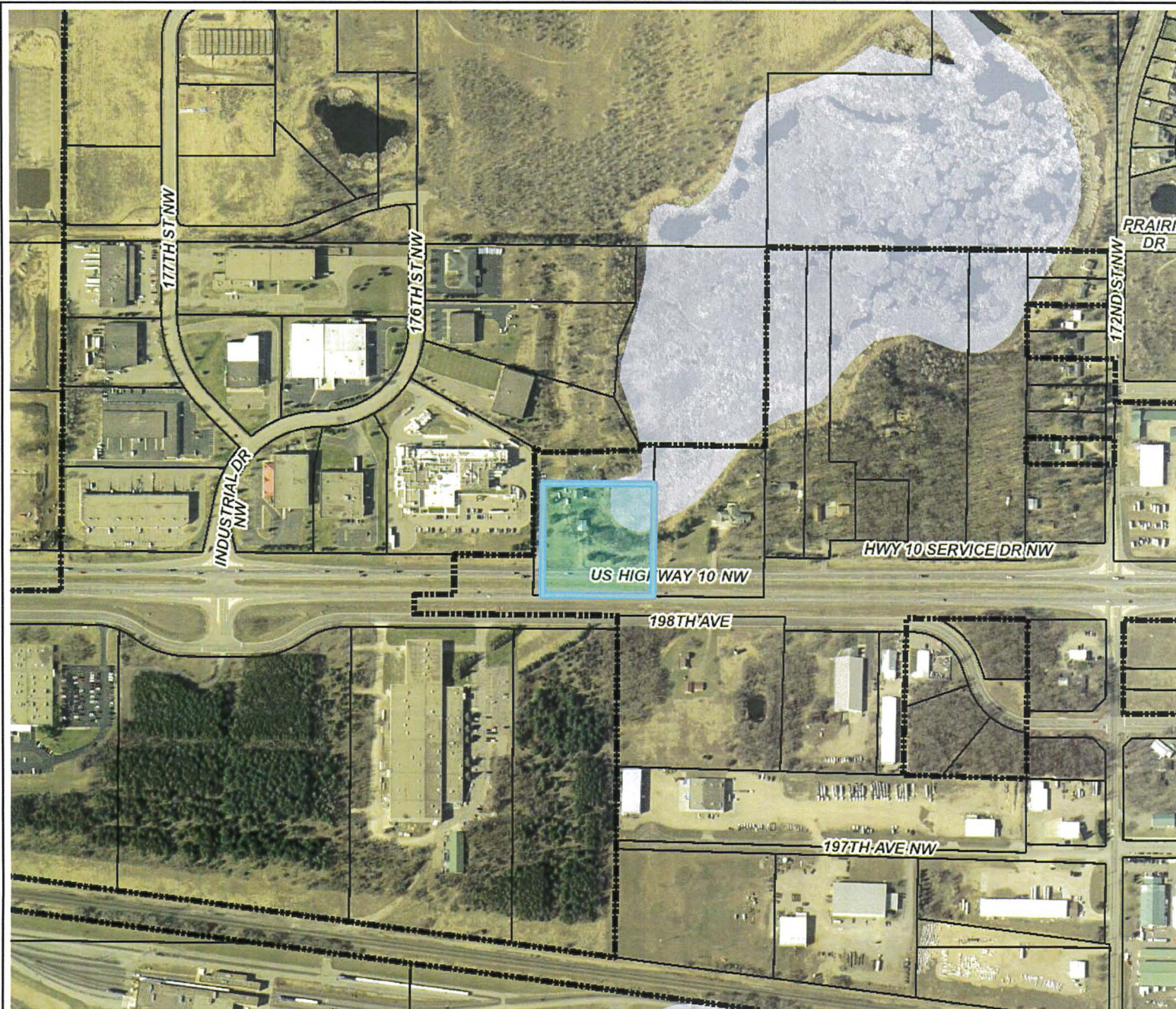
Exhibit A
Maps Showing Parcels, Survey, and City Boundary

Parcel No. 10-121-3201



Parcel No. 10-121-3202





Legend

-  City Limits
-  Easements
-  Township Limits
-  Parcels (09-03-2023)
-  PWI - Watercourse
-  PWI - Basins

Parcel No.
10.121.3201
(Parcel A)

Map Name



Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of BigLake is not responsible for any inaccuracies herein contained.

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Legend

- City Limits
- Easements
- Township Limits
- Parcels (09-03-2023)
- PWI - Watercourse
- PWI - Basins

Parcel No.
10.121.3002
(Parcel B)

Map Name



Disclaimer:

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of BigLake is not responsible for any inaccuracies herein contained.

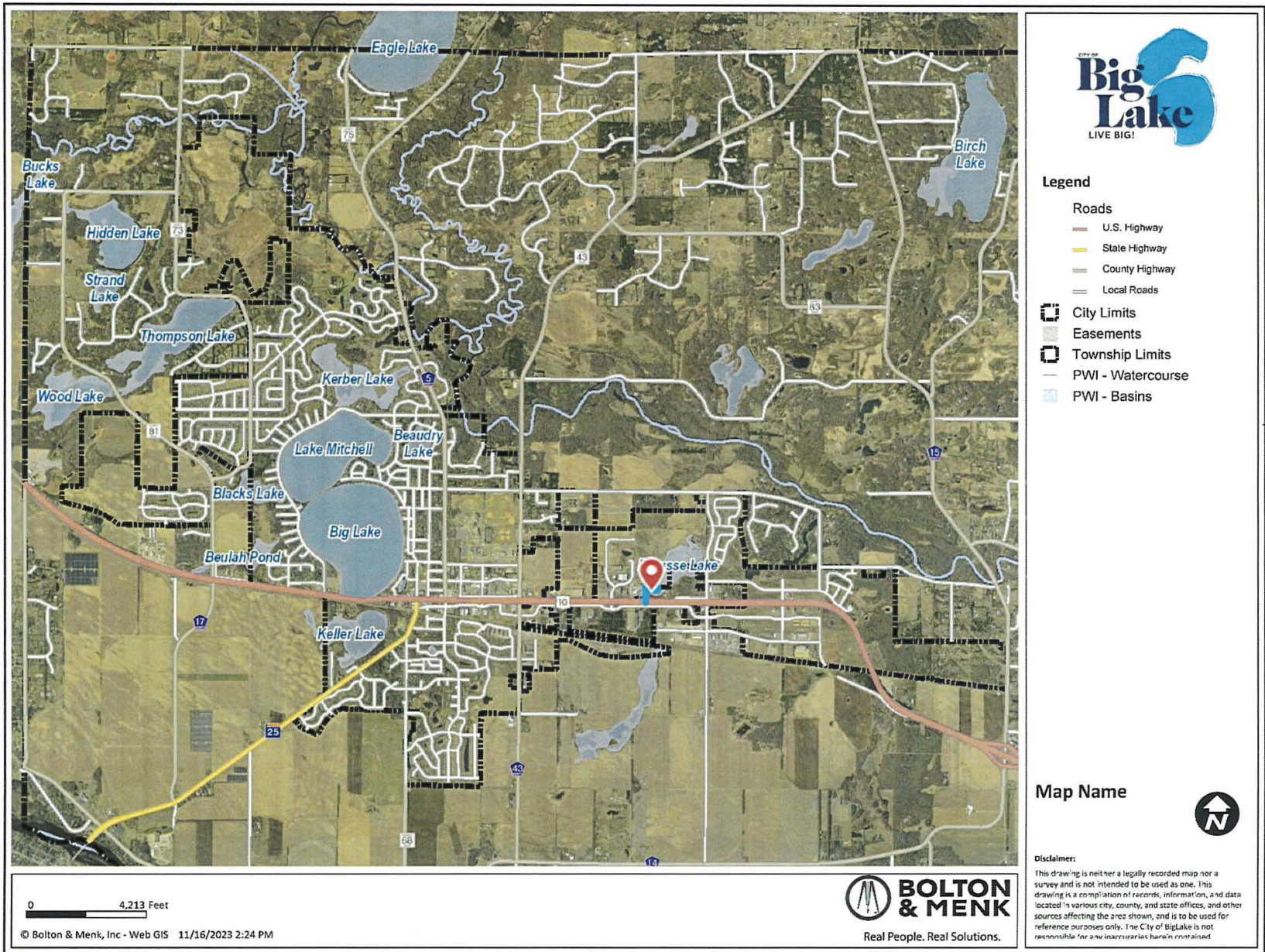
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RECEIVED

By: OAH on March 15, 2024

**City of Big Lake
Ordinance No. 2024-03**

**AN ORDINANCE ANNEXING LAND LOCATED IN BIG LAKE TOWNSHIP,
SHERBURNE COUNTY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES
§ 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE**

WHEREAS, all of the property owners of the lands described below have petitioned the Big Lake City Council to annex this property to the City of Big Lake, pursuant to Minnesota Statutes Section 414.033, subdivision 2(3); and

WHEREAS, the property is unincorporated and is surrounded by property proposed for annexation to the City of Big Lake, by Ordinance No. 2023-12, approved by the Big Lake City Council on November 27, 2023; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, the property is designated for future medium and high density housing, and annexation is requested to correct an erroneous omission that occurred when the primary parcel was originally annexed into the City by Ordinance No. 2023-12 dated November 27, 2023; and

WHEREAS, the area of land proposed for annexation is less than an acre; and

WHEREAS, City of Big Lake held a public hearing pursuant to Minnesota Statutes § 414.033, subd. 2b, on March 13, 2024, following thirty (30) days' written notice by certified mail to Big Lake Township and to all landowners within and contiguous to the area legally described herein to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BIG LAKE HEREBY
ORDAINS AS FOLLOWS:**

1. The Land as described herein is surrounded by property proposed for annexation to the City of Big Lake by Ordinance No. 2023-12, and is or is about to become urban or suburban in nature in that industrial use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.

3. The corporate limits of the City of Big Lake, Minnesota, are hereby extended to include the following described property, said land abutting the City of Big Lake and being 120 acres or less in area, which is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

Part of the Northwest Quarter of the Southwest Quarter of Section 21, Township 33, Range 27, more particularly described as follows: Commencing at the Southeast corner of the Northwest Quarter of the Southwest Quarter of Section 21, Township 33, Range 27, thence North on and along the 1/16th section line a distance of 417.5 feet, thence West at right angles to the said 1/16th section line a distance of 417.5 feet to place of beginning; thence continue perpendicular to the said 1/16th section line a distance of 417.5 feet; thence southerly parallel with the said 1/16th section line a distance of 1.48 feet; thence easterly parallel to the south line of said northwest quarter of the southwest quarter a distance of 417.5 feet to the point of beginning.

Portion of Tax Parcel Property ID No. 10-00121-3201

The above-described property consists of a total of less than one acre, more or less. Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. That the population of the area legally described herein and hereby annexed is zero.
5. That the City Clerk of the City of Big Lake is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Sherburne County Auditor, and the Big Lake Township Clerk.
6. That the Office of Administrative Hearings is hereby requested to issue its order approving this annexation.
7. This ordinance shall be effective immediately upon its passage and publication, and approval by the Office of Administrative Hearings, Boundary Adjustments, and State of Minnesota.

Adopted by the Big Lake City Council this 13th day of March, 2024.

CITY OF BIG LAKE



Mayor Paul Knier

Attest:



City Clerk Gina Wolbeck

Drafted by:
City of Big Lake
160 North Lake Street
Big Lake, MN 55309

STATE OF MINNESOTA)
) SS.
COUNTY OF SHERBURNE)

The foregoing instrument was acknowledged before me this 13th day of March, 2024 by Paul Knier and Gina Wolbeck, the Mayor and City Clerk respectively of the City of Big Lake, a Minnesota municipal corporation, on behalf of the corporation.

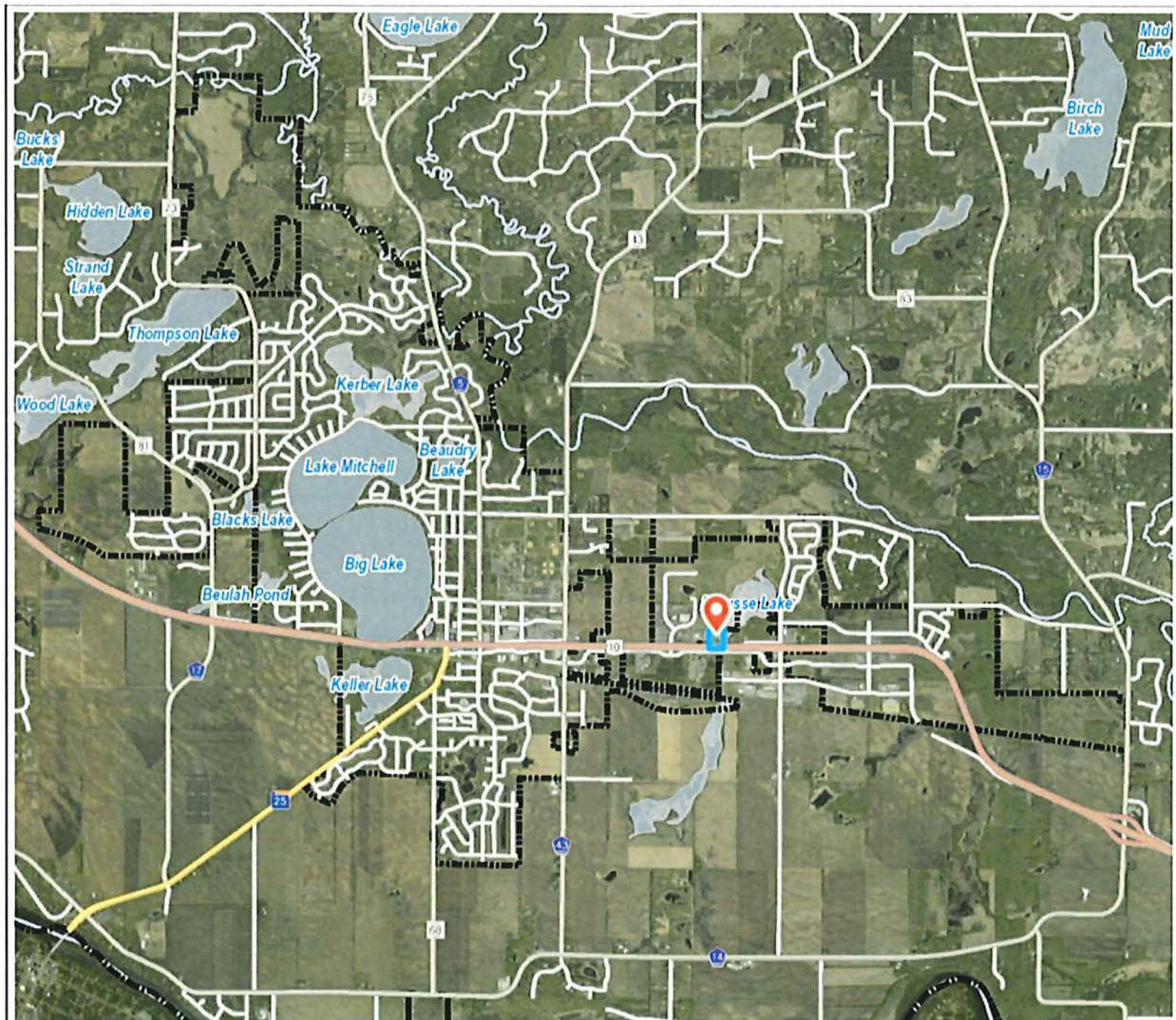


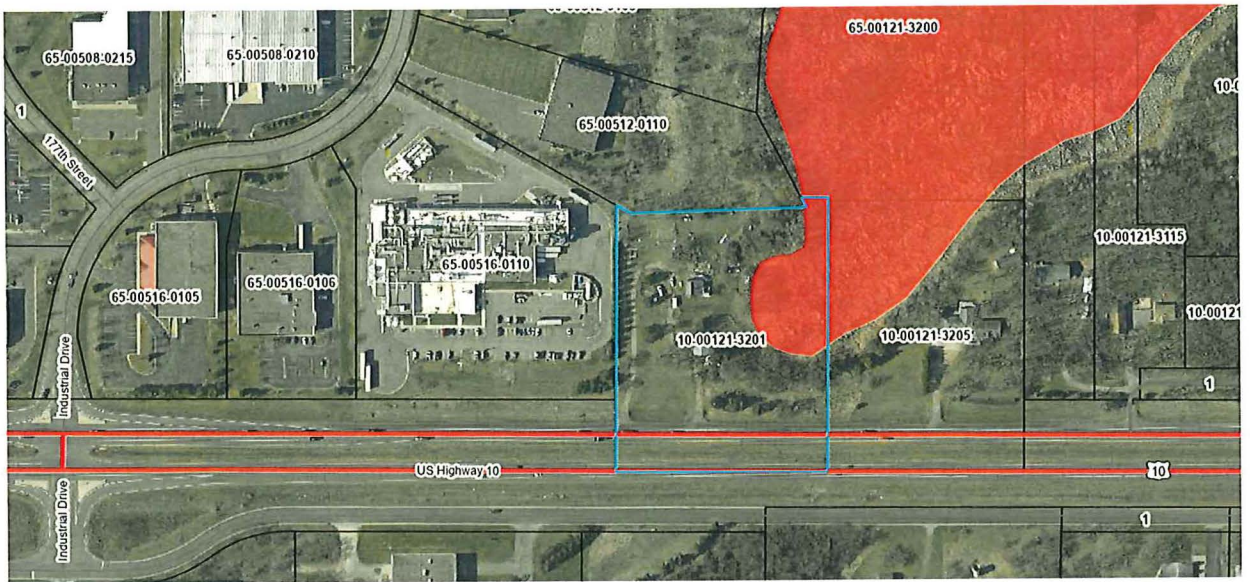
Notary Public



Exhibit A

MAPS SHOWING CITY LIMITS, SURROUNDING PROPERTY, AND SECTION OF PARCEL BEING ANNEXED





DETAIL (NOT TO SCALE)

