

**JOINT RESOLUTION NO. 2005-07
TOWN OF BIG LAKE AND CITY OF BIG LAKE
SHERBURNE COUNTY**

**A JOINT RESOLUTION FOR ANNEXATION OF LAND TO THE
CITY OF BIG LAKE**

WHEREAS, Big Lake Township (the "Township") and the City of Big Lake (the "City") desire to plan appropriately for growth and development in each community; and

WHEREAS, the Township and City desire to prevent the premature conversion of agricultural land for urban development; and

WHEREAS, the Township and City are working together to promote contiguous and orderly growth patterns, consistent with the goals and policies of each community's comprehensive plan; and

WHEREAS, the Township and City acknowledge it is in the best interests of the residents of each community to work cooperatively in the future planning and development of the areas abutting the common borders of the communities; and

WHEREAS, the Township and the City have received a petition for annexation from the owner of property contiguous to the City in the approximate amount of 2.677 acres.

WHEREAS, the use or development proposal is determined by the City of Big Lake to be consistent with the City's adopted land use plan, and utilities are available to the OAA.

NOW, THEREFORE, BE IT RESOLVED the Township and City agree to the following terms and conditions:

1. The Township and City hereby establish an Orderly Annexation Area ("OAA") as authorized by Minnesota Statute §414.0325, Subdivision 1, as shown on the attached Exhibit A and legally described on Exhibit B.

2. The property located within the OAA, shown on Exhibit A and described in Exhibit B, may be immediately annexed to the City without contest by the Township.
3. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction upon the Department of Administration so as to accomplish the orderly annexation of the lands described in the attached Exhibit A in accordance with the terms of this joint resolution and agreement.
4. The City and the Township mutually state that no alteration of the stated boundaries is appropriate, no conditions for the annexation are required, and no consideration by the Department of Administration is necessary.
5. Having designated the area illustrated on Exhibit A and described in Exhibit B as in need of orderly annexation, and having provided for all of the conditions of its annexation within this document, the parties to this agreement agree that The Department of Administration may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Resolution.
6. The parties may amend this joint resolution by mutual consent at any time.

Approved and Adopted this
12th day of October, 2005.

BIG LAKE TOWNSHIP

Ewald Petersen
Ewald Petersen, Chair

Attest:

Laura Hayes
Laura Hayes, Township Clerk

Approved and Adopted this
12th day of October, 2005.

CITY OF BIG LAKE

Donald Orrock
Donald Orrock, Mayor

Attest:

Gina Wolbeck
Gina Wolbeck, City Clerk

Whereupon the motion was duly passed and executed.

The following Council Members voted in favor: Heitz, Kampa, Langsdorf, May, and Orrock.
The following Council Members voted against or abstained: None.

The following Town Board Members voted in favor: Petersen, Alfords, Sanford, Quinn, and Leslie.

The following Town Board Members voted against or abstained: None.

Document prepared by: City of Big Lake
160 Lake Street North
Big Lake MN 55309
(763) 263-2107

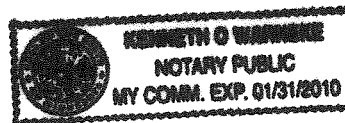
Attachments:

Exhibit A-I: OAA Site Location Map
Exhibit A-II: Certificate of Survey
Exhibit B: Legal Description

STATE OF MINNESOTA)
SS.
COUNTY OF Sherburne)

The foregoing instrument was acknowledged before me this 20 day of October, 2005, by Ewald Petersen the Chair of the Town of Big Lake, and Laura Hayes, the Clerk of the Town of Big Lake, Minnesota.

Kenneth O. Warnke
Notary Public



STATE OF MINNESOTA)
SS.
COUNTY OF Wright)

The foregoing instrument was acknowledged before me this 21 day of October, 2005, by Donald Orrock, the Mayor of the City of Big Lake, and Gina Wolbeck, the City Clerk of the City of Big Lake, a Minnesota municipal corporation, on behalf of the corporation.

Cathleen Lindberg
Notary Public

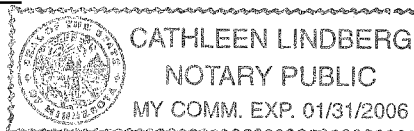


Exhibit "B"
LEGAL DESCRIPTIONS (Fennema Property)

Acres: 2.677

Parcel No. 10-118-4110

DESCRIPTION OF RECORD:

That part of the North Half of the Southeast Quarter of Section 18, Township 33, Range 27, Sherburne County, Minnesota described as follows: Commencing at the intersection of the easterly right of way line of County Road No. 5 with the north line of said Southeast Quarter, said point being distant 1191.09 feet east from the northwest corner of said Southeast Quarter; thence east along said north line thereof, a distance of 313.81 feet; thence south at right angles to said north line thereof, a distance of 390.00 feet; thence west parallel with said north line thereof, a distance of 247.24 feet more or less to its intersection with the easterly right of way line of said County Road No. 5; thence northerly along said easterly right of way line to point of beginning. Containing 2.4 acres more or less according to the Government Survey thereof.

SURVEYORS NOTE: The above description is ambiguous and not traceable because of the old easterly right of way line of County Road No. 5 cannot be established. The following described tracts properly described the property as occupied by old fence lines and also adjoins to the property to the west.

Tract A:

That part of the Southeast Quarter of Section 18, Township 33, Range 27, Sherburne County, Minnesota described as follows: Commencing at the northeast corner of said Southeast Quarter; thence on an assumed bearing of North 89 degrees 24 minutes 12 seconds West along the north line of said Southeast Quarter, a distance of 1107.95 feet to the point of beginning of the land to be described; thence South 1 degree 47 minutes 53 seconds West, a distance of 10.23 feet; thence North 87 degrees 51 minutes 08 seconds West, a distance of 308.07 feet to the east line of BEAUDRY ESTATES according to the recorded plat thereof; thence North 0 degrees 49 minutes 10 seconds West along said east line, a distance of 1.89 feet to said north line of the Southeast Quarter being the northeast corner of said BEAUDRY ESTATES; thence South 89 degrees 24 minutes 12 seconds East along said north line, a distance of 308.21 feet to the point of beginning.

Tract B:

That part of the Southeast Quarter of Section 18, Township 33, Range 27, Sherburne County, Minnesota described as follows: Commencing at the northeast corner of said Southeast Quarter; thence on an assumed bearing of North 89 degrees 24 minutes 12 seconds West along the north line of said Southeast Quarter, a distance of 1107.95 feet; thence South 1 degree 47 minutes 53 seconds West, a distance of 10.23 feet to the point of beginning of the land to be described; thence North 87 degrees 51 minutes 08 seconds West, a distance of 308.07 feet to the east line of BEAUDRY ESTATES according to the recorded plat thereof; thence South 0 degrees 49 minutes 10 seconds East along said east line, a distance of 390.12 feet; thence South 87 degrees 44 minutes 25 seconds East, a distance of 290.24 feet to the intersection of a line bearing South 1 degree 47 minutes 53 seconds West from the point of beginning; thence North 1 degree 47 minutes 53 seconds East, a distance of 390.17 feet to the point of beginning.

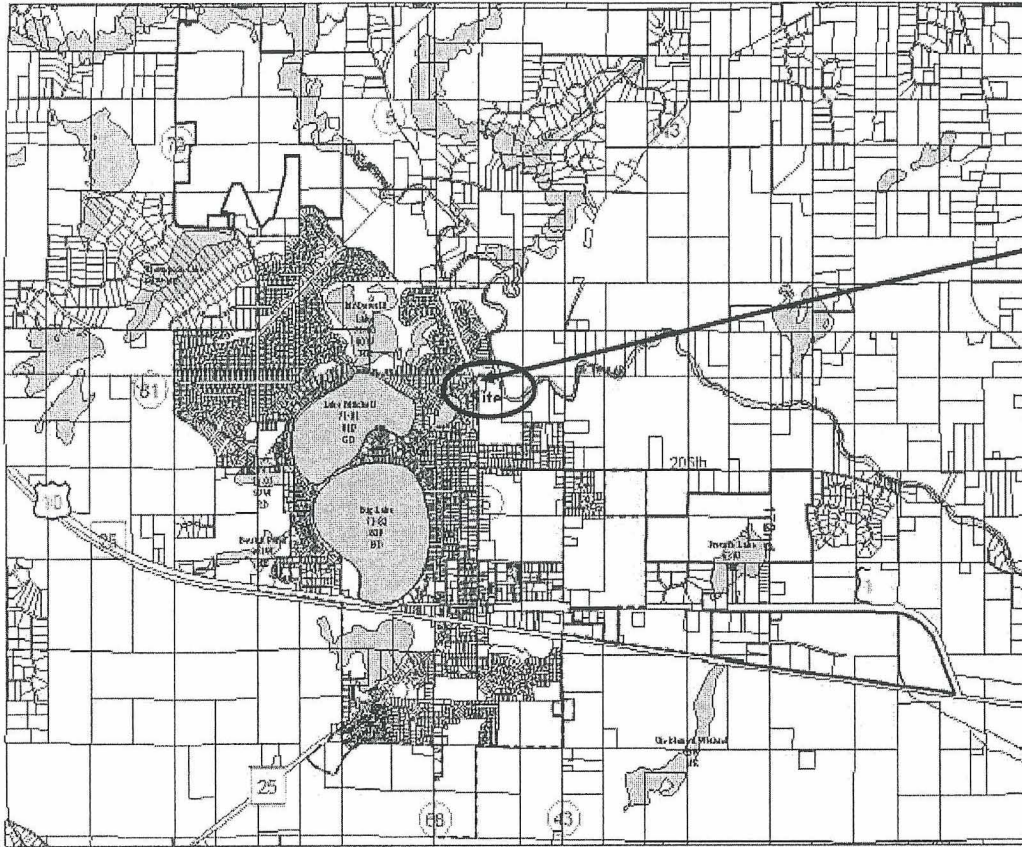
Exhibit B

REC'D BY
ALM B

NOV 15 2005

Exhibit "A"
OAA SITE LOCATION MAPS – Three Maps

ORDERLY ANNEXATION REQUEST



**Lewis and
Harriet
Fennema**

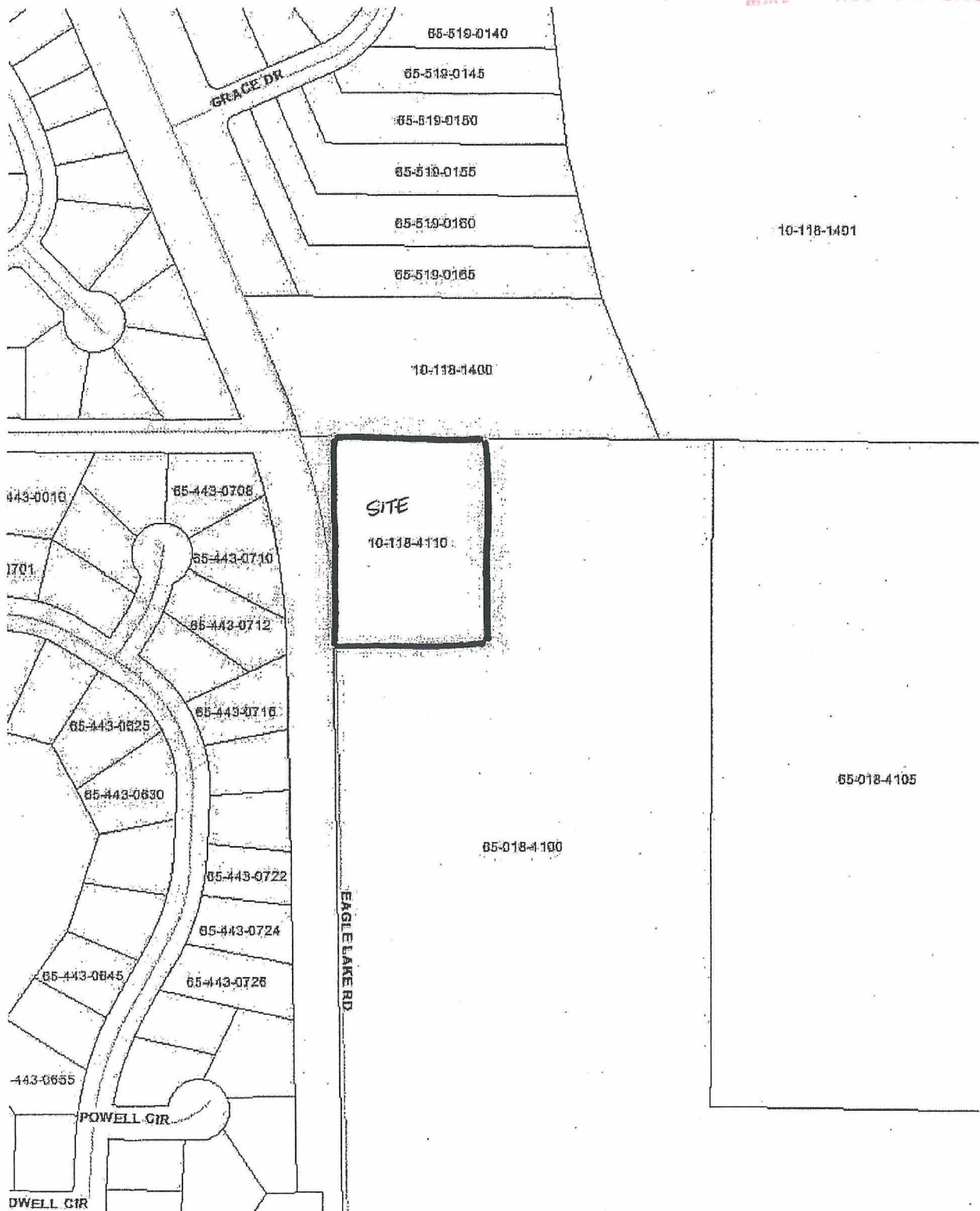
Parcel No.
10-118-4110

2.677 Acres



REC'D BY
M M B

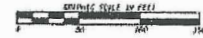
NOV 15 2005



REC'D BY
MMA NOV 15 2005

CERTIFICATE OF SURVEY

FOR
LEWIS FENNEMA



REMARKS:
1. 100% RECENT SURVEY
2. 1/2 1921 & 1/2 1922 (20% REMOVED) 1/2
3. 1/2 1921 & 1/2 1922 (20% REMOVED) 1/2

DESCRIPTION OF RECORD

That part of the North Half of the Southeast Quarter of Section 11, Township 33, Range 77, Blue Earth County, Minnesota described as follows: Commencing at the intersection of the westerly right of line of County Road No. 4 with the north line of said Southeast Quarter, said point being distant 1191.00 feet west from the northwest corner of said Southeast Quarter; thence east along said north line thereof, a distance of 313.01 feet; thence south at 91 angles to said north line thereof, a distance of 290.00 feet; thence west parallel with said north line thereof, a distance of 247.24 feet or less to its intersection with the westerly right of way of said County Road No. 4; thence northerly along said easterly right of way line to point of beginning. Containing 2.4 acres and or less according to the Government Survey thereon.

SURVEYOR'S NOTE: The above description is authentic and not transcribed because of the old easterly right of way line of County Road No. 4 cannot be established. The following described tract properly described the property as occupied by old fence lines and also adjoins to the property in the west.

TRACT A:

That part of the Southeast Quarter of Section 11, Township 33, Range 77, Blue Earth County, Minnesota described as follows: Commencing at the northeast corner of said Southeast Quarter; thence on an azimuth bearing of North 89 degrees 24 minutes 12 seconds West along the north line of said Southeast Quarter, a distance of 1197.57 feet to the point of beginning of the land to be described; thence South 89 degrees 47 minutes 33 seconds West, a distance of 10.21 feet; then North 87 degrees 51 minutes 00 seconds West, a distance of 300.07 feet to the east line of BEAUMONT ESTATES according to the recorded plat thereof; thence North 8 degrees 40 minutes 10 seconds West along said east line, a distance of 1.00 foot to said north line of the Southeast Quarter being the northeast corner of said BEAUMONT ESTATES; thence South 89 degrees 24 minutes 12 seconds East along said north line, a distance of 300.21 feet to the point of beginning.

TRACT B:

That part of the Southeast Quarter of Section 11, Township 33, Range 77, Blue Earth County, Minnesota described as follows: Commencing at the northeast corner of said Southeast Quarter; thence on an azimuth bearing of North 89 degrees 24 minutes 12 seconds West along the north line of said Southeast Quarter, a distance of 1197.57 feet; thence South 1 degree 47 minutes 53 seconds West, a distance of 10 feet to the point of beginning of the land to be described; thence North 87 degrees 51 minutes 00 seconds West, a distance of 300.07 feet to the east line of BEAUMONT ESTATES according to the recorded plat thereof; thence South 8 degrees 40 minutes 10 seconds West along said east line, a distance of 290.12 feet; thence South 87 degrees 41 minutes 25 seconds East, a distance of 290.25 feet to the intersection of a line bearing South 1 degree 47 minutes 53 seconds West from the point of beginning; thence North 1 degree 47 minutes 53 seconds East, a distance of 300.17 feet to the point of beginning.

I HEREBY CERTIFY THAT THIS SURVEY IS AN ORIGINAL SURVEY MADE BY ME OR BY DIRECT SUPERVISION AND THAT I AM A QUALIFIED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Dennis P. Taylor
DENNIS P. TAYLOR REG. NO. 1973 DATE

EASEMENTS OF RECORD ARE SHOWN OR DOCUMENTATION IS PROVIDED TO US. SURVEY ONLY IF PROPER SUBJECT TO PUBLIC RIGHT OF WAY AND EASEMENTS OF RECORD IF ANY.

TAYLOR LAND SURVEYORS, INC.

213 W. BROADWAY, S.W. BOX 170
MOUNTAIN VIEW, OK 73052
PHONE 782-2525 FAX 782-2525-JAM

OWNER	CHANGED BY	DATE	FILE NO.	SCALE	DATE	FILE NO.
11	11	11	11	11	11	11