

**TOWN OF BIG LAKE
CITY OF BIG LAKE
SHERBURNE COUNTY, MINNESOTA**

JOINT RESOLUTION NO. 2007-01

**JOINT RESOLUTION OF THE TOWN OF BIG LAKE AND THE CITY OF BIG
LAKE DESIGNATING AN UNINCORPORATED AREA AS IN NEED OF
ORDERLY AND CONFERRING JURISDICTION OVER SAID AREA TO THE
OFFICE OF ADMINISTRATIVE HEARINGS, BOUNDARY ADJUSTMENTS,
PURSUANT TO MINNESOTA STATUTES § 414.0325**

WHEREAS, the owner of the following property ("Property") has requested annexation by the City. This Property is referred to as:

Fee Owner: Truman Sanford & Sons, Inc.
PID #10-120-3403 & #10-129-2101
Legal Description: See Exhibit A; and

WHEREAS, the Property abuts/is located along the southeastern border of the City as shown on the map(s) attached as Exhibit B, contains approximately 41.97 acres, and has a population of zero (0); and

WHEREAS, the Property lies entirely within the County of Sherburne, State of Minnesota, and no portion thereof is currently included within the corporate limits of any incorporated municipality, and otherwise qualifies under state law for annexation to the City; and

WHEREAS, it is in the best interest of the City, the Township and their respective residents for the City and Township to agree to orderly annexation of the Property in furtherance of orderly growth, the efficient delivery of public services, and the protection of the public health, safety, and welfare; and

WHEREAS, the City and the Township, following due notice thereof and in accordance with Minnesota Statutes § 414.0325, conducted a joint informational meeting concerning this proposed orderly annexation agreement on February 27, 2007; and

WHEREAS, as a result of these processes, the City and the Township are in agreement as to the procedures and process for orderly annexation of said Property and desire to set forth the terms and conditions of such orderly annexation by means of this Joint Resolution for Orderly Annexation ("Joint Resolution").

NOW THEREFORE BE IT RESOLVED by the City of Big Lake and the Town of Big Lake that:


1. **Designation of Area to be Annexed.** That as a result of the City's proposed provision of urban services to, and urban development of the Property, the previously described area in Big Lake Township, Sherburne County, is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and the parties hereby designate this area for annexation under this orderly annexation agreement.
2. **Timing of Annexation.** Upon execution and filing of this Joint Resolution, jurisdiction is hereby conferred upon the Office of Administrative Hearings, Boundary Adjustments.
3. **Joint Planning.** That since the Property will be immediately annexed to the City upon adoption of this Joint Resolution and approval of the State, joint planning pursuant to M.S. § 414.0325, Subd. 5, is not warranted. The City of Big Lake will, upon annexation, serve as the reviewing agency and local government unit for the purpose of any land use, subdivision, and environmental review of the proposed development and the proposed development will be subject to and comply with the comprehensive plan and official controls of the City of Big Lake.
4. **Electrical Service.** That the annexation of the property will not result in any change of electrical service.
5. **City Reimbursement to Township to Annex Taxable Property.** That the City and Township hereby agree that the Order effecting the annexation shall reference the obligation of the City to reimburse the Township for the lost taxes from the annexed property as required by Minnesota Statutes § 414.036 as detailed in Exhibit C and that there are no special assessments assigned by the Township to the annexed property or any portion of debt incurred by the Township prior to the annexation and attributable to the property but for which no special assessments are outstanding.
6. **Filing of Joint Resolution.** Upon execution by the respective governing bodies of the City and Township, the City shall file this Joint Resolution with the Office of Administrative Hearings, Boundary Adjustments (or its successor agency).
7. **Alteration of Boundaries Not Authorized.** That both the Township of Big Lake and the City of Big Lake agree, pursuant to M.S. § 414.0325, Subd. 1(f), that no alteration of the stated boundaries of this agreement is appropriate. Furthermore, each party agrees that pursuant to M.S. § 414.0325, Subd. 1(g) no consideration by the Office of Boundary Adjustments is necessary, and that upon receipt of this resolution and agreement, passed and adopted by each party, the Director of the Office of Boundary Adjustments may review and comment but shall, within thirty (30) days, immediately order the annexation in accordance with the terms of this Joint Resolution.

8. **Correction of Errors.** In the event that there are errors, omissions or any other problems with the legal description, mapping, or tax reimbursement provided in the attached Exhibits the parties agree to make such corrections and file any additional documentation, including a new Exhibit making the corrections requested or required by the Office of Administrative Hearings, Boundary Adjustments as necessary to make effective the annexation of said area in accordance with the terms of this Joint Resolution, without the necessity of re-adopting this Joint Resolution.

Approved and Adopted this
28th day of February, 2007.

Approved and Adopted this
28th day of February, 2007

BIG LAKE TOWNSHIP


Norm Leslie, Acting Chair

CITY OF BIG LAKE


Donald Orrock, Mayor

Attest: 
Laura Hayes, Township Clerk

Attest: 
Gina Wolbeck, City Clerk

Whereupon the motion was duly passed and executed.

The following Council Members voted in favor:

Dick Backlund, Chuck Heitz, Patricia May, and Mayor Don Orrock.

The following Council Members voted against or abstained:

None.

The following Town Board Members voted in favor:

Mike Hayes, Acting Chair Norm Leslie, and Dave Quinn.

The following Town Board Members voted against or abstained:

Chair Jim Sanford Abstained.

Document prepared by: Campbell Knutson
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, MN 55121

REC'D BY
M.M.C.

MAR 09 2007

EXHIBIT "A"

Legal Description of Property

REC'D BY
MMD

MAR 09 2007

The Southeast Quarter of the Southwest Quarter of Section 20 lying south of the southerly right of way line of the Burlington Northern Railroad and Northeast Quarter of the Northwest Quarter of Section 29 all in Township 33, Range 27, Sherburne County, Minnesota except the South 280.00 feet of said Northeast Quarter of the Northwest Quarter as measured at right angle to the south line of said Northeast Quarter of the Northwest Quarter. Subject to the right of way public roads and subject to easements of record, if any.

STANDARD TITLE

No. 5034

received
2.9.07
8:56am

OWNERS DUPLICATE CERTIFICATE

Transfer from No. 4781 & 4782 Originally registered the 21st
day of November 19 91 Volume 16 Page 67 & 68

REGISTRATION

STATE OF MINNESOTA,
COUNTY OF SHERBURNE

THIS IS TO CERTIFY, That Truman Sanford & Sons, Inc.
19292 County Road 43 Big Lake, Minnesota 55309 of the City of Big
County of Sherburne and State of Minnesota
is now the owner of an estate, to-wit: In Fee Simple

of and in the following described land situated in the County of Sherburne and State of Minnesota, to-wit:

The Southeast Quarter of the Southwest Quarter of Section 20 lying south of the southerly right of way line of the Burlington Northern Railroad and the Northeast Quarter of the Northwest Quarter of Section 29, all in Township 33, Range 27, Sherburne County, Minnesota, except the South 280.00 feet of said Northeast Quarter of the Northwest Quarter as measured at a right angle to the south line of said Northeast Quarter of the Northwest Quarter.

REC'D BY
M.M.D.
MAR 09 2007

EXHIBIT "B"

REC'D BY
MME

MAR 09 2007

Corporate Boundary Map and More Detailed Map of Annexation Area

REC'D BY
M.M.B.

MAR 09 2007

NORTHERN

5° 82' 59" 51" E

RAILROAD

1334.53

PID # 10.120.3403

approximately
10.32
ACRES

SOUTH LINE OF THE SW 1/4 OF SECTION 20

PARCEL B

41.97 ACRES

PID # 10.129.2101

approximately
31.51
ACRES

NO. LINE OF 50.
280.00 FT., NE 1/4,
NW 1/4

TRANSFORMER
POWER POLE - 442.49

N 89° 58' 47" W

1327.46

NO. LINE OF THE SE 1/4, NW 1/4
AND THE 50. LINE OF THE NE 1/4
OF THE NW 1/4

LINE OF THE NW 1/4
SECTION 29 (N-5 1/4 LINE)

NE
SECT.
CORN
20,
CO.

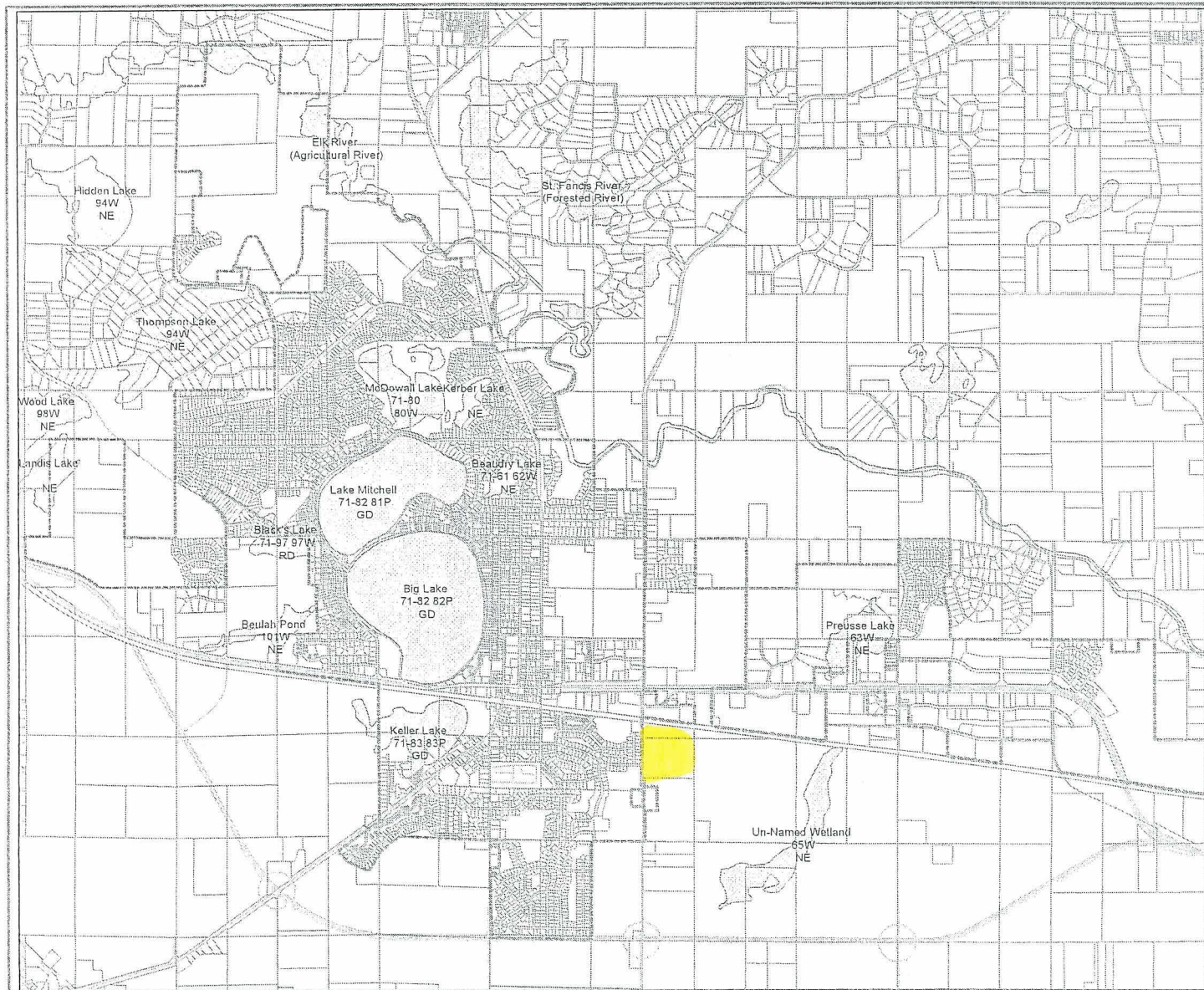
EXHIBIT "C"

City Reimbursement to Town Pursuant to M.S. § 414.036

The City and Township agree that upon annexation of the Subject Area legally described in Exhibit A, the City shall reimburse the Township for the loss of taxes from the property so annexed for the period and in accordance with the following schedule: 1) in the first year following the year the City could first levy on the annexed area, an amount equal to ninety (90) percent of the property taxes distributed to the Township in regard to the annexed area in the last year that property taxes from the annexed area were payable to the Township; 2) in the second year, an amount equal to seventy (70) percent; 3) in the third year, an amount equal to fifty (50) percent; 4) in the fourth year, an amount equal to thirty (30) percent, and; 5) in the fifth and final year, an amount equal to ten (10) percent/ Thereafter, the City will no longer reimburse the Township.

Year	Current year Tax Amount	X	%	=	Amount	Date Paid	Check Number
Year 1	\$	x	90%	=	\$		
Year 2	\$	x	70%	=	\$		
Year 3	\$	x	50%	=	\$		
Year 4	\$	x	30%	=	\$		
Year 5	\$	x	10%	=	\$		

Special Assessments—None.
Bonded Indebtedness—None.



City of Big Lake Base Map



City Limits/Orderly Annexation Area

0 0.3 0.6 0.9 1.2 Miles

1 inch equals 0.501587 miles

NORTHWEST ASSOCIATED CONSULTANTS, INC.
Map, Data, Planning, Engineering, Surveying, Environmental, Construction, and Real Estate Services

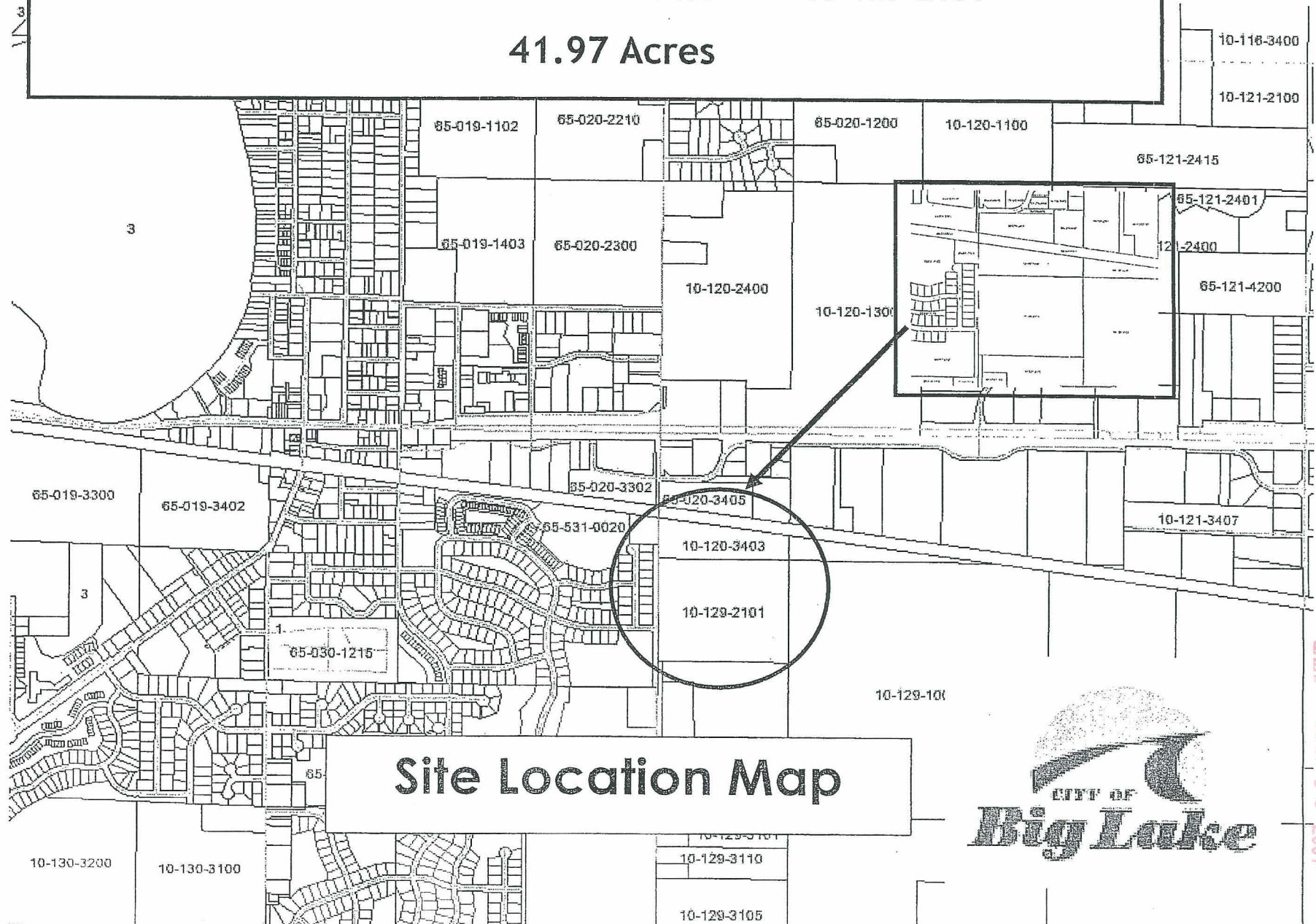
Source: Sherburne County, MN DMR & Northwest Associated Consultants 1/11/05

REC'D BY
M.M.P.
MAR 09 2007

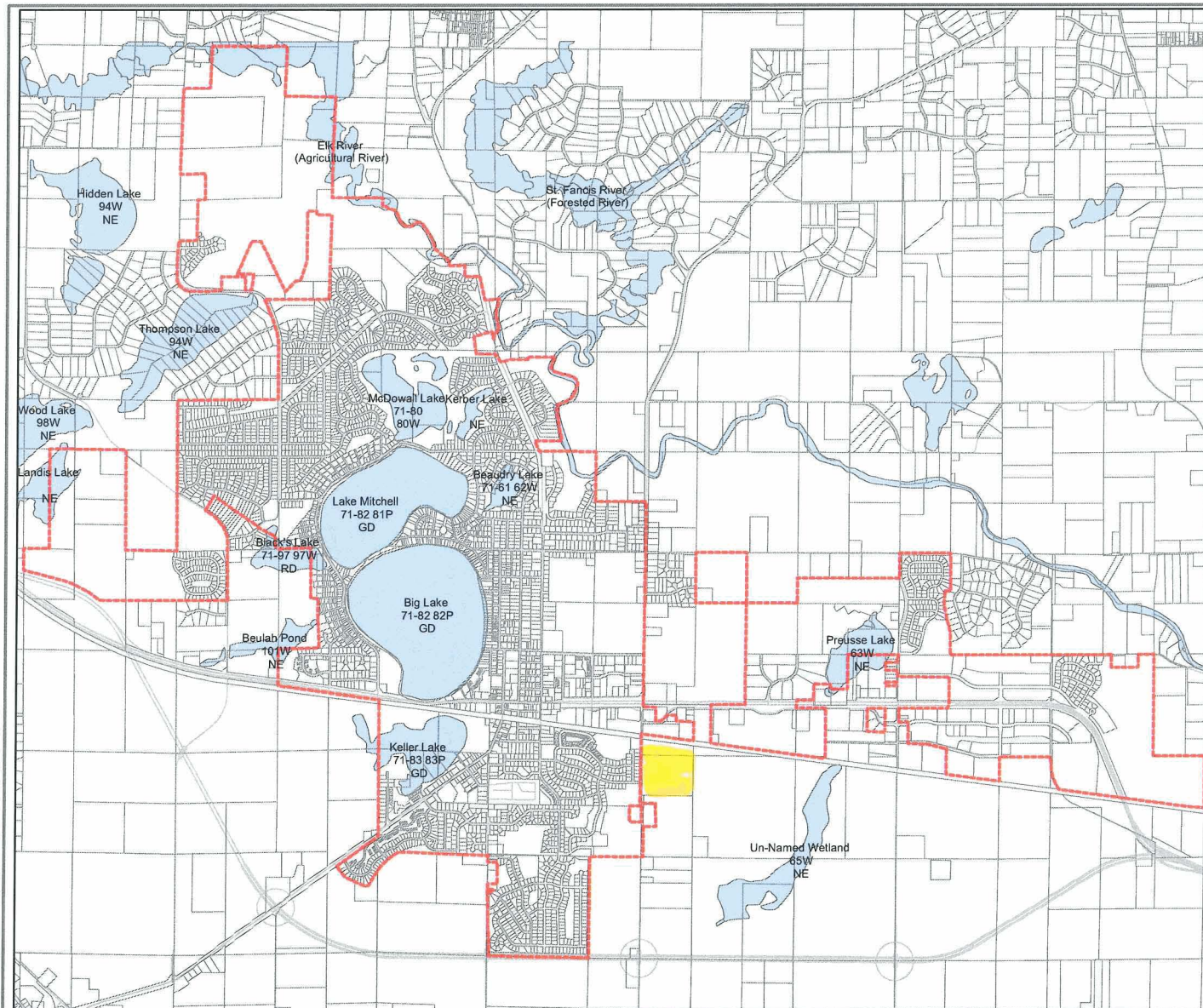
James Sanford Annexation Site

Parcel Numbers: 10-120-3403 10-129-2101

41.97 Acres



REC'D BY
MAR 09 2007



City of Big Lake Base Map



 City Limits/Orderly Annexation Area

0 0.3 0.6 0.9 1.2 Miles

1 inch equals 0.501587 miles

 **NORTHWEST ASSOCIATED CONSULTANTS, INC.**
20000 Center Avenue NE, Minneapolis, MN 55425, (612) 555-1100, Fax: (612) 555-1101, Website: www.nacconsultants.com

Source: Sherburne County, MN DNR & Northwest Associated Consultants 1/11/05