

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

REC'D BY
MAM

APR 14 2007

JOINT RESOLUTION NO. 2007-02

**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: Larry & Barbara Urwin
PID #10-120-4410 and portions of parcels 10-129-1000 and 10-128-2200
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 37.90 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 March 28, 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:

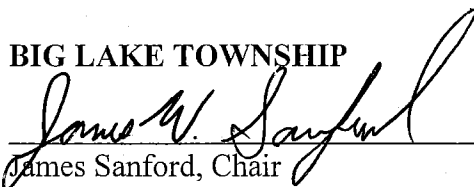
1. **Designation of Area to be Annexed.** That as a result of the City's proposed provision of urban services to, and urban development of the Property, the previously described area in Big Lake Township, Sherburne County, is subject to orderly annexation pursuant to Minnesota Statutes § 414.0325, and 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.

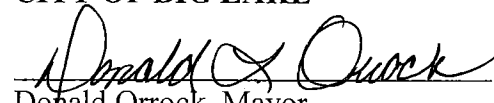
Approved and Adopted this
28th day of March, 2007.

Approved and Adopted this
28th day of March, 2007

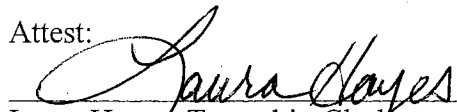
BIG LAKE TOWNSHIP


James Sanford, 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, Lori Kampa, Patricia May, and Don Orrock.

The following Council Members voted against or abstained: None.

The following Town Board Members voted in favor:

Mike Hayes. Bob Hofer, Norm Leslie, and James Sanford.

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

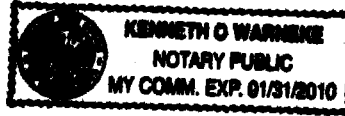
Document prepared by: Campbell Knutson
317 Eagandale Office Center
1380 Corporate Center Curve
Eagan, MN 55121

MAR 1 2007

STATE OF MINNESOTA)
SS.
COUNTY OF Shubunne)

The foregoing instrument was acknowledged before me this 28th day of March, 2007, by the
Chair and 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 30 day of March, 2007, by the
Mayor and City Clerk of the City of Big Lake, a Minnesota municipal corporation, on behalf of
the corporation.

Cathleen Lindberg
Notary Public

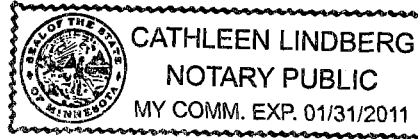


EXHIBIT "A"

2007

Legal Description of Property

April 16, 2007
7100NSR001

FEE ACQUISITION

Parcel 1 C.S. 7100 (XXX) NSR

S.P. 9901-01

All of Tract A described below:

Tract A. That part of the South Half of the Southeast Quarter of Section 20, Township 33 North, Range 27 West, Sherburne County, Minnesota, lying southerly of the southerly right of way line of the BNSF Railway Company, as now located and established;

together with that part of Tract B described below:

Tract B. That part of the North Half of the Northeast Quarter of Section 29, and the West Half of the Northwest Quarter of Section 28, both in Township 33 North, Range 27 West, Sherburne County, Minnesota, lying southerly of the southerly right of way line of the BNSF Railway as now located and established;

which lies northerly of Line 1 described below:

Line 1. Beginning at the north quarter corner of said Section 29; thence run easterly along the north line of said Section 29 on an assumed bearing of South 89 degrees 25 minutes 09 seconds East, 438.74 feet; thence South 63 degrees 46 minutes 03 seconds East, 1165.02 feet; thence South 80 degrees 54 minutes 26 seconds East, 555.64 feet; thence South 89 degrees 49 minutes 54 seconds East, 616.07 feet to its intersection with the east line of said Section 29; thence North 84 degrees 49 minutes 07 seconds East, 1320.91 feet to the east line of the West Half of the Northwest Quarter of said Section 28 and there terminating;

containing 37.90 acres, more or less;

EXHIBIT "B"

EX-100 100 2007

Corporate Boundary Map and More Detailed Map of Annexation Area

Larry Urwin Annexation Site

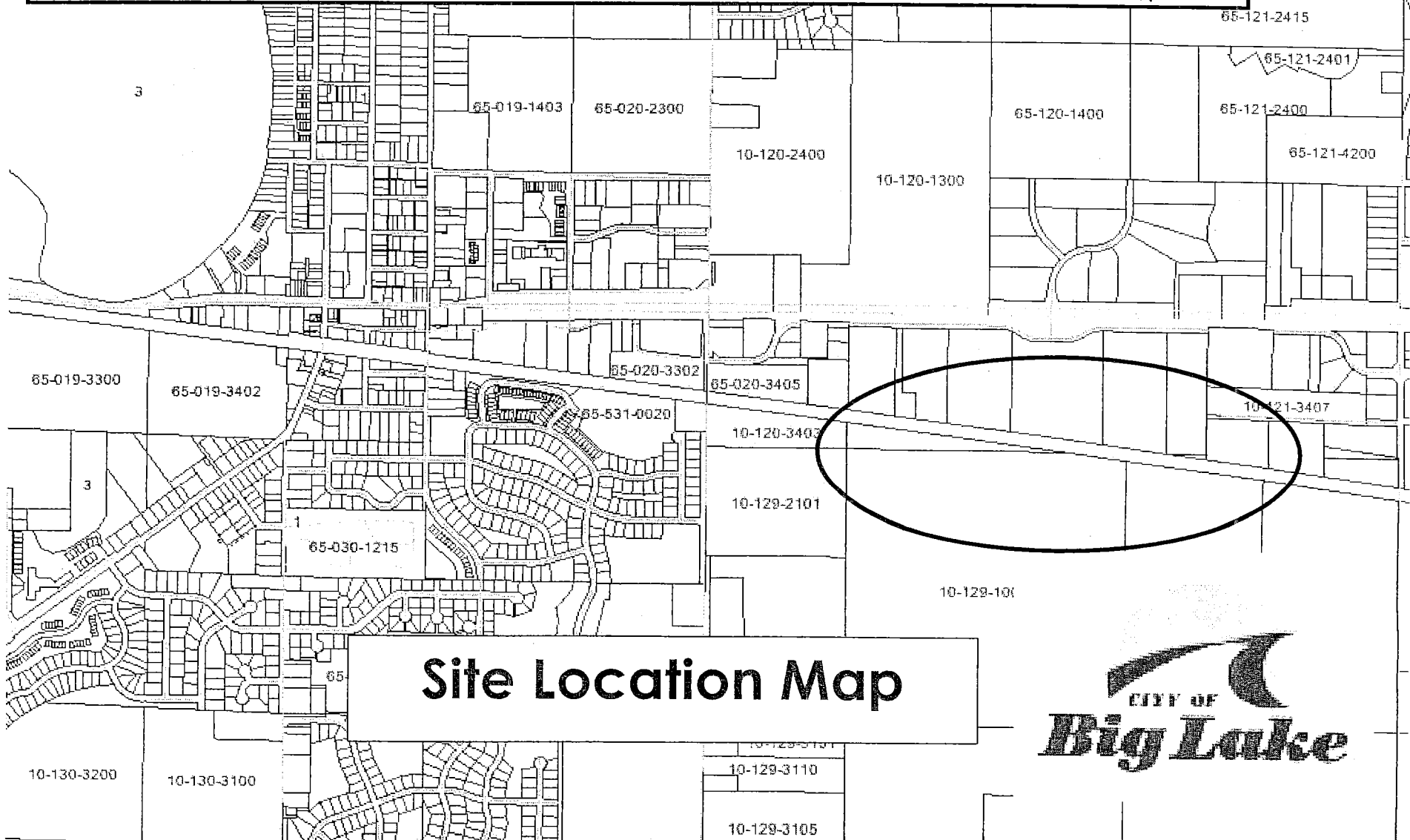
Northstar Maintenance Facility

Parcel Numbers: 10-120-4410 10-129-1000 10-128-2200

37.90 Acres

READY
MMS

APR 11 2007



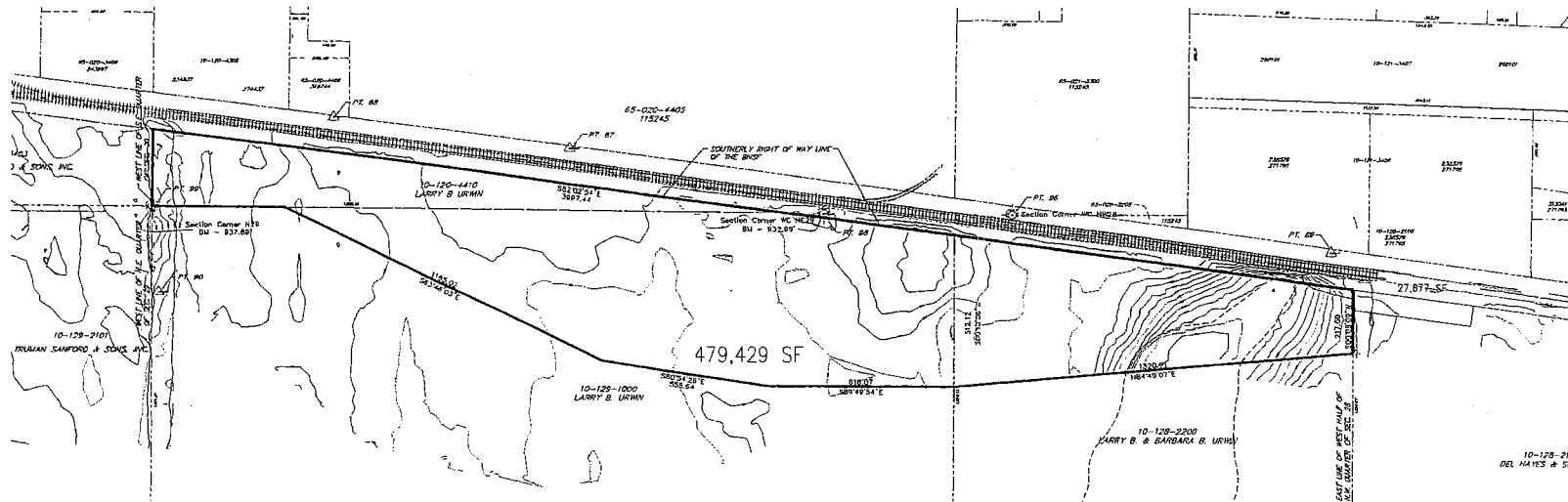
Site Location Map

CITY OF
Big Lake

CERTIFICATE OF SURVEY

Northstar Maintenance Facility
Site - Big Lake

2007



CONTROL POINTS

PL #	Northing (Y)	Easting (X)	Elev. (Z)	Description
BT	228385.8259	541672.5950	936.481	CPT WIRE
BB	228352.7720	540887.2040	936.884	CPT POWER
BR	227846.8450	544187.2310	933.895	CPT WET
BO	227807.2950	540916.9030	936.690	CPT WOODS
BE	228067.5850	542138.1870	934.170	SEC WCH HYDR
RE	228071.1810	542819.7140	932.893	SEC WCH HYDR
RE	228095.2810	540334.8140	931.393	SEC WCH

LEGEND

- DENOTES SECTION LINE
- DENOTES RAIL ROAD
- DENOTES CONTROL POINT
- DENOTES FOUND SECTION CORNER ADJUSTMENT

LEGAL DESCRIPTION

ALL OF TRACT A DESCRIBED BELOW

TRACT A THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 33 NORTH, RANGE 27 WEST, SHERBURNE COUNTY, MINNESOTA, LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF THE RWSF RAILWAY COMPANY, AS NOW LOCATED AND ESTABLISHED.

TOGETHER WITH THAT PART OF TRACT B DESCRIBED BELOW

TRACT B THAT PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 28, AND THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 28, BOTH IN TOWNSHIP 33 NORTH, RANGE 27 WEST, SHERBURNE COUNTY, MINNESOTA, LYING SOUTHERLY OF THE SOUTHERLY RIGHT OF WAY LINE OF THE RWSF RAILWAY AS NOW LOCATED AND ESTABLISHED.

WHICH LIES NORTHERLY OF LINE 1 DESCRIBED BELOW

LINE 1 BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 28, THENCE RUN EASTERLY ALONG THE NORTH LINE OF SAID SECTION 28 ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 25 MINUTES 00 SECONDS EAST, 408.74 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 30 SECONDS EAST, 1185.02 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 26 SECONDS EAST, 555.64 FEET; THENCE SOUTH 89 DEGREES 49 MINUTES 54 SECONDS EAST, 618.07 FEET TO ITS INTERSECTION WITH THE EAST LINE OF SAID SECTION 28; THENCE NORTH 89 DEGREES 49 MINUTES 07 SECONDS EAST, 1320.91 FEET TO THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 28; AND THENCE TERMINATING.

CONTAINING 37.80 ACRES, MORE OR LESS.

ALSO A RIGHT TO USE THE FOLLOWING DESCRIBED STRIP FOR TRANSPORTATION PURPOSES, WHICH RIGHT SHALL BEGIN ON APRIL 1, 2007, AND CEASE ON DECEMBER 1, 2008, OR ON SUCH EARLIER DATE UPON WHICH THE COMMISSIONER OF TRANSPORTATION DETERMINES BY FORMAL ORDER THAT IT IS NO LONGER NEEDED FOR TRANSPORTATION PURPOSES:

A STRIP BEING THAT PART OF THE NORTHERLY 20 FEET OF TRACT B HEREBEFORE DESCRIBED, ADJOINING AND WESTERLY OF THE LAST ABOVE DESCRIBED STRIP;

CONTAINING 0.21 ACRE, MORE OR LESS.

BENCH MARKS

CONTROL POINT 89 SECTION CORNER

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Keith O. Slater
KEITH O. SLATER

DATE: 02/21/2007 REG. NO. 11556

GRAPHIC SCALE IN FEET



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