

**CITY OF BIG LAKE AND TOWN OF BIG LAKE
SHERBURNE COUNTY**

A general meeting of the City Council of the City of Big Lake, Minnesota was called to order by Mayor Raeanne Danielowski at 6:00 p.m. in the Council Chambers of City Hall, Big Lake, Minnesota, on Wednesday, June 22, 2016. The following Council Members were present: Raeanne Danielowski, Seth Hansen, Duane Langsdorf, Scott Marotz, and Mike Wallen. A motion to adopt the following resolution was made by Council Member Hansen and seconded by Council Member Langsdorf.

A general meeting of the Town of Big Lake, Minnesota was called to order by Chairman Robert Hofer at 7:00 p.m. at the Town Hall, Big Lake, Minnesota, on Wednesday, June 22, 2016. The following Town Board Supervisors were present: Bruce Aubol, Larry Alfords, Robert Hofer, Norm Leslie and Steve Pleghaar. A motion to adopt the following resolution was made by Supervisor Alfords and seconded by Supervisor Aubol.

**CITY OF BIG LAKE RESOLUTION NO. 2016-49
TOWN OF BIG LAKE RESOLUTION NO. 2016-11**

**A JOINT RESOLUTION AND AGREEMENT FOR ORDERLY
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 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 City's purpose for annexation is based on the entire parcel to be annexed being owned by the City.

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

1. The City, as sole landowner, hereby petitions for the Orderly Annexation Area ("OAA"), as shown on the attached Exhibit A and legally described

on the attached Exhibit B, to be annexed. The notice requirement of Minnesota Statute §414.0325, Subd. 1a, has been satisfied.

2. 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.
3. The property located within the OAA will be immediately and automatically annexed by the City without contest by the Township, upon adoption of this Joint Resolution and approval of the State.
4. The setbacks for solar farms and solar gardens on the property located within the OAA will be at least 20 feet. The setbacks for communication poles on the property located within the OAA will be consistent with the setbacks for communication poles on the contiguous Township property.
5. The City shall pay the township annually an amount equal to the amount of tax revenue the City receives for the production of electricity from a solar energy generating system on the OAA, under Minnesota Statutes 272.0295, Subd. 7, as it may be amended from time to time. Each annual payment shall be capped at no more than \$3,000.00. These payments shall cease when reimbursements under Minnesota Statutes 272.0295, Subd. 7, as it may be amended from time to time, cease, or after 35 years, whichever occurs first.
6. The City will enter into an agreement prior to annexation with SolarStone Partners, LLC ("SolarStone"), tenant of the OAA, whereby SolarStone will provide security to cover the cost of future decommissioning of a solar farm on the OAA, and security shall be in an amount and form similar to the security required at the time of this Resolution by Sherburne County for existing solar farms.

7. The City will not annex property adjacent to the OAA unless that property is also adjacent to additional property within City limits or unless the OAA is adjacent to additional property within City limits.
8. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction upon the Office of Administrative Hearings so as to accomplish the orderly annexation of the lands in the OAA in accordance with the terms of this joint resolution and orderly annexation agreement.
9. 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 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.
10. 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 Office of Administrative Hearings is necessary.
11. Having designated the OAA 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 Office of Administrative Hearings may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Resolution.
12. The parties may amend this joint resolution by mutual written consent at any time. 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.


13. There will be no reimbursement under M.S. §414.036, as the Property is tax-exempt and there are no outstanding special assessments or bonded indebtedness on the Property.
14. The City hereby approves annexation of all property within the OAA, effective as of the effective date of the chief administrative law judge's annexation order.

ADOPTED this 22nd day of June, 2016, by the City Council of the City of Big Lake.

CITY OF BIG LAKE


Mayor Raeanne Danielowski

ATTEST:


City Clerk Gina Wolbeck

The following Council Members voted in favor: Danielowski, Hansen, Langsdorf, Marotz, and Wallen.

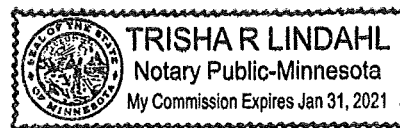
The following Council Members voted against or abstained: None.

Whereupon the motion was duly passed and executed.

STATE OF MINNESOTA)
)SS.
COUNTY OF SHERBURNE)

The foregoing instrument was acknowledged before me this 22nd day of June, 2016, by the Mayor and City Clerk of the City of Big Lake, a Minnesota municipal corporation, on behalf of the corporation.


Notary Public



ADOPTED this 22 day of June, 2016, by the Big Lake Town Board of Supervisors.

TOWN OF BIG LAKE

Robert L. Hofer
Chairman Robert Hofer

ATTEST:

Laura Hayes
Town Clerk Laura Hayes

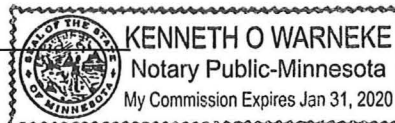
The following Big Lake Township Supervisors voted in favor: Aubol, Alfords, Hofer, Leslie & Pleghaar.
The following Big Lake Township Supervisors voted against or abstained: None.

Whereupon the motion was duly passed and executed.

STATE OF MINNESOTA)
)SS.
COUNTY OF SHERBURNE)

The foregoing instrument was acknowledged before me this 22 day of June
_____ 2016, by the Chairman and Town Clerk of the Town of Big Lake.

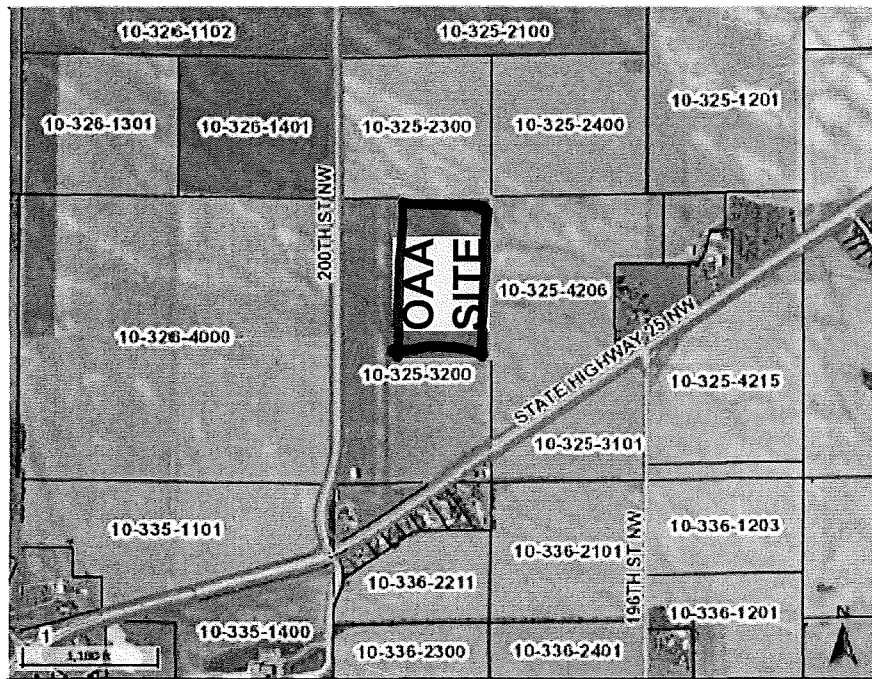
Kenneth O. Warneke
Notary Public



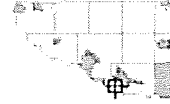
DRAFTED BY:
CAMPBELL, KNUTSON

Professional Association
Grand Oak Office Center I
860 Blue Gentian Road, Suite 290
Eagan, MN Minnesota 55121
Telephone: (651) 452-5000 SMM

Exhibit A SITE MAP



Overview



Legend

- Townships
- Roads
- Plats
- Parcels

Parcel ID	10-325-3201	Alternate ID	n/a	Owner Address	CITY OF BIG LAKE
Sec/Twp/Rng	25-33-28	Class	776-Municipal - All Other		160 LAKE ST N
Property Address		Acreage	26.71		BIG LAKE MN 55309
District	BIG LAKE				
Brief Tax Description	n/a				

10-325-3201

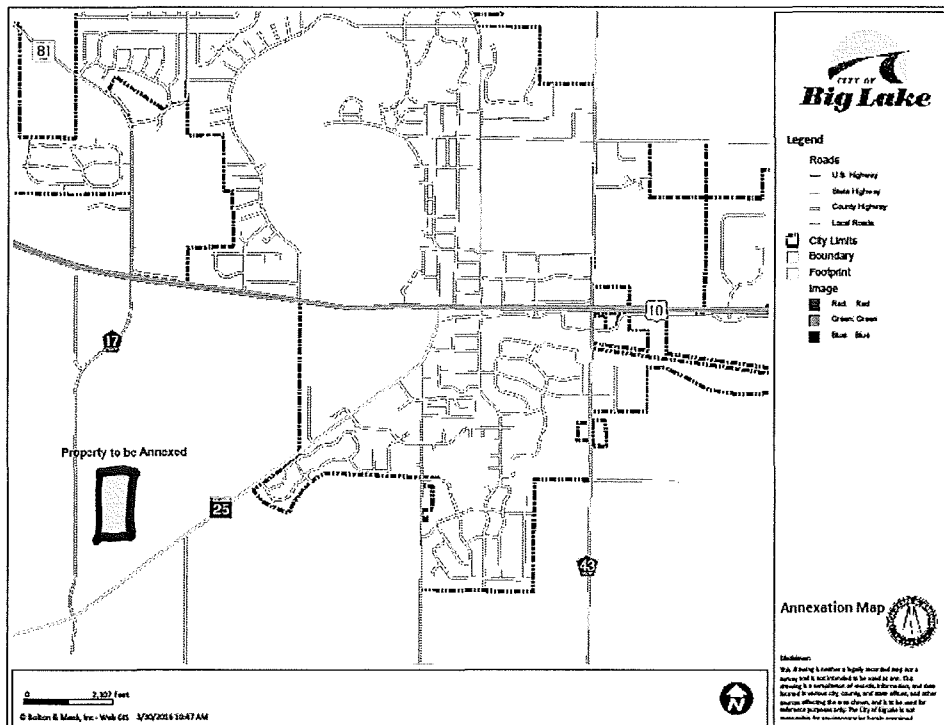


Exhibit B
LEGAL DESCRIPTION OF ORDERLY ANNEXATION PROPERTY

The North 1509.65 feet of the West Half of the Southwest Quarter of Section 25, Township 33, Range 28, Sherburne County, Minnesota lying East of a line drawn from a point on the North line of said West Half of the Southwest Quarter distant 862.58 feet West of the Northeast corner of said West Half of the Southwest Quarter to a point on the South line of said West Half of the Southwest Quarter distant 873.18 feet West of the Southeast corner of said West Half of the Southwest Quarter.