

JOINT RESOLUTION AND AGREEMENT AS TO ORDERLY ANNEXATION
TOWN OF CLEAR LAKE - CITY OF CLEAR LAKE

WHEREAS, the Town of Clear Lake ("Town") and the City of Clear Lake ("City"), both of Sherburne County, Minnesota, are in agreement as to the orderly annexation of certain land described herein for the purpose of orderly and planned services to the Clear Lake area community; and

WHEREAS, the Developer of such land desires public water and sanitary sewer services for said development; and

WHEREAS, such facilities and services are of benefit to Clear Lake community; and

WHEREAS, the parties herein desire to set forth the circumstances and terms of the orderly annexation by means of this resolution;

NOW, THEREFORE, BE IT JOINTLY RESOLVED AND AGREED by the Town of Clear Lake and the City of Clear Lake as follows:

1. Designation of Orderly Annexation Area: The following-described property in the Town ("Subject Property") is subject to orderly annexation pursuant to Minnesota Statutes §414.0325 and the parties hereto designate the area for orderly annexation as follows:

PARCEL 1 - Phase One (1): [Legal Description attached hereto and incorporated herein as "Exhibit A"]

PARCEL 2 - Phase Two (2): [Legal Description attached hereto and incorporated herein as "Exhibit B"]

The above-described Parcel 1 contains 4.03 acres, and the population of said Parcel is zero (0).

The above-described Parcel 2 contains 90.41 acres, and the population of said Parcel is zero (0).

2. Jurisdiction of Minnesota Planning: The Town does, upon passage of this resolution and its adoption by the City, confer jurisdiction upon the State of Minnesota Planning, Boundary Adjustments, so as to accomplish said orderly annexation in accordance with the terms of this Joint Resolution and pursuant to Minnesota Statutes §414.0325.

3. No Alterations of Boundaries: The Subject Property described above is appropriate for orderly annexation. No alteration of its stated boundaries by State of Minnesota Planning, Municipal Boundary Adjustments is appropriate. Furthermore, no consideration by State of Minnesota Planning, Municipal Boundary Adjustments is necessary. State of Minnesota Planning, Municipal Boundary Adjustments may review and comment, but shall order the annexation within thirty (30) days in accordance with the terms of this Joint Resolution.

4. Conditions for Annexation of Parcel 1: The Town and the City agree that the above-described Parcel 1 will be annexed to the City immediately upon the issuance of the final Order of Minnesota Planning, Municipal Boundary Adjustments, approving this Joint Resolution.

5. Conditions for Annexation of Parcel 2: The Town and the City further agree that the above-described Parcel 2 will remain in the Town and will only be subject to annexation upon final approval of the City of the plat for Phase Two (2) of Hunter Lake Bluff Subdivision, if Parcel 2 is located within said plat. In such event, the City shall approve such annexation upon the petition of the owner(s) of Parcel 2 and shall forward the approved petition to State of Minnesota Planning, Municipal Boundary Adjustments for review and comment, and final approval in accordance with the terms of this Joint Resolution.

6. Purpose of Annexation; Residential Zoning Classification: The purpose for said annexations is to provide for development of the Hunter Lake Bluff Subdivision, Phases One (1) and Two (2). It is the present understanding and intent of the Town and City that the Subject Property will only be used for residential development purposes. Upon the final approval and Order for the annexation of each separate parcel described above in accordance with the terms of this Joint Resolution by Minnesota Planning, Municipal Boundary Adjustments, the specific parcel thus annexed shall automatically become zoned for R-1 residential use, under the land use controls and ordinances of the City then in effect.

10. Effective Date: The parties hereto agree that the terms of this Joint Resolution shall have full force and effect from the date of the Order of Minnesota Planning, Municipal Boundary Adjustments, approving this Joint Resolution.

11. Amendments: This Joint Resolution may be amended by subsequent joint resolution of the City and the Town.

12. Severability Clause: If any provision of this Joint Resolution is held by a court of competent jurisdiction to be invalid, illegal, or unenforceable, the balance of this Joint Resolution shall remain in effect; further, if any provision is inapplicable to any person or circumstances, it shall nevertheless remain applicable to all other persons and circumstances.

This Joint Resolution was adopted by the Town of Clear Lake Board of Supervisors the

18 day of July, 2000.

ATTEST:

TOWN OF CLEAR LAKE

Debra L Seeluy
Town Clerk

Jack R Gallagher
Chair, Board of Supervisors

This Joint Resolution was adopted by the City Council of the City of Clear Lake the


5th day of June, 2000.

ATTEST:

CITY OF CLEAR LAKE

Marilyn Bujalski
City Clerk-Treasurer

William K. Korman
Mayor

REC'D BY
AUG 04 2000

Civil Engineering
Land Surveying
Land Planning

John Oliver & Associates, Inc.

580 Dodge Avenue, Elk River, MN 55330
(763) 441-2072 • Fax (763) 441-5665
eriver@joliverassoc.com

LANDS TO BE ANNEXED INTO THE CITY OF CLEAR LAKE, (PHASE 1)

That part of the Northwest Quarter of the Northeast Quarter of Section 7, Township 34, Range 29, Sherburne County, Minnesota, described as follows: Commencing at the Southwest corner of said Northwest Quarter of the Northeast Quarter; thence North 89 degrees 48 minutes 58 seconds East along the South line of said Northwest Quarter of the Northeast Quarter, a distance of 214.00 feet to the point of beginning; thence North 00 degrees 12 minutes 12 seconds West, a distance of 165.00 feet; thence North 89 degrees 47 minutes 48 minutes East, a distance of 180.12 feet; thence South 17 degrees 26 minutes 37 seconds East, a distance of 26.15 feet; thence southerly along a tangential curve concave to the West, having a radius of 270.00 feet and a central angle of 17 degrees 14 minutes 25 seconds, a distance of 81.24 feet; thence South 00 degrees 12 minutes 12 seconds East tangent to said curve, a distance of 30.00 feet; thence North 89 degrees 47 minutes 48 seconds East, a distance of 60.00 feet; thence North 00 degrees 12 minutes 12 seconds West, a distance of 30.00 feet; thence northerly along a tangential curve concave to the west, having a radius of 330.00 feet and a central angle of 17 degrees 14 minutes 25 seconds, a distance of 99.30 feet; thence North 65 degrees 30 minutes 38 seconds East not tangent to said curve, a distance of 136.47 feet; thence North 14 degrees 36 minutes 20 seconds East, a distance of 40.70 feet; thence North 80 degrees 36 minutes 26 seconds East, a distance of 53.55 feet; thence North 43 degrees 46 minutes 23 seconds East, a distance of 125.00 feet; thence South 46 degrees 13 minutes 37 seconds East, a distance of 94.72 feet; thence North 43 degrees 46 minutes 23 seconds East, a distance of 60.00 feet; thence South 46 degrees 13 minutes 37 seconds East, a distance of 67.19 feet; thence southeasterly along a tangential curve concave to the southwest, having a radius of 230.00 feet and a central angle of 28 degrees 52 minutes 39 seconds, a distance of 115.92 feet; thence southeasterly along a tangential reverse curve concave to the northeast, having a radius of 186.20 feet and a central angle of 36 degrees 06 minutes 57 seconds, a distance of 117.37 feet; thence South 53 degrees 27 minutes 55 seconds East tangent to said reverse curve, a distance of 118.44 feet; thence South 39 degrees 29 minutes 08 seconds West, a distance of 25.94 feet to the South line of said Northwest Quarter of the Northeast Quarter; thence South 89 degrees 48 minutes 58 seconds West along said South line, a distance of 882.76 feet to the point of beginning.

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Offices in Elk River & Burnsville
www.joliverassoc.com

REC'D. BY
MMB AUG 04 2000

Civil Engineering
Land Surveying
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LANDS TO BE ANNEXED INTO THE CITY OF CLEAR LAKE HUNTER LAKE BLUFF (PHASE 2)

The Northeast Quarter of the Northeast Quarter of Section 7, Township 34, Range 29, Sherburne County, Minnesota.

AND

The Southeast Quarter of the Northeast Quarter of Section 7, Township 34, Range 29, Sherburne County, Minnesota.

AND

That part of the Northwest Quarter of the Northeast Quarter of Section 7, Township 34, Range 29, Sherburne County, Minnesota, lying easterly of the following described line: Commencing at the Southwest corner of said Northwest Quarter of the Northeast Quarter; thence North 89 degrees 48 minutes 58 seconds East along the South line of said Northwest Quarter of the Northeast Quarter, a distance of 1096.76 feet to the point of beginning; thence North 39 degrees 29 minutes 08 seconds East, a distance of 25.94 feet; thence North 53 degrees 27 minutes 55 minutes West, a distance of 118.44 feet; thence northwesterly along a tangential curve concave to the northeast, having a radius of 186.20 feet and a central angle of 36 degrees 06 minutes 57 seconds, a distance of 117.37 feet; thence northwesterly along a tangential reverse curve concave to the southwest, having a radius of 230.00 feet and a central angle of 28 degrees 52 minutes 39 seconds, a distance of 115.92 feet; thence North 46 degrees 13 minutes 37 seconds West tangent to said curve, a distance of 67.19 feet; thence northeasterly along a non-tangential curve concave to the southeast, having a radius of 690.00 feet and a central angle of 26 degrees 16 minutes 32 seconds, a distance of 316.43 feet, the chord of said curve bears North 59 degrees 24 minutes 10 seconds East distant 313.66 feet; thence North 19 degrees 57 minutes 05 seconds West not tangent to said curve, a distance of 47.11 feet; thence northwesterly along a tangential curve concave to the southwest, having a radius of 230.00 feet and a central angle of 13 degrees 24 minutes 22 seconds, a distance of 53.82 feet; thence North 56 degrees 38 minutes 33 seconds East not tangent to said curve, a distance of 133.61 feet; thence North 37 degrees 05 minutes 36 seconds West, a distance of 113.96 feet; thence North 30 degrees 47 minutes 53 seconds West, a distance of 143.10 feet; thence North 00 degrees 28 minutes 56 seconds West, a distance of 452.77 feet to the North line of said Northwest Quarter of the Northeast Quarter and there terminating.

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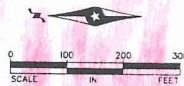
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TYPICAL LOT EASEMENT

Drainage and Utility Easements are shown thus:



Being 10 feet in width, unless otherwise indicated, adjoining right-of-way lines, and being 5 feet in width, unless otherwise indicated, adjoining lot lines, as shown on the plot.



LEGEND

PHASE LINE
EDGE OF WETLAND

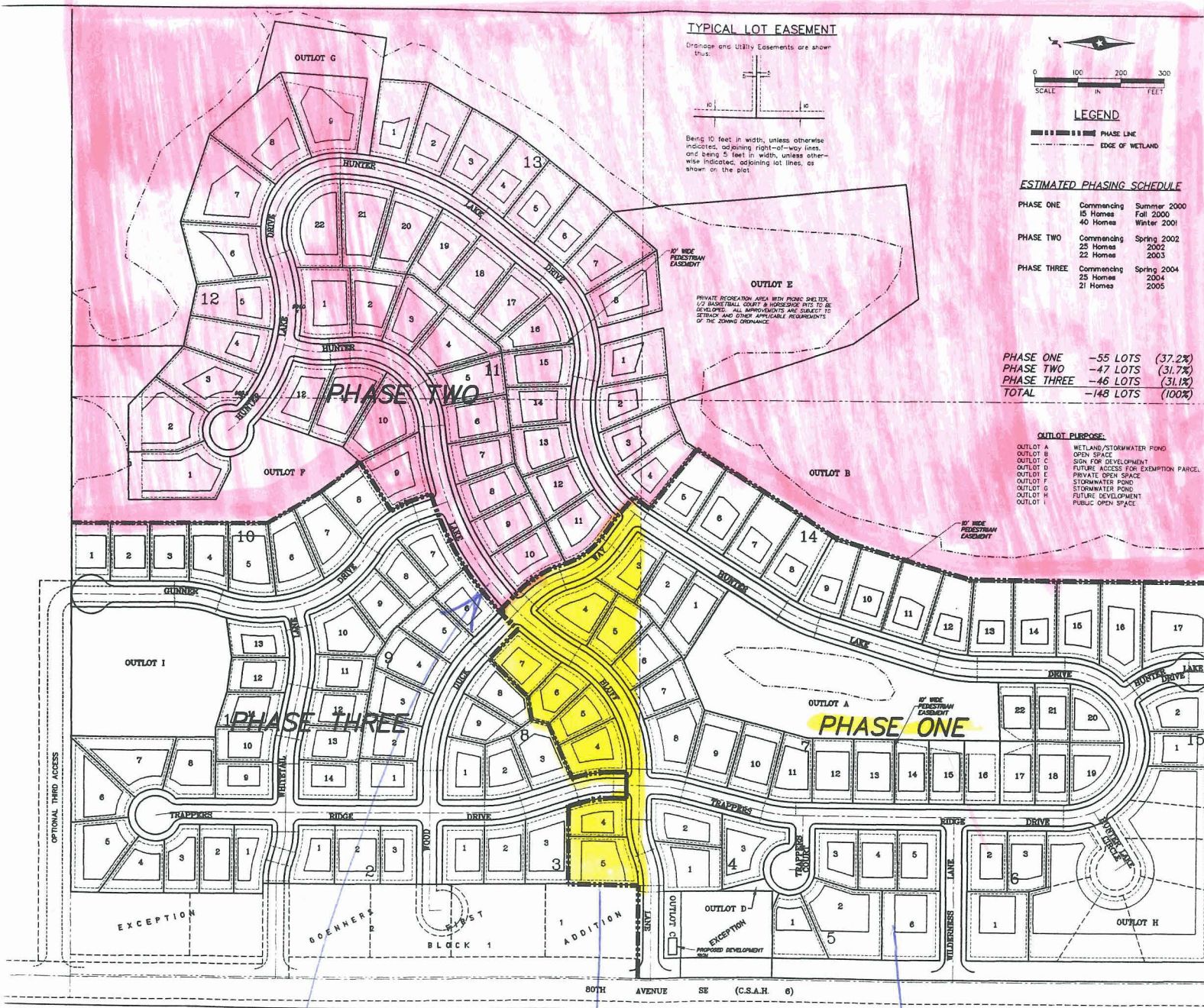
ESTIMATED PHASING SCHEDULE

PHASE ONE	Commencing 15 Homes	Summer 2000
	40 Homes	Fall 2000
PHASE TWO	Commencing 25 Homes	Spring 2002
	22 Homes	2002
PHASE THREE	Commencing 25 Homes	Spring 2004
	21 Homes	2004

PHASE ONE	-55 LOTS	(37.2%)
PHASE TWO	-47 LOTS	(31.7%)
PHASE THREE	-46 LOTS	(31.1%)
TOTAL	-148 LOTS	(100%)

OUTLOT PURPOSE

OUTLOT A	WETLAND/STORMWATER POND
OUTLOT B	OPEN SPACE
OUTLOT C	SIGN FOR DEVELOPMENT
OUTLOT D	FUTURE ACCESS FOR EXEMPTION PARCEL
OUTLOT E	PRIVATE OPEN SPACE
OUTLOT F	STORMWATER POND
OUTLOT G	STORMWATER POND
OUTLOT H	FUTURE DEVELOPMENT
OUTLOT I	PUBLIC OPEN SPACE



TO BE ANNEXED
PHASE I
(See description)

NOW
WITHIN CITY LIMITS

PHASE 2 Annex.

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See Page 18

