

**JOINT RESOLUTION NO. 2001-29
TOWN OF BIG LAKE AND CITY OF BIG LAKE
SHERBURNE COUNTY**

**A JOINT RESOLUTION ESTABLISHING
JOINT PLANNING AND ORDERLY GROWTH**

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 desire to establish a development framework, which promotes 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 desire to establish terms and conditions that promote common goals for growth in the area; respect individual community identities; create certainty for local land use decisions and long term public and private investment strategies; promote joint planning for certain areas; and protect the public health, safety and welfare.

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. Properties located within the OAA, shown on Exhibit A and described in Exhibit B, may be annexed to the City without contest by the Township when the following conditions are met:
 - a. All property owners have signed and presented to the City a petition requesting annexation, and;
 - b. The property is contiguous to the City, and;
 - c. 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;
 - d. Utilities are available to the OAA.
3. The Township consents to the extension of the City's zoning, subdivision, and other official controls to the Orderly Annexation Area upon the effective date of this Agreement.
4. It is the intent of the parties that the terms of this agreement act to prohibit annexation under any laws currently in force if annexation under such laws would be contrary to the annexation procedures set out in this agreement. It is also the intent of the parties that changes in the law subsequent to the date of this agreement not alter or affect the rights or obligations of the parties as set out in this agreement. In the event changes occur in annexation-related laws subsequent to the date of this agreement, the parties shall meet to discuss the


possibility of modifying this agreement to reflect some or all of the changes in said laws, but neither party to this agreement shall be required to modify this agreement as a result of changes in said laws.

5. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction upon Minnesota Planning 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.
6. 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 Minnesota Planning is necessary.
7. 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 Minnesota Planning may review and comment, but shall, within thirty (30) days, order the annexation in accordance with the terms of this Resolution.
8. The parties may amend this joint resolution by mutual consent at any time.

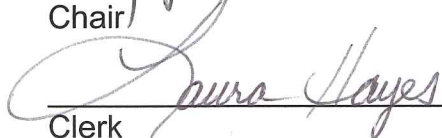
Approved and Adopted
this 14 day of November, 2001.

Approved and Adopted
this ____ day of _____, 2001.

BIG LAKE TOWNSHIP**CITY OF BIG LAKE**



Chair



Clerk

Mayor

Clerk

Whereupon the motion was duly passed and executed.

REC'D BY
MMB
REC'D BY
MMB

MAR 20 2002

FEB 25 2002

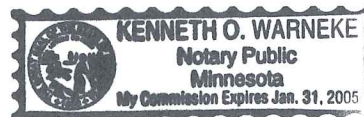
The motion for the adoption of the foregoing resolution was duly moved by Supervisor Alford, seconded by Supervisor Sanford. After a discussion thereof and upon a vote taken thereon, the following number of supervisors voted in favor 5; against 0; whereupon said resolution was declared duly passed and adopted.

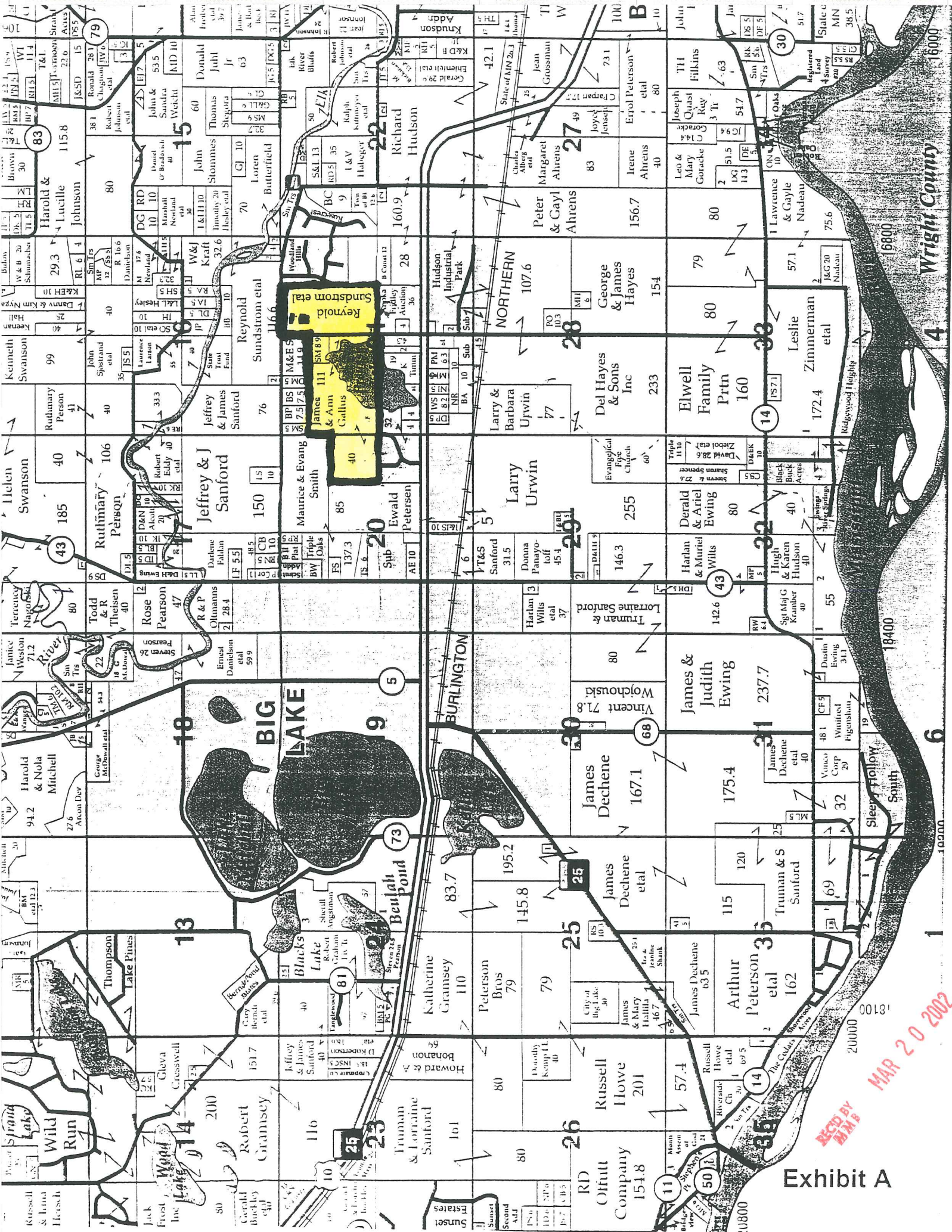
Document prepared by: Laura Hayes – Town Clerk
P.O. Box 75
Big Lake, MN 55309
(763-263-8111)

STATE OF MINNESOTA
§
COUNTY OF SHERBURNE

On this 14th day of November, 2001, before me, a Notary Public, within and for said County, personally appeared Ewald Petersen and Laura Hayes, to me personally known, being each by me duly sworn, did say that they are respectively the Chairman and Town Clerk, of the Town of Big Lake, the municipal Township named in the foregoing instrument, was signed and sealed on behalf of said Township authority of its Town Board and they acknowledged said instrument to be the free act and deed of said municipal Township.

Kenneth O. Warneke
NOTARY PUBLIC





LEGAL DESCRIPTION (Sundstrom)

The West half of the Northeast Quarter, Section twenty-one (21), Township thirty-three (33), Range twenty-seven (27), Sherburne County, Minnesota

EXCEPT

That part of the Northeast Quarter of Section 21, Township 33, Range 27, Sherburne County, Minnesota, described as follows:

Commencing at the Northwest corner of Lot 1, Block 5, Woodland Hills Second Addition, according to the plat thereof on file and of record in the office of the County Recorder, Sherburne County, Minnesota; thence S 0 degrees 14 minutes 28 seconds E (plat bearing) along the West line of Lot 1 and Lot 2, Block 5, of said Woodland Hills Second Addition, a distance of 345.92 feet to the Southwest corner of said Lot 2 and the actual point of beginning; thence Easterly along the Southerly line of said Lot 2 along a circular curve, not tangent to the last described course, concave to the South, having a radius of 589.35 feet and a central angle of 12 degrees 12 minutes 14 seconds, a distance of 125.53 feet, the chord of said curve bears S 68 degrees 40 minutes 35 seconds E, distant 125.29 feet; thence S 62 degrees 34 minutes 24 seconds E, tangent to said curve, a distance of 12.98 feet to the Southeast corner of said Lot 2 and the Westerly line of Oak Wood Drive, now known as 170th Street; thence Southerly along the said Westerly line of Oak Wood Drive, now known as 170th Street, along a circular curve, not tangent to the last described course, concave to the East, having a radius of 261.01 feet and a central angle of 52 degrees 40 minutes 17 seconds a distance of 258.33 feet, and cord of said curve bears South 7 degrees 50 minutes 05 seconds West, distance 249.33 feet; thence S 18 degrees 30 minutes 03 seconds E tangent to said curve, a distance of 531.67 feet to the Northeast corner of said Lot 6, Block 4, Woodland Hills Second Addition; thence S 71 degrees 31 minutes 37 seconds W along the Northerly line of said Lot 6 a distance of 311.50 feet to the Northwest corner of said Lot 6; thence N 14 degrees 14 minutes 24 seconds W, a distance of 499.60 feet; thence N 0 degrees 14 minutes 28 seconds W, a distance of 437.87 feet; thence Easterly along a circular curve, not tangent to the last described course, concave to the South, having a radius of 589.35 feet and a central angle of 15 degrees 27 minutes 50 seconds, a distance of 159.06 feet, the cord of said curve bears South 82 degrees 30 minutes 33 East, distance 158.58 feet to the point of beginning.

REC'D BY
MMB

MAR 20 2002

LEGAL DESCRIPTION (Gallus)

Parcel 1:

The South Half of the Northwest Quarter of the Northwest Quarter of Section Twenty-one (21), Township Thirty-three (33), Range Twenty-seven (27), Sherburne County, Minnesota.

Parcel 2:

The South Half of the Northwest Quarter in Section 21, Township 33, Range 27, and the Southeast Quarter of the Northeast Quarter in Section 20, Township 33, Range 27, Sherburne County, Minnesota.

Parcel 3:

The South Half of the Northwest Quarter of Section 21, Township 33, Range 27, Sherburne County, Minnesota.

**JOINT RESOLUTION NO. 2001-79
TOWN OF BIG LAKE AND CITY OF BIG LAKE
SHERBURNE COUNTY**

**A JOINT RESOLUTION ESTABLISHING
JOINT PLANNING AND ORDERLY GROWTH**

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 - c. 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;
 - d. Utilities are available to the OAA.
3. The Township consents to the extension of the City's zoning, subdivision, and other official controls to the Orderly Annexation Area upon the effective date of this Agreement.
4. It is the intent of the parties that the terms of this agreement act to prohibit annexation under any laws currently in force if annexation under such laws would be contrary to the annexation procedures set out in this agreement. It is also the intent of the parties that changes in the law subsequent to the date of this agreement not alter or affect the rights or obligations of the parties as set out in this agreement. In the event changes occur in annexation-related laws subsequent to the date of this agreement, the parties shall meet to discuss the

no

possibility of modifying this agreement to reflect some or all of the changes in said laws, but neither party to this agreement shall be required to modify this agreement as a result of changes in said laws.

5. Upon approval by the respective governing bodies of the City and the Township, this joint resolution and agreement shall confer jurisdiction upon Minnesota Planning 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.
6. 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 Minnesota Planning is necessary.
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8. The parties may amend this joint resolution by mutual consent at any time.

Approved and Adopted
this ____ day of _____, 2001.

BIG LAKE TOWNSHIP

Chair

Clerk

Approved and Adopted
this 14th day of November, 2001.

CITY OF BIG LAKE

Donald A. Quack
Mayor

[Signature]
Clerk

Whereupon the motion was duly passed and executed.

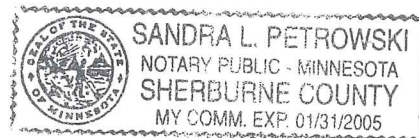
The motion for the adoption of the foregoing resolution was moved by Council Member Dickinson and seconded by Council Member Halvorson. Upon a vote taken, the motion passed with a vote of 5 to 0; whereupon said resolution was declared duly passed and adopted.

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

STATE OF MINNESOTA)
COUNTY OF SHERBURNE) ss.

The foregoing instrument was acknowledged before me this 14th day of November, 2001, by the Mayor, Don Orrock, and the City Administrator, Patrick Wussow, of the City of Big Lake, a Minnesota municipal corporation, on behalf of the Corporation.

Sandra L. Petrowski
Notary Public



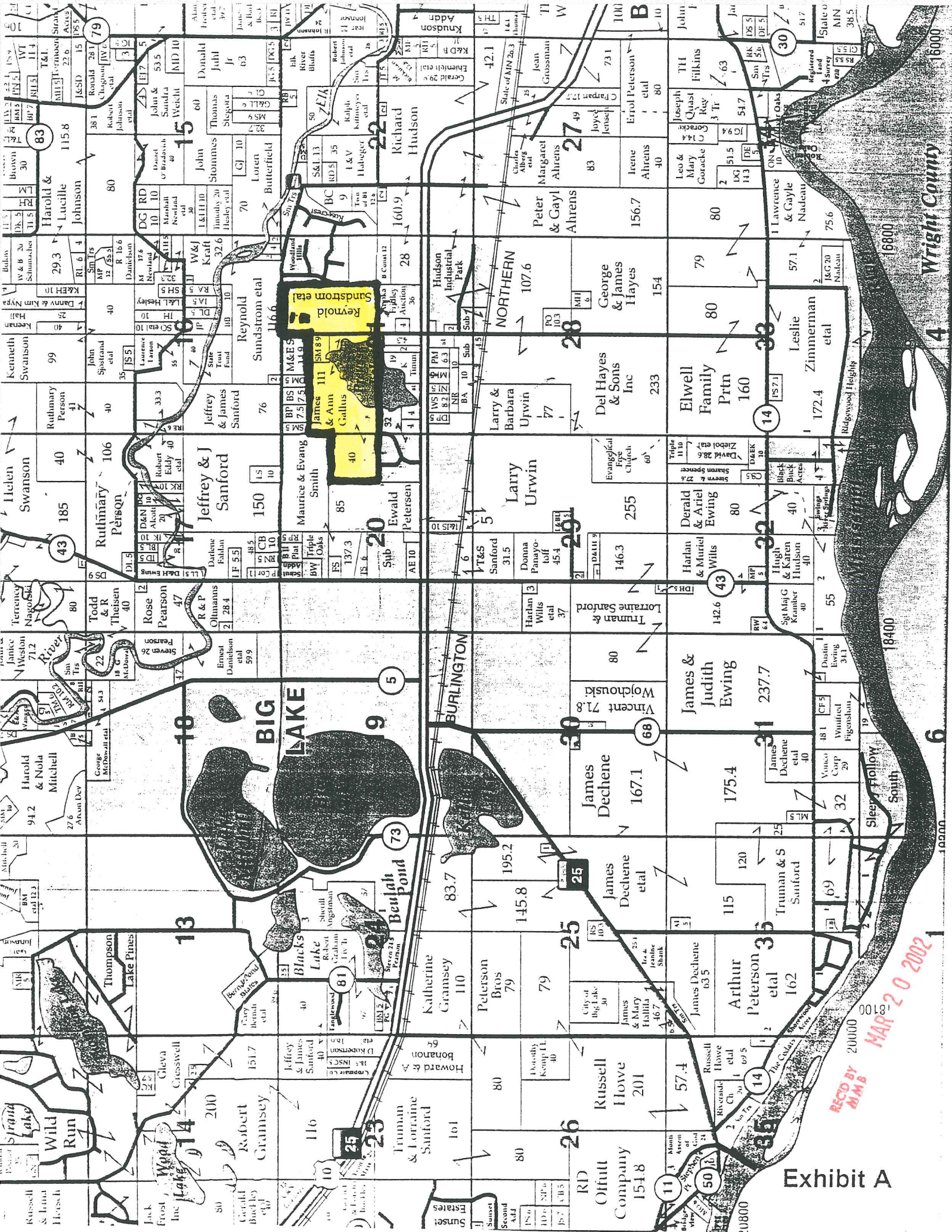


Exhibit A

LEGAL DESCRIPTION (Sundstrom)

REC'D BY
MMB

MAR 20 2002

The West half of the Northeast Quarter, Section twenty-one (21), Township thirty-three (33), Range twenty-seven (27), Sherburne County, Minnesota

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Exhibit B-1

LEGAL DESCRIPTION (Gallus)

REC'D BY
MMB

MAR 20 2002

Parcel 1:

The South Half of the Northwest Quarter of the Northwest Quarter of Section Twenty-one (21), Township Thirty-three (33), Range Twenty-seven (27), Sherburne County, Minnesota.

Parcel 2:

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Parcel 3:

The South Half of the Northwest Quarter of Section 21, Township 33, Range 27, Sherburne County, Minnesota.