



City Clerk's Office
160 Lake Street N
Big Lake City Hall
Big Lake, MN 55309
763-251-2973
gwolbeck@biglakemn.org

March 13, 2024

Office of the Secretary of State
180 State Office Building
100 Rev. Dr. Martin Luther King Jr. Blvd
St. Paul, MN 55155-1299

RE: Annexation by Ordinance No. 2024-03; to correct Legal Description error in Annexation by Ordinance No. 2023-12.

Enclosed you will find the following information regarding Annexation by Ordinance No. 2024-03, approved by the City of Big Lake on March 13, 2024 for a portion of parcel no. 10-00121-3201. This parcel was formerly two separate parcels: 10-121-3201 and 10-121-3202 that have now been combined into one parcel by Sherburne County, and then renumbered to be known as 10-00121-3201. The sole property owner petitioned the City for annexation to correct a legal description error that occurred on Annexation by Ordinance No. 2023-12 adopted by the Big Lake City Council on November 27, 2023. This correction was requested by the MN Department of Transportation (MnDOT).

A legal description was provided by Justin Roberts, Research Analysis Specialist with MnDOT, to correct the legal description error. The described area shown in Ord. 2024-03 was erroneously omitted in the legal description listed in Ordinance No. 2023-12, which intended to annex two full parcels owned by the Petitioner.

The City's intent, is to annex parcel no. 10-00121-3201 in its entirety, through Ordinance No. 2023-12 and Ordinance No. 2024-03. The following are being provided in this mailing:

1. A copy of **Ordinance No. 2023-12** which includes:
 - a. (Legal Descriptions for 10-121-3201 and 10-121-3202, site location maps, and parcel survey)
 - b. Since this original annexation was approved, Sherburne County has approved combining the two parcels into one single parcel, which has been renumbered as Parcel No. 10-00121-3201
2. A copy of **Ordinance No. 2024-03** which includes:
 - a. (Legal Description for a PORTION of 10-00121-3201, site location map, and parcel survey)

The following items were previously provided with Ordinance No. 2023-12 dated November 27, 2023:

- Municipal Boundary Adjustment Unit Filing Fee in the amount of \$100.00
- Certificate of Survey
- Book N of Misc Page 392
- City of Big Lake Base Map

Sincerely,

Gina Wolbeck, City Clerk
City of Big Lake

Document Number: 240976
Filed April 2, 2024
Office of the Minnesota
Secretary of State, Steve Simon

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City Clerk's Office
160 Lake Street N
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763-251-2973
gwolbeck@biglakemn.org

November 27, 2023

Minnesota Office of Administrative Hearings
Attn: Star Holman
Municipal Boundary Adjustments
P. O. Box 64620
St. Paul, MN 55164-0620

Document Number: 240974
Filed April 2, 2024
Office of the Minnesota
Secretary of State, Steve Simon

RE: Request for Annexation by Ordinance

Dear Star:

Enclosed you will find the following information regarding an Annexation by Ordinance approved by the City of Big Lake on November 27, 2023 for parcel no.'s 10-121-3201 and 10-121-3202. The sole property owner petitioned the City for annexation.

1. A copy of **Ordinance No. 2023-12** which includes:
 - a. (Legal Descriptions, Site location maps, and parcel survey)
2. Municipal Boundary Adjustment Unit Filing Fee in the amount of \$100.00
 - a. (5.695 acres x \$5/acre = \$28.48; minimum fee = \$100)
3. Certificate of Survey
4. Book N of Misc Page 392
5. City of Big Lake Base Map

The land is currently designated for Medium and High Density Residential use, and the annexation is being requested to facilitate the expansion of Cargill Kitchens industrial operations in the I-1 Industrial Park district.

We appreciate the scheduling of this item for consideration. If you have any questions, please contact me at (763) 251-2973 or by email at gwolbeck@biglakemn.org.

Sincerely,

Gina M. Wolbeck, City Clerk
City of Big Lake

cc/ City Administrator Hanna Klimmek, Community Dev. Director Therese Haffner, and City Planner Lucinda Spanier

Enclosures

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

092809

**Big
Lake**

160 LAKE ST. N.
BIG LAKE, MN 56309

One Hundred and 00/100 Dollars

U.S. BANK
MINNEAPOLIS, MN 55480

2010

NO

DATE

11/21/2023

AMOUNT

\$100.00

PAY **MINNESOTA OFFICE OF ADMINISTRATIVE HEARINGS**
TO THE ATTN: STAR HOLMAN
ORDER MUNICIPAL BOUNDARY ADJUSTMENTS
OF P.O. BOX 64620
ST. PAUL, MN 55164-0620

MAYOR

CITY ADMINISTRATOR

CITY TREASURER

⑈092809⑈ ⑆091000022⑆ 160234084194⑈

City of Big Lake Ordinance No. 2023-12

AN ORDINANCE ANNEXING LAND LOCATED IN BIG LAKE TOWNSHIP, SHERBURNE COUNTY, MINNESOTA, PURSUANT TO MINNESOTA STATUTES § 414.033 SUBDIVISION 2(3), PERMITTING ANNEXATION BY ORDINANCE

WHEREAS, all of the property owners of the lands described below have petitioned the Big Lake City Council to annex this property to the City of Big Lake, pursuant to Minnesota Statutes Section 414.033, subdivision 2(3); and:

WHEREAS, the property is unincorporated and abuts the City of Big Lake on its northern and western boundaries; is less than 120 acres; is not presently served by public sewer facilities or public sewer facilities are not otherwise available; and

WHEREAS, the property is designated for future medium and high density housing, and annexation is requested to facilitate the extension of city services for industrial development of the property; and

WHEREAS, the area of land proposed for annexation is 5.695 acres; and

WHEREAS, City of Big Lake held a public hearing pursuant to Minnesota Statutes § 414.033, subd. 2b, on November 27th, 2023, following thirty (30) days' written notice by certified mail to Big Lake Township and to all landowners within and contiguous to the area legally described herein to be annexed; and

WHEREAS, provisions of Minnesota Statutes § 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BIG LAKE HEREBY ORDAINS AS FOLLOWS:

1. The Land as described herein abuts the city limits and is or is about to become urban or suburban in nature in that industrial use is being proposed for said property the construction of which requires or will need city services, including public sewer facilities.
2. None of the property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minnesota Statute § 414.0325.
3. The corporate limits of the City of Big Lake, Minnesota, are hereby extended to include the following described property, said land abutting the City of Big Lake

and being 120 acres or less in area, which is not presently served by public sewer facilities or public sewer facilities are not otherwise available, and the City having received a petition for annexation from all the property owners of the land, to wit:

Parcel A

Part of the Northwest Quarter of the Southwest Quarter of Section 21, Township 33, Range 27, more particularly described as follows: Commencing at the Southeast corner of the Northwest Quarter of the Southwest Quarter of Section 21, Township 33, Range 27, thence North on and along the 1/16th section line a distance of 417.5 feet, thence West at right angles to the said 1/16th section line a distance of 417.5 feet to place of beginning; thence continuing West and parallel to the South line of said Northwest Quarter of the Southwest Quarter of Section 21 a distance of 417.5 feet, thence South and parallel to said 1/16th section line to the South line of the Northwest Quarter of the Southwest Quarter of Section 21; thence East on and along the South line of the Northwest Quarter of the Southwest Quarter of Section 21, a distance of 417.5 feet, thence North to the place of beginning.

Tax Parcel Property ID No. 10-121-3201

Parcel B

The Northwest Quarter of the Southwest Quarter (NW¹/₄ SW¹/₄), Section Twenty-one (21), Township Thirty-three (33) North, Range Twenty-seven (27) West; except that part thereof described as follows: Commencing at the Southeast corner of the said Northwest Quarter of the Southwest Quarter (NW¹/₄ SW¹/₄) of Section Twenty-one (21); thence North on and along the 1/16 section line a distance of 417.5 feet; thence West at right angles to the said 1/16 section line a distance of 835 feet; thence South and parallel with the said 1/16 section line to the South line of the said Northwest Quarter of the Southwest Quarter (NW¹/₄ SW¹/₄) of Section Twenty-one (21); thence East on and along the said South line of the Northwest Quarter of the Southwest Quarter (NW¹/₄ SW¹/₄) of Section Twenty-one (21) to the point of beginning. AND Except the East 417.5 feet of the Northwest Quarter of the Southwest Quarter (NW¹/₄ SW¹/₄) of Section Twenty-one (21), Township Thirty-three (33), Range Twenty-seven (27). AND except that part of the Northwest Quarter of the Southwest Quarter (NW¹/₄ SW¹/₄) of Section Twenty-one (21), Township Thirty-three (33), Range Twenty-seven (27), lying North of the South 567.50 feet AND Except property platted as Big Lake Industrial Park East Plat Two, Big Lake Industrial Part East Plat Three and Big Lake Industrial Park East Plat Four.

Tax Parcel Property ID No. 10-121-3202

The above-described property consists of a total of 5.695 acres, more or less.

Copies of the corporate boundary map showing the property to be annexed and its relationship to the corporate boundaries and all appropriate plat maps are attached hereto.

4. That the population of the area legally described herein and hereby annexed is zero.
5. The City of Big Lake, pursuant to Minnesota Statutes § 414.036, shall provide reimbursement to Big Lake Township to compensate the town for the loss of taxable property in the amount of Two Thousand Nine Hundred Fifty-Six Dollars (\$2,956.00), which represents one (1) year of township taxes on the property, payable in two (2) annual payments in accordance with the following schedule:
 1. In 2025, an amount equal to One Thousand Four Hundred Seventy-Eight Dollars (\$1,478.00);

(1/2 total amount)
 2. In 2026, an amount equal to One Thousand Four Hundred Seventy-Eight Dollars (\$1,478.00);

There are no outstanding assessments against the Land.

6. That the City Clerk of the City of Big Lake is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Sherburne County Auditor, and the Big Lake Township Clerk.
7. That the Office of Administrative Hearings is hereby requested to issue its order approving this annexation.
8. This ordinance shall be effective immediately upon its passage and publication, and approval by the Office of Administrative Hearings, Boundary Adjustments, and State of Minnesota.

Adopted by the Big Lake City Council this 27th day of November, 2023.

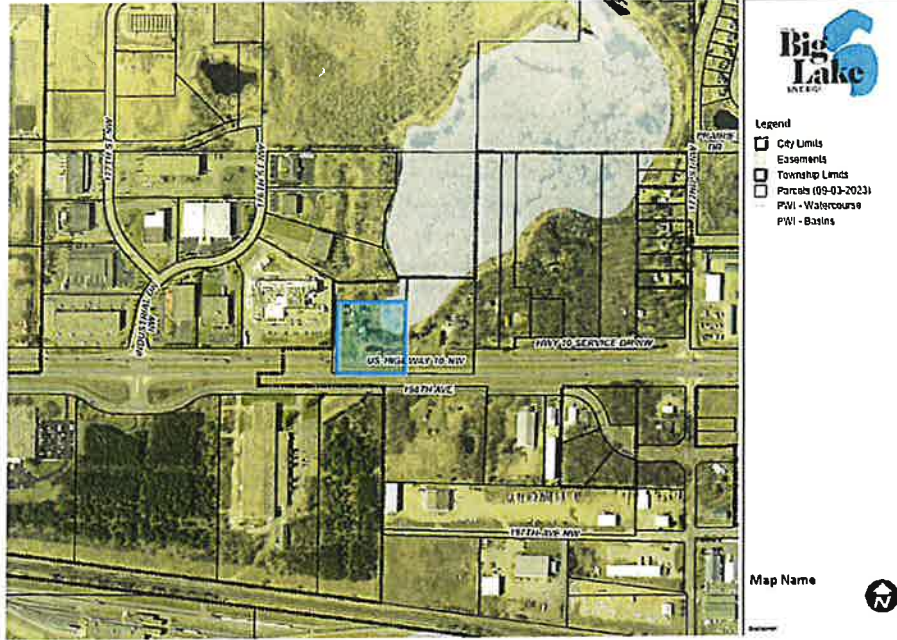
CITY OF BIG LAKE



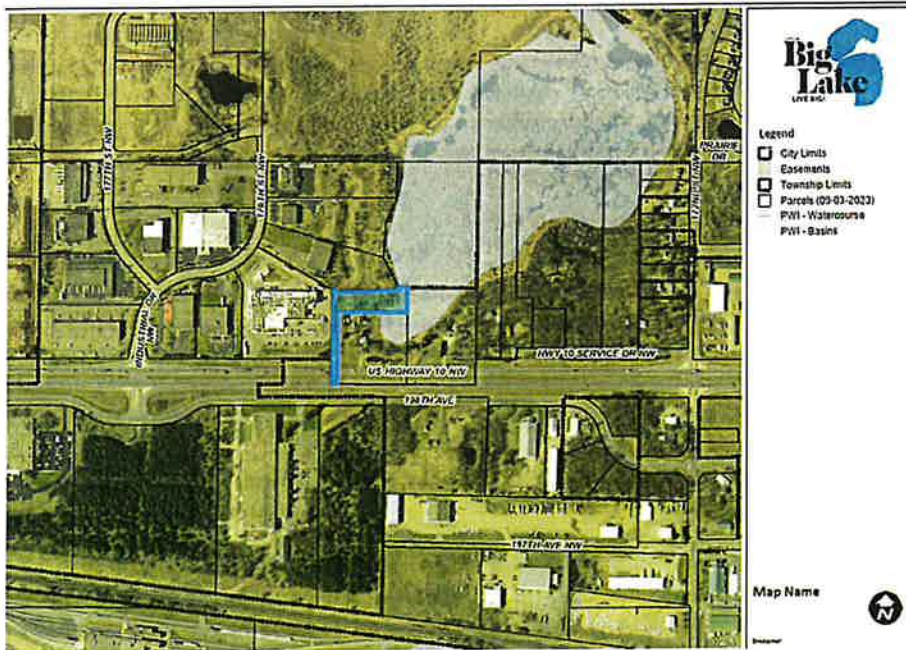
Mayor Paul Knier

Exhibit A Maps Showing Parcels, Survey, and City Boundary

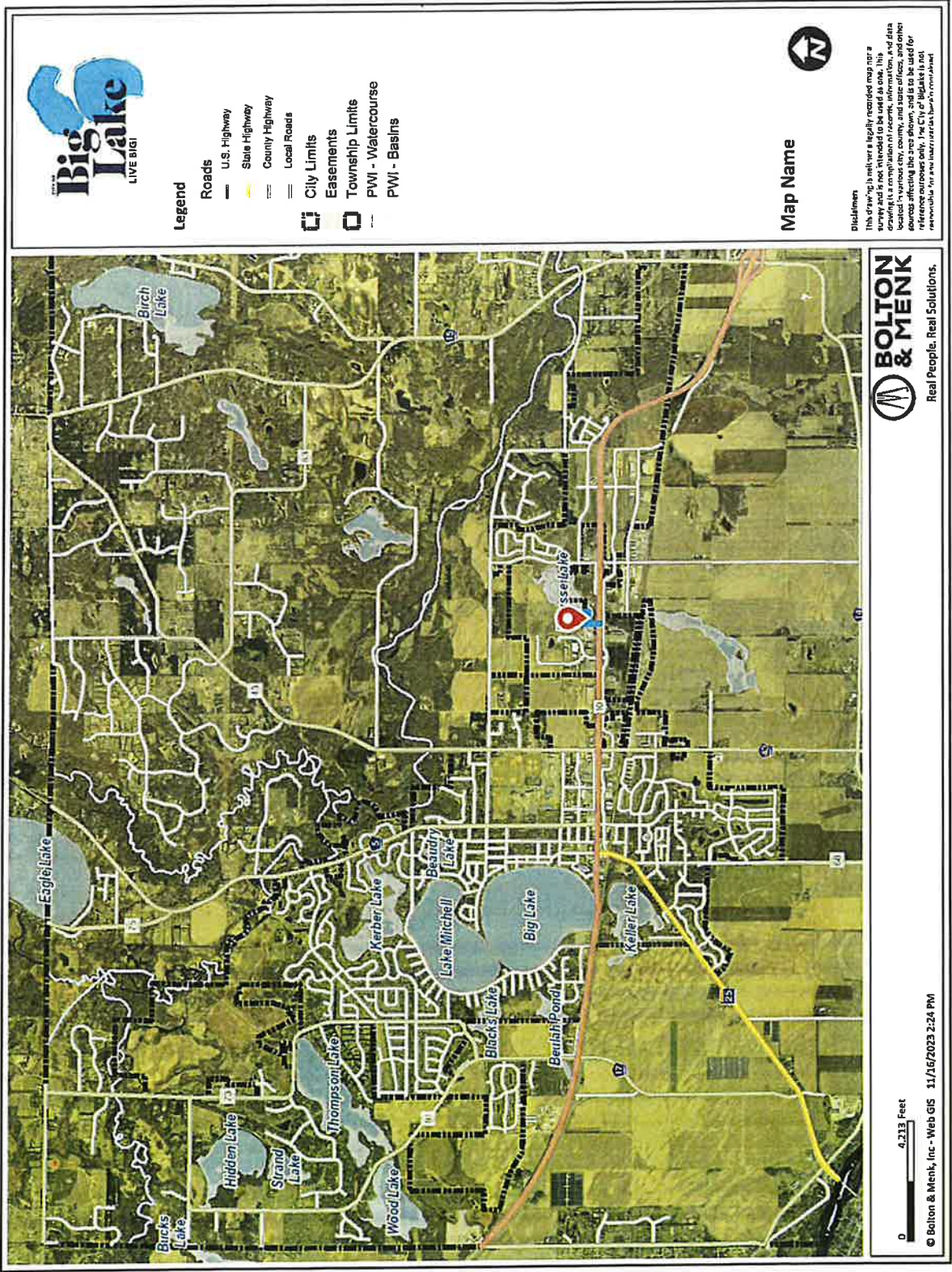
Parcel No. 10-121-3201



Parcel No. 10-121-3202



City Boundary Map





Legend

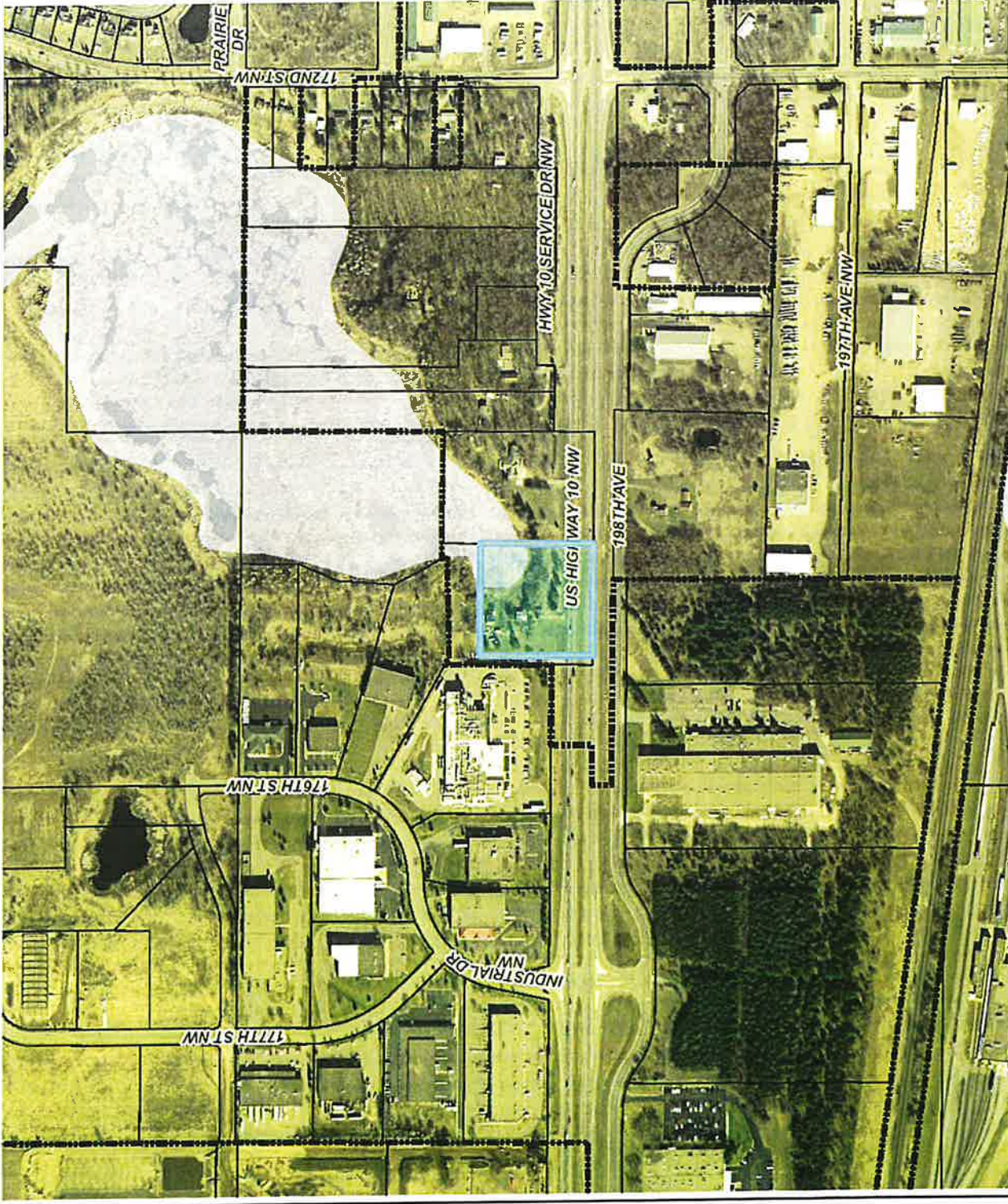
- City Limits
- Easements
- Township Limits
- Parcels (09-03-2023)
- PWI - Watercourse
- PWI - Basins

Parcel No.
10.121.3201
(Parcel A)

Map Name



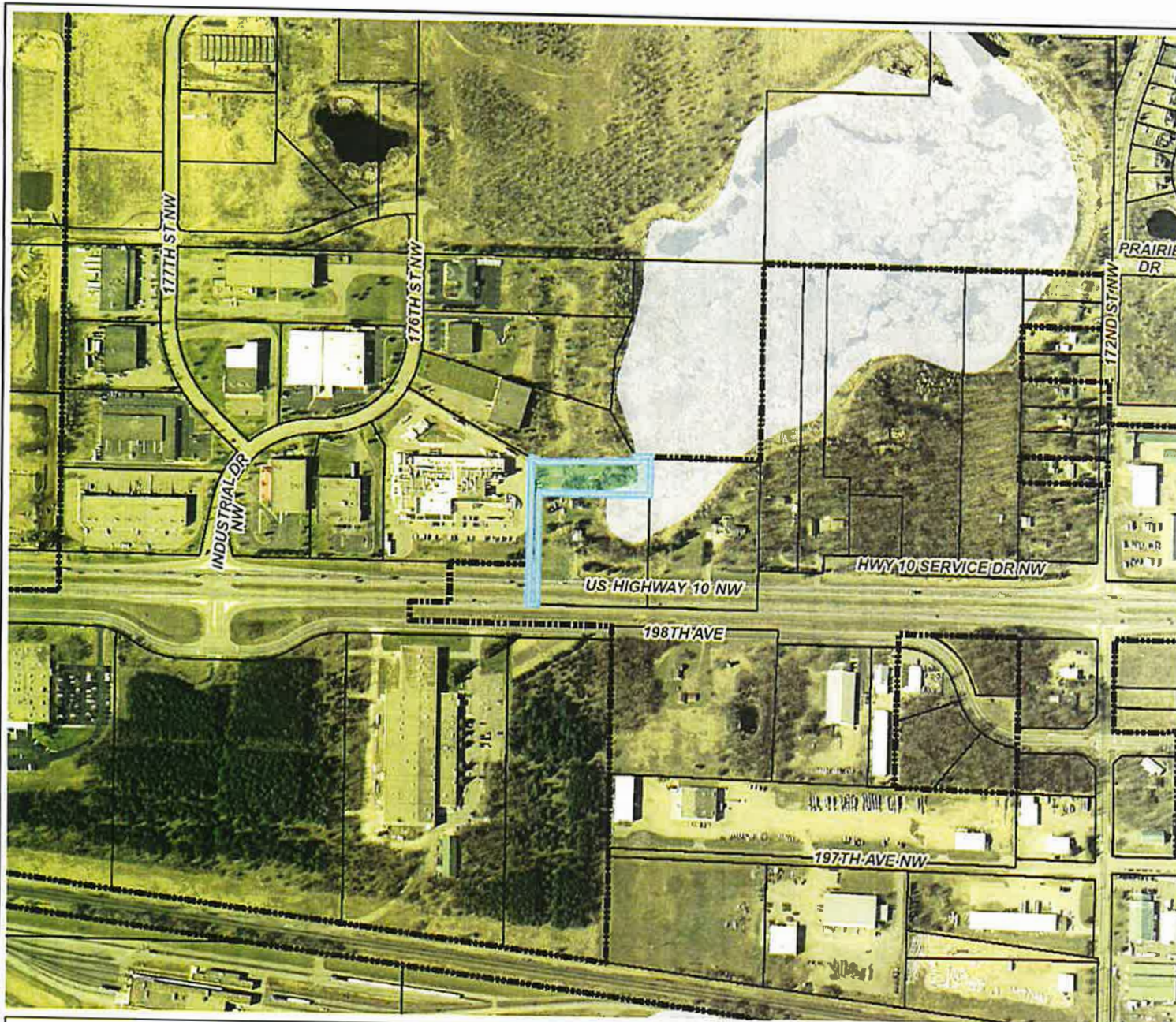
Disclaimer:
This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, information, and data located in various city, county, and state offices, and other sources affecting the area shown, and is to be used for reference purposes only. The City of Big Lake is not responsible for any inaccuracies herein contained.



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Office of the Minnesota
Secretary of State, Steve Simon

527 Feet

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Legend

- City Limits
- Easements
- Township Limits
- Parcels (09-03-2023)
- PWI - Watercourse
- PWI - Basins

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Parcel No.
 10.121.302
 (Parcel B)

Map Name



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Miscellaneous Record "N"

#67179 Filed Nov. 12th, 1943 at 1 P.M.

STATE OF MINNESOTA

COUNTY OF SHERBURNE

IN DISTRICT COURT

EIGHTEENTH JUDICIAL DISTRICT

IN THE MATTER OF THE PETITIONS BY J. A. A. BURNQUIST, ATTORNEY GENERAL, FOR THE
CONDEMNATION BY THE STATE OF MINNESOTA, OF CERTAIN LANDS OWNED BY

MARTIN L. HOUT, ET AL

AND

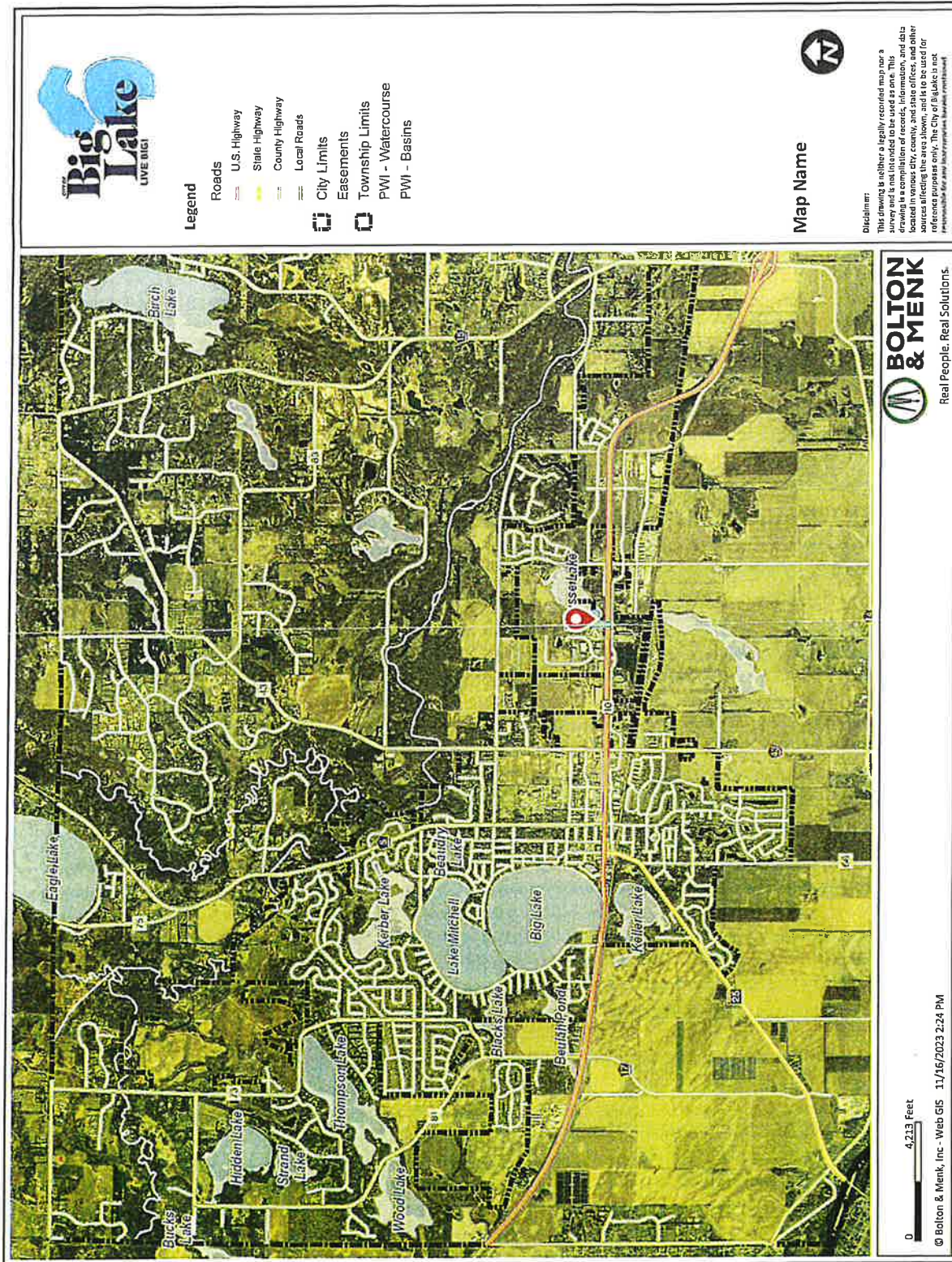
ANNA S. NELSON, ET AL.

Dated Oct. 1, 1943
IN SHERBURNE COUNTY, MINNESOTA, FOR HIGHWAY PURPOSES ON TRUNK HIGHWAY NUMBER 10, FORMERLY
DESIGNATED AS TRUNK HIGHWAY NUMBER 3, UNDER PETITIONS DATED OCTOBER 1, 1941, AND OCTOBER 2,
1941, FILED IN THE OFFICE OF THE CLERK OF THE DISTRICT COURT OF SAID COUNTY IN THE ABOVE
ENTITLED PROCEEDINGS WHICH HAVE BEEN CONSOLIDATED BY ORDER OF DISTRICT COURT.

FINAL CERTIFICATE

By authority of Mason's Minnesota Statutes 1927, Section 6557-1 (d), I hereby certify that the lands herein described have been taken by the State of Minnesota in eminent domain proceedings by virtue of Chapter 41 of said statutes; that the said lands were taken for trunk highway purposes in conformity with the requirements of said chapter as amended; that commissioners were duly appointed by the court to ascertain and report the amount of damages sustained by the several owners on account of such taking; that said commissioners qualified, and made and filed their report of such damages; that the time for appeal from the awards in said report has expired; that all appeals taken have been finally determined; that all damages so determined by award, by judgment, and by agreement of the parties have been paid by the

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- Legend**
- Roads**
 - U.S. Highway
 - State Highway
 - County Highway
 - Local Roads
 - City Limits**
 - Easements**
 - Township Limits**
 - PWI - Watercourse**
 - PWI - Basins**

Map Name

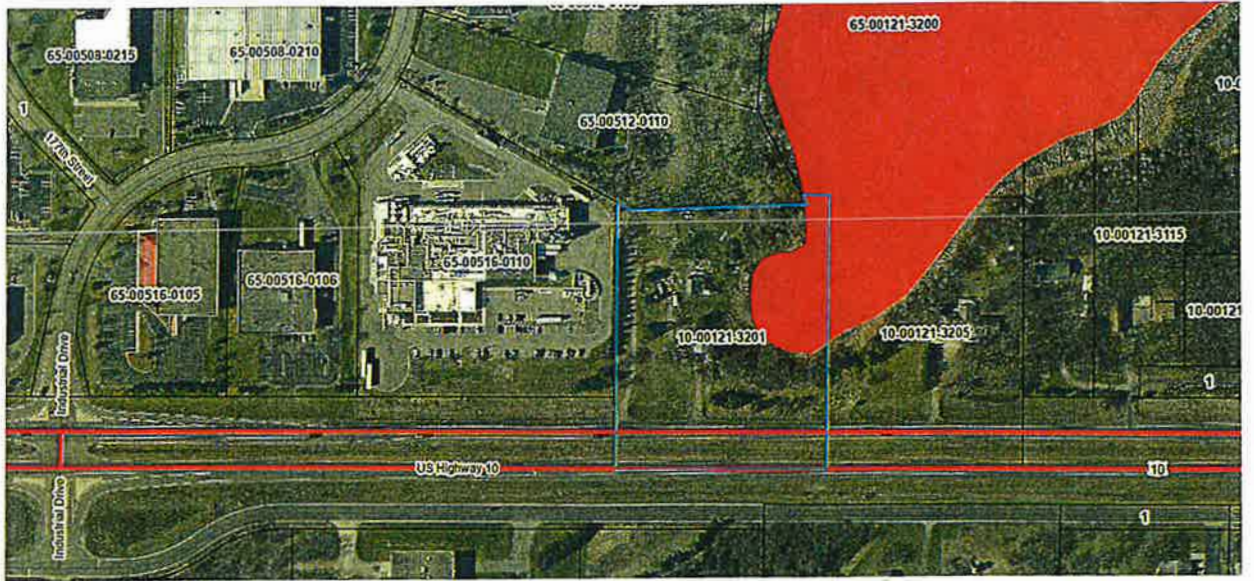


Disclaimer:
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4,213 Feet

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DETAIL (NOT TO SCALE)

