

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE ORDERLY ANNEXATION)
AGREEMENT BETWEEN THE CITY OF NEW)
PRAGUE AND THE TOWN OF HELENA PURSUANT) ORDER
TO MINNESOTA STATUTES 414)

WHEREAS, a joint resolution for orderly annexation was adopted by the City of New Prague and the Town of Helena; and

WHEREAS, an amendment to the joint resolution was received from the City of New Prague and the Town of Helena indicating their desire that certain property be annexed to the City of New Prague pursuant to M.S. 414.0325; and

WHEREAS, M.S. 414.0325 states that in certain circumstances the Director of Strategic and Long Range Planning may review and comment, but shall within 30 days order the annexation of land pursuant to said subdivisions; and

WHEREAS, Reorganization Order No. 192, effective March 8, 2005, has transferred the duties of the Director to the Chief Administrative Law Judge; and

WHEREAS, on September 15, 2005, the Chief Administrative Law Judge has reviewed and accepted the resolution for orderly annexation;

IT IS HEREBY ORDERED: That the following described property is hereby annexed in accordance with the terms of the joint resolution to the City of New Prague, Minnesota, the same

as if it had originally been made a part thereof:

All that part of the Southwest Quarter of Section 35, Township 113 North, Range 23 West, Scott County, Minnesota, described as follows: Commencing at the South Quarter corner of Section 35; thence North 89 degrees 05 minutes 45 seconds West (bearings based on East 19 Biway Addition) on the South line of the Southwest Quarter of Section 35, a distance of 316.50 feet to the point of beginning; thence continuing North 89 degrees 05 minutes 45 seconds West on the South line of the Southwest Quarter of Section 35, a distance of 344.51 feet; thence North 02 degrees 37 minutes 39 seconds East, 647.22 feet; thence South 89 degrees 05 minutes 45 seconds East, 324.97 feet; thence South 00 degrees 54 minutes 15 seconds West 646.93 feet to the point of beginning. Containing 5.0 acres of land being subject to and together with any and all easements of record.

Dated this 15th day of September, 2005.

For the Chief Administrative Law Judge
658 Cedar Street, Room 300
St. Paul, Minnesota 55155



Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments

A-2491(OA)-14 New Prague

MEMORANDUM

In ordering the annexation contained in Docket No. A-2491(OA)-14, the Chief Administrative Law Judge finds and makes the following comment:

The authority to impose the type of charge identified in Resolution No. 05-05-02-03 of the agreement, is questionable. The issuance of this order makes no determination as to the legality or validity of these provisions of the agreement. Any issue that may arise relative to the application or interpretation of these sections will be the sole responsibility of the signatories to the agreement.

The parties are encouraged to consider this comment in light of any further amendments that may be otherwise necessary to this agreement for orderly annexation.

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