

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Orderly Annexation
of Certain Real Property to the City of
New Prague from Helena Township
[MBAU Docket A-2491(OA)-17]

**ORDER APPROVING
ANNEXATION**

A joint resolution for orderly annexation (Joint Resolution to Designate) was adopted by the city of New Prague (City) on June 19, 1978, and Helena Township (Township) on August 29, 1978, pursuant to Minn. Stat. § 414.0325 (2014) designating certain real property for annexation. The City and Township amended the Joint Resolution to Designate in December 2010 (2010 Amendment).

Joint Resolution 15-05-18-01 (Joint Resolution to Annex) adopted by the City on May 18, 2015, and the Township on May 7, 2015, requests annexation of certain real property (Property) legally described as follows:

The North 25 rods of the Southeast Quarter of Section 33, Township 113, Range 23, Scott County, Minnesota.

Except that part described as follows:

Commencing at the east quarter corner of said Section 33, thence on an assumed bearing of South 01 degrees 31 minutes 42 seconds West along the east line of said Southeast Quarter 202.46 feet to the point of beginning; thence North 88 degrees 28 minutes 18 seconds West 100.73 feet; thence South 01 degrees 31 minutes 42 seconds West 27.00 feet; thence South 89 degrees 02 minutes 06 seconds West 51.87 feet; thence southwesterly 212.93 feet along a tangential curve concave to the southeast, having a radius of 337.92 feet and a central angle of 36 degrees 06 minutes 08 seconds; thence South 52 degrees 55 minutes 58 seconds West along tangent 82.25 feet; thence southwesterly 173.21 feet along a tangential curve concave to the northwest, having a radius of 262.83 feet and a central angle of 37 degrees 45 minutes 33 seconds; thence North 89 degrees 18 minutes 29 seconds West along tangent 18.13 feet; thence South 00 degrees 41 minutes 31 seconds West 7.00 feet to the north right-of-way line of existing Sixth Street NW; also being the south line of said North 25 rods of the Southeast Quarter; thence South 89 degrees 18 minutes 29 seconds East along said existing north right-of-way line 591.14 feet to said east line of the Southeast Quarter; thence North 01 degrees 31 minutes 42 seconds East along said east line of the Southeast Quarter 210.08 feet to the point of beginning.

Tract contains 23.52 acres more or less of land and is subject to right-of-way in existing Trunk Highway No. 21 and subject to any and all easements of record.

Based upon a review of the Joint Resolution to Designate, the 2010 Amendment, and the Joint Resolution to Annex, and finding that the annexation would be in the best interests of the Property, the Chief Administrative Law Judge makes the following:

ORDER

1. Pursuant to Minn. Stat. § 414.0325, the Joint Resolution to Annex is deemed adequate in all legal respects and properly supports this Order.
2. Pursuant to the terms of the Joint Resolution to Designate, the 2010 Amendment, the Joint Resolution to Annex, and this Order, the Property is **ANNEXED** to the city of New Prague.
3. Pursuant to the agreement of the parties and as allowed by Minn. Stat. § 414.036 (2014), no reimbursement shall be made by the City to the Township. There are no special assessments or debt incurred by the Township on the subject property for which reimbursement is required.

Dated: June 1, 2015



TAMMY L. PUST
Chief Administrative Law Judge

NOTICE

This Order is the final administrative order in this case under Minn. Stat. §§ 414.0325, .07, .09, .12 (2014). Pursuant to Minn. Stat. § 414.07, subd. 2, any person aggrieved by this Order may appeal to Scott County District Court by filing an Application for Review with the Court Administrator within 30 days of this Order. An appeal does not stay the effect of this Order.

Any party may submit a written request for an amendment of this Order Approving Annexation Ordinance within seven days from the date of the mailing of the Order pursuant to Minn. R. 6000.3100 (2013). However, no request for amendment shall extend the time of appeal from this Order.