

A-2492(OA)
9/13/13

JOINT RESOLUTION AS TO ORDERLY ANNEXATION
LANESBURGH TOWNSHIP - CITY OF NEW PRAGUE

WHEREAS, The Township of Lanesburgh and the City of New Prague are both interested in achieving an Orderly Annexation while at the same time maintaining any area that is non-urban or suburban in character as property not to be annexed,

AND WHEREAS, there is a basis for agreement between the parties and the parties hereto desire to set forth such terms of settlement by means of this Resolution,

NOW, THEREFORE, BE IT RESOLVED by the Township of Lanesburgh and the City of New Prague as follows:

1. That the following described area in Lanesburgh Township is properly subject to orderly annexation under and pursuant to Minnesota Statutes 414.032, and the parties hereto do hereby designate this area as in need of orderly annexation as provided by statute:

Sections 1, 2, 3 and 4, all in
Lanesburgh Township, Le Sueur
County, Minnesota.

That the Township of Lanesburgh does upon the passage of this resolution and its adoption by the Council of the City of New Prague confer jurisdiction upon the Minnesota Municipal Commission so as to accomplish said orderly annexation in accordance with the terms of this resolution.

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2. No annexations will take place anywhere within the area designated as in need of orderly annexation unless the area involved is or is about to become urban or suburban in character and unless the city is capable of providing municipal services such as water, sanitary sewers, storm sewers and police and fire protection within a reasonable time.

TOWNSHIP OF LANESBURGH

Passed and adopted by the Township of Lanesburgh
this 18 day of June, 1973.

ATTEST: Joseph H Tupy BY Joe B Tupy
Township Clerk Its Chairman

CITY OF NEW PRAGUE

Passed and adopted by the City of New Prague
this 6 day of August, 1973.

ATTEST: Wallace L. Bednar BY Gene Fleck
Wallace L. Bednar ITS MAYOR
City Clerk

BEFORE THE MUNICIPAL COMMISSION
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Thomas J. Simmons	Vice Chairman
Gerald J. Isaacs	Member
Henry Simon	Ex-Officio Member
Robert Casey	Ex-Officio Member

IN THE MATTER OF THE JOINT RESOLUTION)	
BETWEEN CITY OF NEW PRAGUE AND LANES-)	<u>FINDINGS OF FACT,</u>
BURGH TOWNSHIP FOR THE ORDERLY ANNEXATION))	<u>CONCLUSIONS OF LAW,</u>
OF CERTAIN LAND TO THE CITY OF NEW PRAGUE))	<u>AND ORDER</u>

The above entitled matter came on for hearing before the Minnesota Municipal Commission pursuant to Minnesota Statutes 414, as amended, on the 16th day of November, 1973, at the City Hall, 118 Central Avenue North, New Prague, Minnesota. The City of New Prague appeared by and through Robert J. Goggins. The hearing was conducted by Howard L. Kaibel, Executive Secretary of the Minnesota Municipal Commission pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners, Henry Simon and Robert Casey Ex-Officio Members of the Commission. Testimony was heard and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files and proceedings, and being fully advised in the premises, the Minnesota Municipal Commission hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Due, timely and adequate legal notice of the hearing was published, served and filed.
2. That the area proposed for annexation is approximately forty (40) acres.
3. That the area proposed to be annexed is characterized by residential development, etc. or will experience development in the

near future and is urban or suburban in character or about to become so in the near future.

4. That the City of New Prague does now provide to the area proposed for annexation the following services:

- a. Fire protection;
- b. Police protection;
- c. Electrical service.

5. That the City of New Prague is capable of and it is practical for it to provide to the area proposed for annexation the following municipal services within the next three (3) years:

- a. Water;
- b. Sewer services;
- c. Garbage collection services.

6. The population of the area proposed for annexation is 40

CONCLUSIONS OF LAW

1. The Minnesota Municipal Commission duly acquired and now has jurisdiction of the within proceeding.

2. The area proposed for annexation is now or is about to become urban or suburban in nature.

3. The City of New Prague is capable of providing the services required by the area described herein within a reasonable time.

ORDER

IT IS HEREBY ORDERED: That the following described property lying in the Township of Lanesburgh, County of LeSueur, State of Minnesota, be and the same hereby is annexed to the City of New Prague, the same as if it had originally been made a part thereof:

The ~~NE~~NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section Four (4), Township One Hundred Twelve (112) North, Range Twenty-three (23) West, Le Sueur County, Minnesota.

IT IS FURTHER ORDERED: That the mill levy of the City of New Prague on the property herein ordered annexed shall be increased in substantially equal proportion over a period of three years to equality with the mill levy of the property already within the City.

IT IS FURTHER ORDERED: That the population of the City of New Prague be and the same hereby is increased by 40 for all purposes until the next federal or state census.

IT IS FURTHER ORDERED: That the population of the Town of Lanesburg be and the same hereby is decreased by 40 for all purposes until the next federal or state census.

Dated this 11TH day of February, 1974

MINNESOTA MUNICIPAL COMMISSION
304 Capitol Square Building
St. Paul, Minnesota 55101



Howard L. Kaibel, Jr.
Executive Secretary