

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 March 10, 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:

That part of the Southwest Quarter of Section 33, Township 113 North, Range 23 West, Scott County, Minnesota, described as follows: Commencing at the Southwest Corner of said Section 33; thence North 01 degrees 09 minutes 53 seconds East (assumed bearing) on the West line of the Southwest Quarter, 551.73 feet to the North line of the South 17

acres of the West Half of said Southwest Quarter, said point being the point of beginning; thence continuing North 01 degrees 09 minutes 53 seconds East on said West line, 612.27 feet; thence North 89 degrees 51 minutes 59 seconds East, 368.0 feet; thence North 01 degrees 09 minutes 53 seconds East, 153.08 feet to the North line of the Southwest Quarter of the Southwest Quarter; thence North 89 degrees 54 minutes 44 seconds East on said North line, 177.81 feet to the East line of the West 16.5 acres of the Northwest Quarter of the Southwest Quarter; thence North 01 degrees 09 minutes 53 seconds East on said East line, 1316.93 feet to the North line of said Southwest Quarter; thence North 89 degrees 57 minutes 30 seconds East on said North line, 2122.48 feet to the Northeast Corner of said Southwest Quarter; thence South 00 degrees 45 minutes 33 seconds West on the East line of said Southwest Quarter, 2539.91 feet to the North right of way line of Minnesota State Highway 19; thence Westerly 365.94 feet on said right of way line on a 36816.39 foot non-tangent curve to the left having a central angle of 00 degrees 34 minutes 10 seconds and a 365.93 foot chord which bears North 89 degrees 50 minutes 56 seconds West; thence South 89 degrees 51 minutes 59 seconds West on said right of way line tangent to said curve, 1525.43 feet to a found iron pipe survey marker; thence North 01 degrees 00 minutes 38 seconds East, 462.99 feet to a found iron pipe survey marker; thence North 89 degrees 36 minutes 06 seconds West, 504.24 feet to a found iron pipe survey marker; thence South 01 degrees 09 minutes 53 seconds West; 7.99 feet to the North line of the South 17 acres of the West Half of the Southwest Quarter of said Section 33, thence South 89 degrees 51 minutes 59 seconds West on said North line, 289.38 feet to the point of beginning. Said parcel contains 129.85 acres of land being subject to and together with any and all easements of record.

AND

The West 16 ½ acres of the Northwest Quarter of the Southwest Quarter of Section 33, Township 113 North, Range 23 West, Scott County, Minnesota.

AND

Beginning 1320 feet north of the southwest corner of Section 33, Township 113 North, Range 23 West; thence East 368.0 feet; thence South 156.0 feet; thence West 368.0 feet; thence North 156.0 feet to the point of beginning. Said parcel contains 1.32 acres of land.

AND

The South ½ of the South ½ of the Northwest ¼, Section 33, Township 113 North, Range 23, Scott County, Minnesota; EXCEPT the West 264 feet thereof described as follows: All that part of the West Half (W ½) of the Northwest Quarter (NW ¼) Section Thirty-three (33), Township One Hundred Thirteen (113), Range Twenty-three (23) West, described as follows: Commencing at the Southwest corner of the Northwest Quarter (NW ¼) of Section Thirty Three (33), Township One hundred Thirteen (113), Range Twenty-three (23) West, thence East along the South line of said Northwest Quarter (NW ¼), a distance of 4.0 chains; thence North parallel to the West line of said Northwest Quarter (NW ¼), a distance of 12.85 chains; thence West parallel to the South line of said Northwest Quarter, a distance of 4.0 chains; thence South along the West line of said

Northwest Quarter (NW $\frac{1}{4}$), a distance of 12.85 chains to the place of beginning. Subject to township roadway easements in use or on record. ALSO EXCEPTING That part of the Southwest Quarter of the Northwest Quarter of Section 33, Township 113, Range 23, Scott County, Minnesota, and that part of the Southeast Quarter of the Northeast Quarter of Section 32, Township 113, Range 23 in said Scott County described as follows: Commencing at the southwest corner of the Northwest Quarter of said Section 33, thence on an assumed bearing of North 0 degrees 58 minutes 47 seconds East along the west line of said Northwest Quarter a distance of 858.10 feet to the point of beginning of the land to be described; thence South 89 degrees 49 minutes 10 seconds West and parallel with the south line of the Northeast Quarter of said Section 32 a distance of 152.46 feet; thence North 19 degrees 05 minutes 29 seconds West a distance of 487.71 feet; thence South 89 degrees 57 minutes 33 seconds East and parallel with the north line of said Southwest Quarter of the Northwest Quarter a distance of 556.88 feet; thence South 0 degrees 58 minutes 47 seconds West a distance of 459.90 feet to an intersection with a line which passes through the point of beginning bearing North 89 degrees 57 minutes 30 seconds East and parallel with the south line of the Northwest Quarter of said Section 33; thence South 89 degrees 57 minutes 30 seconds West a distance of 237.04 feet to the point of beginning. Subject to an easement for road and utility purposes over, under and across that part of said Southeast Quarter of the Northeast Quarter which lies within the right of way of Naylor Avenue.

AND

The South 6 acres of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 33, Township 113, North, Range 23.

AND

The North $\frac{1}{2}$ of the South $\frac{1}{2}$ of the Northwest $\frac{1}{4}$, Section 33, Township 113 North, Range 23, Scott County, Minnesota EXCEPTING THEREFROM: All that part of the West Half (W $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) Section Thirty-three (33), Township One Hundred Thirteen (113), Range Twenty-three (23) West, described as follows: Commencing at the Southwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of Section Thirty Three (33), Township One hundred Thirteen (113) Range Twenty-three (23) West, thence East along the South line of said Northwest Quarter (NW $\frac{1}{4}$), a distance of 4.0 chains; thence North parallel to the West line of said Northwest Quarter (NW $\frac{1}{4}$), a distance of 12.85 chains; thence West parallel to the South line of said Northwest Quarter, a distance of 4.0 chains; thence South along the West line of said Northwest Quarter (NW $\frac{1}{4}$), a distance of 12.85 chains to the place of beginning. Subject to township roadway easements in use or on record. ALSO EXCEPTING That part of the Southwest Quarter of the Northwest Quarter of Section 33, Township 113, Range 23, Scott County, Minnesota, and that part of the Southeast Quarter of the Northeast Quarter of Section 32, Township 113, Range 23 in said Scott County described as follows: Commencing at the southwest corner of the Northwest Quarter of said Section 33, thence on an assumed bearing of North 0 degrees 58 minutes 47 seconds East along the west line of said Northwest Quarter a distance of 858.10 feet to the point of beginning of the land to be described; thence South 89 degrees 49 minutes 10 seconds West and parallel with the south line of

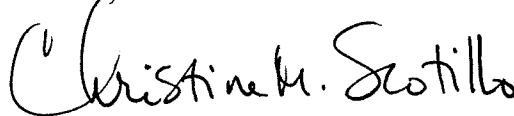
the Northeast Quarter of said Section 32 a distance of 152.46 feet; thence North 19 degrees 05 minutes 29 seconds West a distance of 487.71 feet; thence South 89 degrees 57 minutes 33 seconds East and parallel with the north line of said Southwest Quarter of the Northwest Quarter a distance of 556.88 feet; thence South 0 degrees 58 minutes 47 seconds West a distance of 459.90 feet to an intersection with a line which passes through the point of beginning bearing North 89 degrees 57 minutes 30 seconds East and parallel with the south line of the Northwest Quarter of said Section 33; thence South 89 degrees 57 minutes 30 seconds West a distance of 237.04 feet to the point of beginning. Subject to an easement for road and utility purposes over, under and across that part of said Southeast Quarter of the Northeast Quarter which lies within the right of way of Naylor Avenue. ALSO EXCEPTING THEREFROM: The South 6 acres of the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$, Section 33, Township 113 North, Range 23.

AND

Northeast Quarter of Northwest Quarter, Section 33, Township 113 North, Range 23, Scott County, Minnesota, ALSO EXCEPTING: All that part of the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$), Section Thirty-three (33), Township One Hundred Thirteen (113) North, Range Twenty-three (23) West, described as follows: Commencing at a point on the North Line of said Section Thirty-three (33), said point being 32.64 rods West of the Northeast Corner of said Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$), said point being the actual point of beginning of the parcel of land herein to be excepted; thence West along the North line of said section, a distance of 47.36 rods; thence South along the West line of said Northeast Quarter of Northwest Quarter (NE $\frac{1}{4}$ of NW $\frac{1}{4}$), a distance of 28.84 rods; thence East parallel with said North line of said section a distance of 30.76 rods; thence Northeasterly a distance of 32 rods to the point of beginning.

Dated this 10th day of March, 2005.

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

A handwritten signature in black ink that reads "Christine M. Scotillo". The signature is written in a cursive, flowing style.

Christine M. Scotillo
Executive Director
Municipal Boundary Adjustments