

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS

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IN THE MATTER OF THE AMENDMENT TO )  
THE ORDERLY ANNEXATION AGREEMENT ) FINDINGS OF FACT  
BETWEEN THE CITY OF NEW PRAGUE AND ) CONCLUSIONS OF LAW  
HELENA TOWNSHIP PURSUANT TO ) AND ORDER  
MINNESOTA STATUTES 414 )  
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In 1978, the City of New Prague and Helena Township entered into a joint resolution for orderly annexation. On December 22, 2010, the parties submitted a joint resolution amending the 1978 agreement which was reviewed for conformity with applicable law. By delegation, the Chief Administrative Law Judge's designee hereby makes and files the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. A joint resolution for orderly annexation was adopted by the City of New Prague and Helena Township pursuant to Minnesota Statutes § 414.0325 and duly filed with the Office of Administrative Hearings-Municipal Boundary Adjustments.
2. A joint resolution amending the existing agreement was adopted and submitted by the City of New Prague and Helena Township, to increase the designated area by 1 acre.
3. The City of New Prague and Helena Township request the immediate annexation of part of the designated area described as follows:

The West 33 feet of the South 17 acres of the West Half of the Southwest Quarter of Section 33, Township 113, Range 23, Scott County, Minnesota.

ALSO,

The East 33 feet of the Southeast Quarter of Section 32, Township 113, Range 23, Scott County, Minnesota.

ALSO,

That part of the Northwest Quarter of Section 33 and that part of the Northeast Quarter of Section 32, Township 113, Range 23, Scott County, Minnesota, described as follows:

Commencing at the west quarter corner of said Section 33; thence South 89 degrees 18 minutes 29 seconds East, assumed bearing, along the south line of said Northwest Quarter 264.00 feet; thence North 01 degrees 42 minutes 49 seconds East 50.25 feet to the southwest corner of OUTLOT E, RAVEN STREAM VILLAGE FIRST ADDITION, according to the recorded plat thereof, Scott County, Minnesota; thence North 88 degrees 30 minutes 09 seconds West on the westerly extension of the south line of said OUTLOT E 296.54 feet to the west line of Naylor Avenue; thence South 02 degrees 17 minutes 08 seconds West along the west line of Naylor Avenue 34.71 feet; thence South 01 degrees 53 minutes 57 seconds West along the west line of Naylor Avenue 19.57 feet to the south line of said Northeast Quarter; thence South 89 degrees 26 minutes 30 seconds East along the south line of said Northeast Quarter 33.01 feet to the point of beginning.

AND,

That part of the North Half of the Southeast Quarter of Section 33, Township 113 North, Range 23 West, Scott County, Minnesota, lying South of the South 95 rods of said Southeast Quarter that has not been previously annexed into the City of New Prague.

4. Minnesota Statutes §414.0325, subd. 1(h) states that in certain circumstances the Chief Administrative Law Judge may review and comment, but shall within 30 days order the annexation pursuant to the terms of a joint resolution for orderly annexation.

5. The joint resolution contains all the information required by Minnesota Statutes §414.0325, subd. 1(h), including a provision that the Chief Administrative Law Judge may review and comment but shall order the annexation within 30 days in accordance with the terms of the joint resolution.

CONCLUSIONS OF LAW

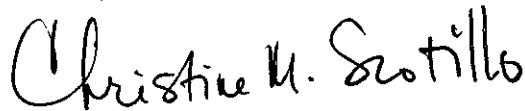
1. The Office of Administrative Hearings has duly acquired and now has jurisdiction of the within proceeding.
2. An order should be issued by the Chief Administrative Law Judge accepting the amendment to the 1978 agreement and annexing the area described herein.

ORDER

1. The amendment to the orderly annexation agreement between the City of New Prague and Helena Township is accepted.
2. The property described in Findings of Fact 3 is annexed to the City of New Prague, the same as if it had originally been made a part thereof.
3. Pursuant to the Joint Resolution signed by the City of New Prague on December 20, 2010 and Helena Township on December 7, 2010, no reimbursement shall be made to the township pursuant to Minn. Stat. §414.036.

Dated this 14<sup>th</sup> day of January, 2011.

For the Chief Administrative Law Judge's designee  
P. O. Box 64620  
St. Paul, Minnesota 55164-0620

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