

State of Minnesota
Counties of Scott & Le Sueur
City of New Prague

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CITY OF NEW PRAGUE
(Resolution No. 23-03-20-03)

HELENA TOWNSHIP
(Resolution No. 03152023)

JOINT RESOLUTION OF
THE CITY OF NEW PRAGUE, MINNESOTA
AND
TOWN BOARD OF HELENA, SCOTT COUNTY, MINNESOTA
IN THE MATTER OF ORDERLY ANNEXATION
UNDER MINNESOTA STATUTES SECTION 414.0325

WHEREAS, the Township of Helena (the "Township") and the City of New Prague (the "City") by joint resolution and agreement each dated June 19, 1978 (and amended on 12/20/2010) have established an orderly annexation area and the conditions for annexation within such area pursuant to Minnesota Statutes Section 414.0325; and

WHEREAS, all of Section 33, Township 113 North, Range 23 West is within the orderly annexation area; and

WHEREAS, the City and Township agree to provide for the immediate annexation of the proposed annexation area (as described in Exhibit A and hereinafter referred to as "Immediate Annexation Area") into the City pursuant to this resolution; and

WHEREAS, the parties find the Immediate Annexation Area is now or is about to become urban or suburban in character, is guided as future light industrial zoning for an expanded municipal industrial park that will require municipal services based on New Prague's Comprehensive Plan, and is appropriate for orderly annexation immediately; and

NOW THEREFORE IT IS JOINTLY RESOLVED by the City of New Prague, Minnesota and the Town of Helena, County of Scott, Minnesota:

1. **Conferring Jurisdiction.** Upon approval by the respective governing bodies of the City and Township, this Resolution shall confer jurisdiction upon the Chief Administrative Law Judge, as defined in Minnesota Statutes, section 414.011, subdivision 12 ("Chief Judge"), to accomplish the immediate annexation of the Immediate Annexation Area as provided in this Resolution.
2. **Review and Comment by the Chief Judge.** City and Township mutually agree and state that this Resolution sets forth all the conditions for annexation and that no consideration by the Chief Judge is necessary to accomplish the immediate annexation of the Immediate Annexation Area. Additionally, no alteration of the boundaries of the Immediate Annexation Area by the Chief Judge is appropriate. The Chief Judge may review and comment, but shall, within 30 days, order the annexation to the City of the property within the Immediate Annexation Area.

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3. **Immediate Annexation.** The City and Town agree that all property within the Immediate Annexation Area, as described in Exhibit A and shown in Exhibit B and Exhibit C, shall immediately be annexed to the City pursuant to this Resolution. The Immediate Annexation Area consists of approximately 4.02 acres, the population is 0 and the current land use type is agricultural. The Immediate Annexation Area is now or about to become urban or suburban in character to be used for an expansion of the City's municipal industrial park and since the City of New Prague is capable of providing services to this area within a reasonable time, the annexation would be in the best interest of the area.
4. **Tax Reimbursement.** Taxes payable to the Town in 2022 on the Property total \$46.76 (based on the annexed portion of the parcel being 10.15% of the larger parcel) and those taxes shall be paid to the Town. Pursuant to Minnesota Statutes, section 414.036, the City and the Town agree that upon annexation of the Property, the City shall reimburse the Town for additional property tax revenues according to the following schedule which is based on the 2022 taxes:
 1. 2023 taxes (100%) - \$46.76
 2. 2024 taxes (80%) - \$37.41
 3. 2025 taxes (60%) - \$28.06
 4. 2026 taxes (40%) - \$18.71
 5. 2027 taxes (20%) - \$9.35

For taxes payable in years 2023 through 2027, the City shall make a direct reimbursement payment to the Town no later than January 31 of each year and in accordance with the above schedule. There are no special assessments assigned by the Town to the Property, nor is there any debt incurred by the Town attributable to the Property. The City shall not be obligated to make any tax reimbursement payments for taxes payable in 2028 or thereafter, and all taxes collected shall be paid to the City.
5. **Effect of Annexation on Easements.** The City and Town agree, under Minnesota Statutes, section 414.039, that the Township's interest in all public easements annexed within the Immediate Annexation Area are transferred to and shall be held by the City.
6. **Complete Agreement:** This Resolution shall constitute the entire agreement between the City and Township with respect to immediate designation of the Immediate Annexation Area pursuant to Minnesota Statutes, section 414.0325 and shall amend, supersede and control over any other resolutions, agreements or understandings as may be needed in order to accomplish the annexation as provided herein. The exhibits attached hereto are incorporated in and made part of this Resolution.
7. **Filing.** That the City Administrator of the City is authorized and directed to submit this Resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings together with the applicable fees, which shall be paid by the City.

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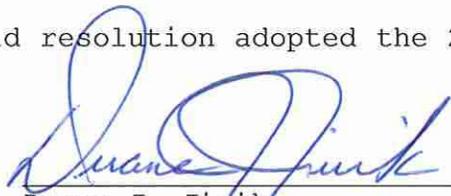
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CITY OF NEW PRAGUE

The resolution offered by Council member Shawn Ryan and moved for its adoption. Council member Maggie Bass seconded said resolution and upon roll call the following vote was recorded.

	Ayes	Nays
Jirik	<u>X</u>	_____
Ryan	<u>X</u>	_____
Bass	<u>X</u>	_____
Wolf	<u>X</u>	_____
Seiler	<u>X</u>	_____

Thereupon Mayor Jirik declared said resolution adopted the 20th day of March, 2023.



Duane J. Jirik
Mayor

Attest:



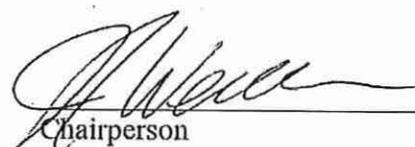
Joshua M. Tetzlaff
City Administrator

TOWN OF HELENA

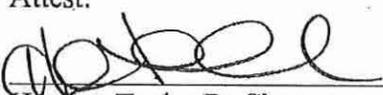
The resolution offered by Board member Deutsch and moved for its adoption. Board member Wutes seconded said resolution and upon roll call the following vote was recorded.

Ayes	Nays
<u>X</u>	_____
<u>X</u>	_____
<u>X</u>	_____

Thereupon Chairperson Wormerskirchen declared said resolution adopted the 15th day of March, 2023.



Chairperson

Attest:


Heather Taylor DuCharme
Clerk

City Council Proceedings

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Counties of Scott & Le Sueur
City of New Prague

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EXHIBIT A

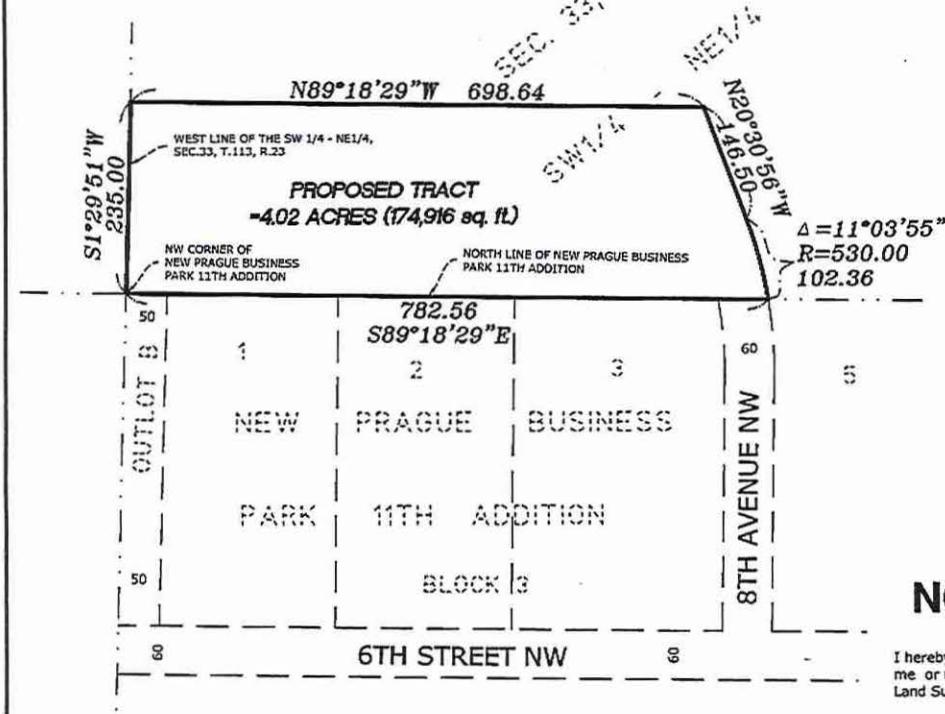
Legal Description of Proposed Annexation Area

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

Beginning at the northwest corner of NEW PRAGUE BUSINESS PARK 11TH ADDITION; thence South 89 degrees 18 minutes 29 seconds East, along the north line of said NEW PRAGUE BUSINESS PARK 11TH ADDITION, a distance of 782.56 feet; thence northerly a distance of 102.36 feet along a non-tangential curve, having a radius of 530.00 feet, an interior angle of 11 degrees 03 minutes 55 seconds and a chord bearing of North 14 degrees 59 minutes 00 seconds West; thence North 20 degrees 30 minutes 56 seconds West, a distance of 146.50 feet; thence North 89 degrees 18 minutes 29 seconds West, a distance of 698.64 feet to the west line of said Southwest Quarter of the Northeast Quarter; thence South 1 degree 29 minutes 51 seconds West, along last described line, a distance of 235.00 feet to the point of beginning and there terminating.

SKETCH & DESCRIPTION

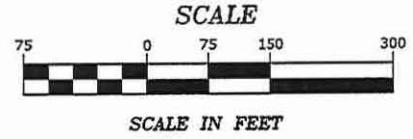
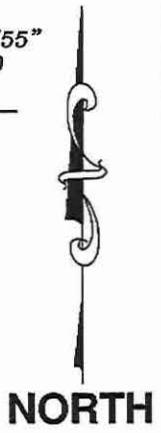
~for~ RAM GENERAL CONTRACTING
 ~part of~ SW1/4 - NE1/4, SEC.33, T.113, R.23
 Scott County, MN



PROPOSED TRACT

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

Beginning at the northwest corner of NEW PRAGUE BUSINESS PARK 11TH ADDITION; thence South 89 degrees 18 minutes 29 seconds East, along the north line of said NEW PRAGUE BUSINESS PARK 11TH ADDITION, a distance of 782.56 feet; thence northerly a distance of 102.36 feet along a non-tangential curve, having a radius of 530.00 feet, an interior angle of 11 degrees 03 minutes 55 seconds and a chord bearing of North 14 degrees 59 minutes 00 seconds West; thence North 20 degrees 30 minutes 56 seconds West, a distance of 146.50 feet; thence North 89 degrees 18 minutes 29 seconds West, a distance of 698.64 feet to the west line of said Southwest Quarter of the Northeast Quarter; thence South 1 degree 29 minutes 51 seconds West, along last described line, a distance of 235.00 feet to the point of beginning and there terminating.



I hereby certify that this plan, survey or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

By: *[Signature]*
 Minnesota License No. 52705
 Dated 3rd day of March 2023.

E. C. RUD & SONS, INC.
 PROFESSIONAL LAND SURVEYORS
 990 - 5th Avenue SE, Suite 2
 HUTCHINSON, MINNESOTA 55350
 TEL. HUTCHINSON: (320) 587-2025
 TEL. GAYLORD: (507) 237-5212
 www.egrud.com

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EXHIBIT B

State of Minnesota
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City Council Proceedings

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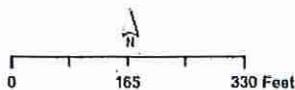


EXHIBIT C

**Proposed Annexation Area - 4.02 Acres in SW 1/4 of NE 1/4
of Sec. 33, T113, R23, Scott County, Minnesota.**



Prepared by:
City of New Prague
Planning Department
Date: 3/3/23
Disclaimer: For Reference Purposes Only



Disclaimer: This map was prepared using the City's GIS and is based on the County and City Street Data maintained by the County and City. While the City believes that the data is accurate, the City does not warrant that data in the GIS is error free and the City does not represent that the GIS data can be used for purposes such as navigation or any other purpose requiring the exact measurement of distance and direction or the precise depiction of geographic features. This disclaimer is pursuant to Minnesota Statutes 466.03 Subd. 21. The user of this map acknowledges that the City shall not be liable for any damages that may arise from this map or the information it contains.



City of New Prague Street Map

Population (2010 Census) - 7,321
Households (2010 Census) - 2,711
Population (2021 Estimate) - 8,221
Households (2021 Estimate) - 3,059
Square Miles (10/20) - 3.94

- Parks
- Schools
- Hospital
- Church
- Water
- City Limits
- Future Trail
- Existing Trail
- Private Streets
- City Streets
- County Roads
- State Highways
- Railroad



0 0.25 0.5 Miles

Current to: November 2022
Prepared by: New Prague Planning Department
File: W:\GIS\Projects\Mxds\CityStreetMap_November2022.mxd

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