

BEFORE THE MUNICIPAL COMMISSION  
OF THE STATE OF MINNESOTA

Robert W. Johnson	Chairman
Thomas J. Simmons	Vice Chairman
Gerald J. Isaacs	Member
Marvin Oldenburg	Ex-Officio Member
Roland Boegeman	Ex-Officio Member

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

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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 Marvin Oldenburg and Roland Boegeman, 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 one hundred ten (110) acres.
3. That the area proposed to be annexed is characterized by residential development, etc. or will experience development in the

near future, except that the following described property is not now characterized by residential development. It is not urban or suburban in character or about to become so in the near future:

The S $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 33, Township 113 North, Range 23 West, Scott County, Minnesota, less the following described property: Bohnsack's First Addition and Bohnsack's Second Addition according to the plat thereof on file and of record in the office of the Register of Deeds, Scott County, Minnesota.

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 144

#### 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, except the area described at Number 3.

3. That area described as:

The S $\frac{1}{2}$  of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 33, Township 113 North, Range 23 West, Scott County, Minnesota, less the following described property: Bohnsack's First Addition and Bohnsack's Second Addition according to the plat thereof on file and of record in the office of the Register of Deeds, Scott County, Minnesota.

is not now or will not become in the near future urban or suburban in character.

4. 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 Helena, County of Scott, 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 NW $\frac{1}{4}$  of Section 34, Township 113, Range 23 and the Southeast Quarter of the Northeast Quarter of Section 34, Township 113, Range 23 and Blocks 1, 2, 3, and 4 of Bohnsack's 2nd Addition according to the plat thereof on file and of record in the office of the Register of Deeds, Scott County, Minnesota, and the West half of Blocks 1, 2, 3, and 4 of Bohnsack's 1st Addition according to the plat thereof on file and of record in the office of the register of deeds, Scott County, Minnesota.

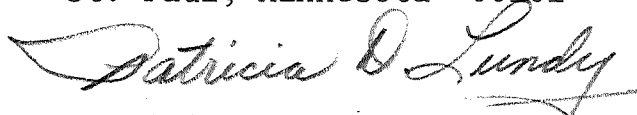
IT IS FURTHER ORDERED: That the mill levy of the City of New Prague on the property herein ordered annexed shall be increased in substantially equal proportion over a period of three years to equality with the mill levy of the property already within the City.

IT IS FURTHER ORDERED: That the population of the City of New Prague be and the same hereby is increased by 144 for all purposes until the next federal or state census.

IT IS FURTHER ORDERED: That the population of the Township of Helena be and the same hereby is decreased by 144 for all purposes until the next federal or state census.

Dated this 12<sup>th</sup> day of February, 1974

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



Patricia D. Lundy  
Asst. Executive Secretary