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STATE OF MINNESOTA
MUNICIPAL BOARD

Suite 165 Metro Square
7th & Robert Streets
St. Paul, Minnesota 55101

June 5, 1979

Mr. Mark Winkler
Deputy Secretary of State
c/o Donna Scott
State Office Building
Saint Paul, Minnesota

RE: Municipal Board Docket Number A-2491(OA)-3 New Prague

Dear Mr. Winkler:

The subject order of the Minnesota Municipal Board makes the following changes in the population of the named units of government:

The population of the City of New Prague

is increased by 15 to 3,200

The population of the Town of Helena

is decreased by 15 to 1,270

A new municipality named _____

has been created with a population of _____

The _____

has been dissolved.

Official date of the Order May 31st, 1979.

C.C. Commissioner
Department of Revenue
c/o Wallace O. Dahl, Director
Tax Research Division
205 Centennial Building

Hazel Reinhardt
State Demographer
101 Capitol Square Building

Patricia D. Lundy
Assistant Executive Director

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 7 1979
Joan Anderson Growe
Secretary of State

O.R. #32179

BEFORE THE MUNICIPAL BOARD

OF THE STATE OF MINNESOTA

Gerald J. Isaacs	Chairman
Robert W. Johnson	Vice Chairman
Thomas J. Simmons	Member
William Koniarski	County Commissioner
Roland Boegeman	County Commissioner

IN THE MATTER OF THE JOINT RESOLUTION BETWEEN THE CITY OF NEW PRAGUE AND THE TOWNSHIP OF HELENA FOR THE ORDERLY ANNEXATION OF CERTAIN LAND TO THE CITY OF NEW PRAGUE

FINDINGS OF FACT
CONCLUSIONS OF LAW,
AND ORDER

The above-entitled matter came on for hearing before the Minnesota Municipal Board pursuant to Minnesota Statutes 414, as amended, on March 7, 1979, at New Prague, Minnesota. The hearing was conducted by Terrence A. Merritt pursuant to Minnesota Statutes 414.01, Subd. 12. Also in attendance were County Commissioners William Koniarski and Roland Boegeman, ex-officio members of the Board. The City of New Prague appeared by and through Robert O'Neill, the Township of Helena appeared by and through Leroy Schmitz. Testimony was heard, and records and exhibits were received.

After due and careful consideration of all evidence, together with all records, files and proceedings, the Minnesota Municipal Board hereby makes and files the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

I. That a joint resolution for orderly annexation was adopted by the City of New Prague on June 19, 1978 and the Township of Helena on August 29, 1978 and duly accepted by the Minnesota Municipal Board.

II. A resolution was filed by one of the signatories to the joint resolution, the City of New Prague, on January 19, 1979 requesting annexation of certain properties within the orderly annexation area. The resolution contained all the information required by statute including a description of the territory subject to annexation which is as follows:

> South $\frac{1}{2}$ of SE Quarter of Section twenty-seven (27) Township 113, Range Twenty-three Scott County. The South (25) Twenty-five acres of the East thirty-five (35) acres of the Southeast One quarter ($\frac{1}{4}$) of the South-west one quarter ($\frac{1}{4}$) of Section Twenty-seven (27) Township one hundred thirteen (113) Range Twenty-three (23) Scott County, Minnesota. An L shaped parcel of land in Section 33 Helena Township described as follows: Beginning at the Southwest corner of Bohnsack's Second Addition, City of New Prague Helena Township then West along South Section line (33) a distance of 1250 feet. Thence North at right angle a distance of 500 feet; thence East at right angle a distance of 1000 feet; thence North at right angle a distance of 1000 feet; thence East at right angle a distance of 250 feet; thence South along the west line of Bohnsack's Second Addition a distance of 1500 feet to the point of beginning.

III. Due, timely and adequate legal notice of the hearing was published, served and filed.

IV. Geographic Features

A. The area subject to annexation is unincorporated and abuts the City of New Prague.

B. The total area of the City of New Prague is unknown. The total area of the territory subject to annexation is approximately 130 acres.

C. The perimeter of the area to be annexed is approximately 25% bordered by the municipality.

D. The natural terrian of the area, including general topography, major watersheds, soil conditions, rivers, lakes and major bluffs is gently rolling, with the northern portion of the area under consideration more level.

V. Population Data

A. The City of New Prague:

1. In 1970, there were 2,680 residents.

2. The present estimated population is 3,185

3. By 1980, the projected population is 3,300.

B. The area subject to annexation:

1. The present estimated population is 15.

C. The Township of Helena:

1. In 1970, there were 1,156 residents.

2. The present estimated population is 1,270.

3. By 1980, the projected population is unknown.

VI. Development issues

A. The pattern of physical development, including land already in use in the process of being developed, and remaining for various uses.

1. Area in Use

a. In the City of New Prague: unknown

b. In the area subject to annexation:

1. Institutional: approximately 115 acres

2. Residential and Commercial: approximately 15 acres

c. In the Township of Helena: unknown

2. Area Being Developed

a. In the City of New Prague: unknown

b. In the area subject to annexation:

1. Institutional: approximately 115 acres

2. Residential and Commercial: approximately 15 acres

c. In the Township of Helena: unknown

3. Area Remaining for Various Uses

a. In the City of New Prague: unknown

b. In the Township of Helena: unknown

B. Transportation:

1. The present transportation network is:

a) In the City of New Prague: state aid highways, county roads and city streets

b) In the area subject to annexation: County and Township roads

VII. Tax Data

A. In the City of New Prague:

1. Mill rate in 1978 was 19.07 for the city's assessment.

B. In the Township of Helena:

1. Mill rate in 1978 was 3.65 for the Town's assessment.

c. In the area subject to annexation:

1. Mill rate in 1978 was 3.65 for the Town's assessment.

D. Mill rate for each assessing unit:

1. County in 1978 was 40.63.
2. School district in 1978 was 71.54.
3. Township in 1978 was 3.65.

VIII. Is annexation to the City of New Prague the best alternative?

A. There will be no effect on the area school districts or adjacent communities.

B. The town government is not able to deliver services to the area proposed for annexation.

C. Annexation to New Prague is the most appropriate method to deliver the necessary governmental services to the area in comparison to incorporation.

D. Present assessed valuation of the Town of Helena is unknown.

Present assessed valuation of proposed annexation area is unknown.

New valuation of the Town of Helena if entire area is annexed: unknown

E. Helena Township can continue to function without the area subject to annexation.

IX. The area proposed for annexation is presently under the jurisdiction of the Metropolitan Council.

X. The annexation is consistent with the joint agreement in that the property was to be annexed immediately after the completion of the Orderly Annexation agreement.

XI. That Minnesota Laws 1978, Chapter 543, excludes the City of New Prague from the Metropolitan area and the jurisdiction of the Metropolitan Council. That the exclusion of New Prague from the Metropolitan area includes any annexations of land within Scott County, subsequent to the enactment of Minnesota Laws 1978, Chapter 543.

CONCLUSIONS OF LAW

I. The Minnesota Municipal Board duly acquired and now has jurisdiction of the within proceeding.

II. The area subject to annexation is now or is about to become urban or suburban in nature and the annexing municipality is capable of providing the services required by the area within a reasonable time.

III. The existing township form of government is not adequate to protect the public health, safety, and welfare.

IV. The annexation would be in the best interests of the area proposed for annexation.

V. The annexation does not conflict with terms of the joint agreement.

VI. Three years will be required to effectively provide full municipal services to the annexed area.

VII. Upon annexation, the area proposed for annexation will not be under the jurisdiction of the Metropolitan Council.

VIII. An order should be issued by the Minnesota Municipal Board annexing the area described herein.

O R D E R

I. IT IS HEREBY ORDERED: That the property described herein situated in the County of Scott, State of Minnesota, be and the same is hereby annexed to the City of New Prague, Minnesota, the same as if it had been oridinally made a part thereof:

South $\frac{1}{2}$ of SE Quarter of Section twenty-seven (27) Township 113, Range Twenty-three Scott County, The South (25) Twenty-five acres of the East thirty-five (35) acres of the Southeast One quarter ($\frac{1}{4}$) of the South-west one quarter ($\frac{1}{4}$) of Section Twenty-seven (27) Township one hundred thirteen (113) Range Twenty-three (23) Scott County, Minnesota. An L shaped parcel of land in Section 33 Helena Township described as follows: Beginning at the Southwest corner of Bohnsack's Second Addition, City of New Prague Helena Township then West along South Section line (33) a distance of 1250 feet. Thence North at right angle a distance of 500 feet; thence East at right angle a distance of 1000 feet; thence North at right angle a distance of 1000 feet; thence East at right angle a distance of 250 feet; thence South along the west line of Bohnsack's Second Addition a distance of 1500 feet to the point of beginning.

II. IT IS FURTHER ORDERED: That the population of the City of New Prague has increased by 15 persons to 3,200 persons for all purposes until the next Federal Census.

III. IT IS FURTHER ORDERED: That the population of the Township of Helena has decreased by 15 persons to 1,270 persons for all purposes until the next Federal Census.

IV. 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 proportions over a period of 3 years to equality with the mill levy of the property already within the city.

V. IT IS FURTHER ORDERED: that this order shall not relieve the property annexed hereby from the obligation imposed on it by Section 9 of Laws 1978, Chapter 543, to remain liable on Metropolitan Council General Obligation Bonds outstanding on the date of this order if necessary to provide for any deficiency in accordance with the conditions of such bonds.

VI. IT IS FURTHER ORDERED: That the effective date of this order is May 31, 1979.

Dated this 31st day of May, 1979.

MINNESOTA MUNICIPAL BOARD
165 Metro Square Building
St. Paul, Minnesota 55101

Terrence A. Merritt

Terrence A. Merritt
Executive Director

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 7 1979
Joan Anderson Growe
Secretary of State

O.D.
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