

ORDINANCE #358

**AN ORDINANCE
VACATING CERTAIN EASEMENTS IN THE PLAT OF NEW PRAGUE BUSINESS
PARK 11TH ADDITION**

WHEREAS, the New Prague City Council previously passed Resolution #26-02-17-02 noting the City of New Prague’s interest in vacating certain drainage and utility easements as identified in the resolution and the exhibit to the resolution, pursuant to Section 12.06 of the New Prague City Charter, legally described as follows:

The 5’ drainage and utility easement adjacent to the west line of Lot 4, Block 2, NEW PRAGUE BUSINESS PARK 11th ADDITION, Scott County, Minnesota.

The 5’ drainage and utility easement adjacent to the east line of Lot 5, Block 2, NEW PRAGUE BUSINESS PARK 11th ADDITION, Scott County, Minnesota.

And as depicted on the attached Exhibit A.

(with such easements hereinafter referred to as the “Property”); and

WHEREAS, a public hearing to consider the vacation of the Property was held on the 16th day of March, 2026, before the City Council in the City Hall located at 118 Central Avenue North, New Prague, Minnesota, after due published and posted notice had been given, as well as personal mailed notice to all affected property owners by the City Clerk on the 18th day of February and all interested and affected persons were given an opportunity to voice their concerns and be heard; and

WHEREAS, any person, corporation, or public body owning or controlling easements contained upon the Property proposed to be vacated, reserves the right to continue the same or to enter upon such Property, way or portion thereof vacated to maintain, repair, replace or otherwise attend thereto; and

WHEREAS, the Council in its discretion has determined that the vacation of the Property will benefit the public interest because the Property will no longer be used for easement purposes as the property is being combined and a structure will be constructed over the area.

WHEREAS, a majority of all members of the City Council concur in this ordinance;

NOW, THEREFORE, THE CITY OF NEW PRAGUE, SCOTT AND LESUEUR COUNTIES, MINNESOTA, ORDAINS:

SECTION 1. An uncodified City ordinance is adopted pursuant to Chapter 12.06 of the New Prague City Charter to provide as follows:

Subdivision 1. The recitals set forth in this Ordinance are incorporated into and made a part of this Ordinance.

Subdivision 2. The City controls the dedicated Property located in Scott County, Minnesota, with the legal description of the Property being as follows:

The 5' drainage and utility easement adjacent to the west line of Lot 4, Block 2, NEW PRAGUE BUSINESS PARK 11th ADDITION, Scott County, Minnesota.

The 5' drainage and utility easement adjacent to the east line of Lot 5, Block 2, NEW PRAGUE BUSINESS PARK 11th ADDITION, Scott County, Minnesota.

And as depicted on the attached Exhibit A.

Subdivision 3. The City Council has determined that vacation of the Property will further the public interest and welfare.

Subdivision 4. As provided by Section 12.06 of the New Prague City Charter, the City Council authorizes and grants the vacation of the Property such that the Property described as follows is hereby vacated:

The 5' drainage and utility easement adjacent to the west line of Lot 4, Block 2, NEW PRAGUE BUSINESS PARK 11th ADDITION, Scott County, Minnesota.

The 5' drainage and utility easement adjacent to the east line of Lot 5, Block 2, NEW PRAGUE BUSINESS PARK 11th ADDITION, Scott County, Minnesota.

And as depicted on the attached Exhibit A.

Subdivision 5. The Mayor and City Administrator, staff, and consultants are hereby authorized and directed to sign all documents or take any and all additional steps and actions necessary or convenient in order to accomplish the intent of this Ordinance.

SECTION 2. This ordinance shall take effect and be in force upon its publication, in accordance with Section 3.13 of the City Charter, and pending approval of the lot combination and sale of Lots 4 and 5, Block 2, New Prague Business Park 11th Addition to Aventus Investments, LLC.

Introduced to the City Council of the City of New Prague, Minnesota, the 17th day of February, 2026.

Adopted by the Council this 16th day of March, 2026.

EFFECTIVE DATE: Immediately upon its publication in the March 26th, 2026 New Prague Times, pending the lot combination and sale of Lots 4 and 5, Block 2, New Prague Business Park 11th Addition, to Aventus Investments, LLC.

Charles L. Nickolay, Mayor

State of Minnesota)
)ss. (CORPORATE ACKNOWLEDGMENT)
County of Scott & Le Sueur)

Subscribed and sworn before me, a Notary Public this _____ day of _____, 2026.

Notary Public

ATTEST: _____
Joshua M. Tetzlaff, City Administrator

State of Minnesota)
)ss. (CORPORATE ACKNOWLEDGMENT)
County of Scott & Le Sueur)

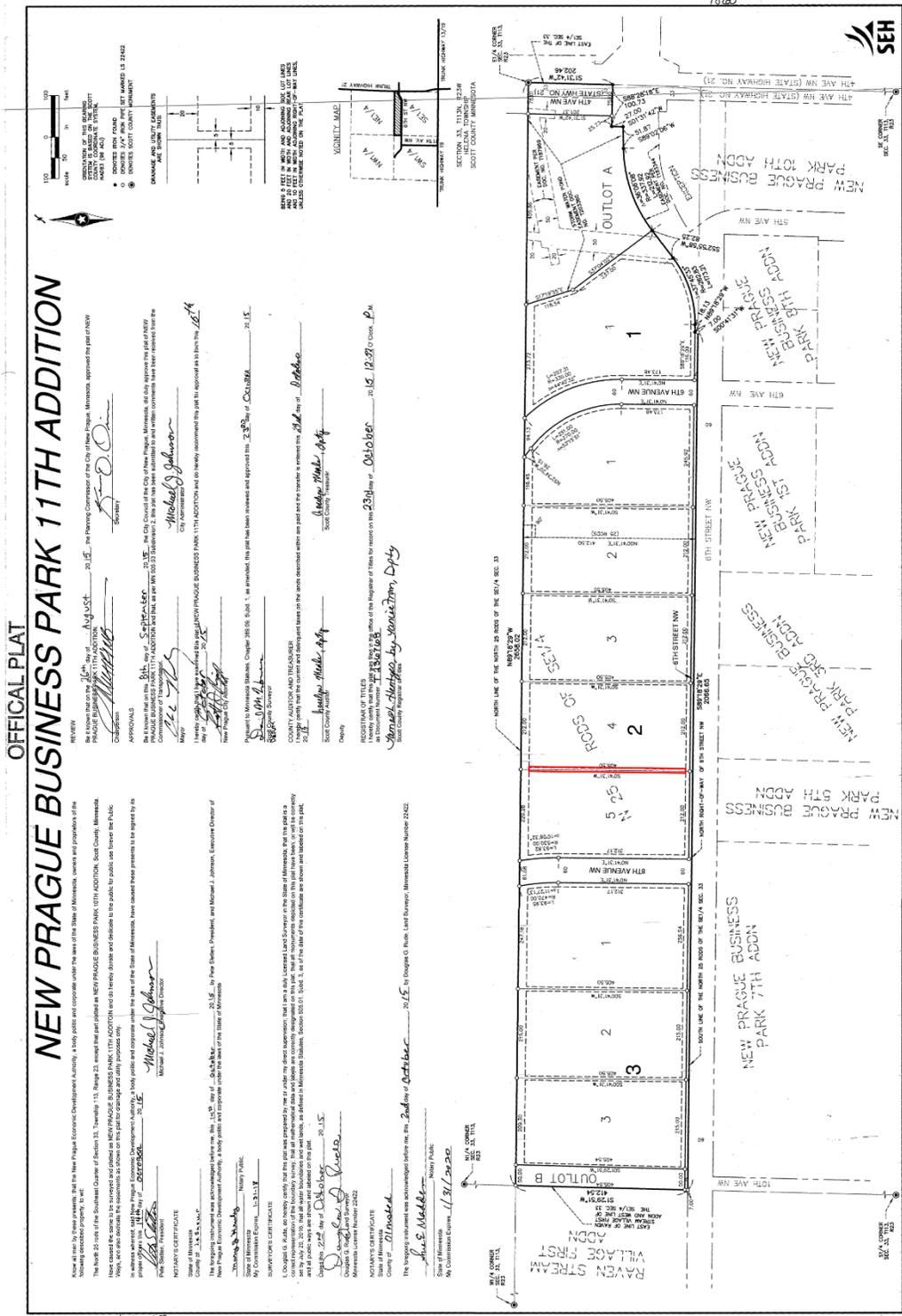
Subscribed and sworn before me, a Notary Public this _____ day of _____, 2026.

Notary Public

THIS INSTRUMENT DRAFTED BY:

Evan C. Gariepy
City of New Prague
118 Central Ave. N.
New Prague, MN 56071
(952) 758-4401

Exhibit A



OFFICIAL PLAT NEW PRAGUE BUSINESS PARK 11TH ADDITION

BEFORE ME, the undersigned authority, on this 20th day of August, 2015, personally appeared Michael J. Johnson, known to me to be the person whose name is subscribed to the foregoing plat, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My commission expires 2015.

Michael J. Johnson
City Administrator

I hereby certify that the foregoing plat has been duly recorded in the office of the County Auditor of Scott County, Minnesota, on this 20th day of August, 2015, at 12:23 PM Central Standard Time.

Scott County Registrar
Scott County Registrar

Recorded in the Office of the County Auditor of Scott County, Minnesota, on this 20th day of August, 2015, at 12:23 PM Central Standard Time.

Scott County Registrar
Scott County Registrar

NOTARY CERTIFICATE
I, Michael J. Johnson, Notary Public, do hereby certify that the foregoing plat was duly recorded in the office of the County Auditor of Scott County, Minnesota, on this 20th day of August, 2015, at 12:23 PM Central Standard Time.

Michael J. Johnson
Notary Public

BEFORE ME, the undersigned authority, on this 20th day of October, 2015, personally appeared Michael J. Johnson, known to me to be the person whose name is subscribed to the foregoing plat, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My commission expires 2015.

Michael J. Johnson
City Administrator

I hereby certify that the foregoing plat has been duly recorded in the office of the County Auditor of Scott County, Minnesota, on this 20th day of October, 2015, at 12:23 PM Central Standard Time.

Scott County Registrar
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Michael J. Johnson
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