

ORDINANCE #366

AN ORDINANCE VACATING CERTAIN RIGHT OF WAYS IN THE PLAT OF THE SYNDICATE ADDITION TO NEW PRAGUE

WHEREAS, the New Prague City Council previously passed Resolution #26-08-03-03 noting the City of New Prague's interest in vacating certain right of ways as identified in the resolution and the exhibit to the resolution, to Section 12.06 of the New Prague City Charter, legally described as follows:

All of the public right of way lying south of Lots 1, 2, 3, and 4, Block 31, and north of Lots 5, 6, 7, and 8, Block 31, within the Plat of the Syndicate Addition to New Prague, Le Sueur County, Minnesota.

All of the public right of way lying south of Lots 5, 6, 7, and 8, Block 31, and north of Lots 1, 2, 3, and 4, Block 34, within the Plat of the Syndicate Addition to New Prague, Le Sueur County, Minnesota.

All of the public right of way lying south of Lots 1, 2, 3, and 4, Block 34, and north of Lot 5, Block 34, within the Plat of the Syndicate Addition to New Prague, Le Sueur County, Minnesota.

And as depicted on the attached Exhibit A.

(with such right of ways hereinafter referred to as the "Property"); and

WHEREAS, a public hearing to consider the vacation of the Property was held on the 8th day of September, 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 4th day of August, 2026, 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 not be used for roads or utilities; and

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

WHEREAS, approval and filing of this ordinance with the County is contingent upon a 40' wide utility easement, centered on the existing overhead electric line being granted by the owner of the property;

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:

All of the public right of way lying south of Lots 1, 2, 3, and 4, Block 31, and north of Lots 5, 6, 7, and 8, Block 31, within the Plat of the Syndicate Addition to New Prague, Le Sueur County, Minnesota.

All of the public right of way lying south of Lots 5, 6, 7, and 8, Block 31, and north of Lots 1, 2, 3, and 4, Block 34, within the Plat of the Syndicate Addition to New Prague, Le Sueur County, Minnesota.

All of the public right of way lying south of Lots 1, 2, 3, and 4, Block 34, and north of Lot 5, Block 34, within the Plat of the Syndicate Addition to New Prague, Le Sueur 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:

All of the public right of way lying south of Lots 1, 2, 3, and 4, Block 31, and north of Lots 5, 6, 7, and 8, Block 31, within the Plat of the Syndicate Addition to New Prague, Le Sueur County, Minnesota.

All of the public right of way lying south of Lots 5, 6, 7, and 8, Block 31, and north of Lots 1, 2, 3, and 4, Block 34, within the Plat of the Syndicate Addition to New Prague, Le Sueur County, Minnesota.

All of the public right of way lying south of Lots 1, 2, 3, and 4, Block 34, and north of Lot 5, Block 34, within the Plat of the Syndicate Addition to New Prague, Le Sueur 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.

Introduced to the City Council of the City of New Prague, Minnesota, the 3rd day of August, 2026.

The required 10 days posted notice was completed on the City Website and City Hall Bulletin Board on or before August 4th, 2026.

Adopted by the Council this 8th day of September, 2026.

EFFECTIVE DATE: Immediately upon its publication in the September 17th, 2026 New Prague Times.

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
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New Prague, MN 56071
(952) 758-4401