

Public Notices

Official Proceedings . . .

City of New Prague

**CITY COUNCIL PROCEEDINGS
STATE OF MINNESOTA
COUNTIES OF SCOTT AND LE SUEUR
CITY COUNCIL MEETING
MONDAY, SEPTEMBER 17, 2018**

Mayor Nickolay called the meeting to order at 6:00 P.M. with the following members present: Nickolay, Bass, Bruzek, Ryan, and Wilcox.

Staff Present: Mike Johnson, Patty Solheid and Barb Ulschmid

It was moved by Councilmember Bruzek and seconded by Councilmember Wilcox to approve the Agenda. All voted in favor of the motion. Motion carried. (5-0)

City Administrator Mike Johnson presented to the Council the proposed, Amended and Restated Joint Powers Agreement (JPA) regarding the construction and operation of an Indoor Pool and Fitness Center Facility at the Central Education Campus (CEC), the Operation of the Outdoor Pool Facility on Lexington, and the Operation of the Summer Recreation Program.

The Joint Powers Board (City Members - Maggie Bass, Ken Ondich and Shawn Ryan) met on September 11, 2018 with School JPA Members and officially reviewed and approved the proposed Amended and Restated JPA Agreement. They recommended that the JPA document be approved by the City Council on (September 17th) and by the School Board on (September 24th). Both the City and the School's Attorneys have approved the revised JPA document.

City Administrator Johnson explained the major changes to the JPA include the following:

Article V included details on the General Powers and Duties of the Board, Section 2. Specific Powers on (p.5).

Article VI - Some of the major changes to occur are within this Article which include the construction of the indoor pool and the fitness center and the financial contributions on (p.6). The City's contribution cap is at \$90,000, which will be distributed in over 7 years at \$12,857.14 per year starting in January 2019 and to be paid (2019-2025). The District shall fund the balance of the cost of the fitness center facility improvements.

Article VII involves the operation of the indoor pool and fitness center facility (pp. 7-8). City Staff had provided a map of the Fitness and Aquatics Center which is located on the lower level of the CEC. It is anticipated that there will be two (2) additional rooms that will be remodeled and included as part of the Fitness Center Facilities for Fitness classes on the upper level of the CEC on the south end of the building and the likely inclusion of a sauna in the SE corner of the indoor swimming pool. Also included were the recently approved Fitness & Aquatic Center Hours & Rates adopted by the JPA Board at the September 4, 2018 meeting.

Construction plans for the Fitness & Aquatic Center have been reviewed and approved by the State of Minnesota, a building permit has been issued by the City and construction on the Facility improvements already began on September 10, 2018. Construction is estimated to take about 30-45 days. The facility is expected to be open on or about November 5, 2018.

After discussion and review, it was moved by Councilmember Bruzek and seconded by Councilmember Bass to approve the Amended and Restated Joint Powers Agreement Regarding the Construction and Operation of the Indoor Pool and Fitness Center Facility at the Central Education Campus, The Operation of the Outdoor Pool Facility on Lexington, and the Operation of the Summer Recreation Program. All voted in favor of the motion. Motion carried. (5-0)

After discussion, it was moved by Councilmember Ryan and seconded by Councilmember Bruzek to approve the following Consent Agenda items:

A. September 4, 2018 Meeting Minutes

B. Claims for Payment

C. Approval of Proposal with Underground Technologies of MN for the Televising of Sanitary and Storm Sewers at a cost of \$8,888.00. City Administrator Johnson explained that this process is completed prior to any street reconstruction project. Before adding a layer of asphalt, this process is used to take a look at the conditions of the sanitary sewer mains and storm sewers to ensure that there are no issues or causes for concern occurring beneath the road before adding a layer of asphalt and brought forward in the Engineers Feasibility Report. This proposal is a part of the 2019 Street Improvement Project which will include mostly the City streets. Mr.

Johnson doesn't believe this included CR37 but will check with Glen Sticha on that. All voted in favor of the motion. Motion carried. (5-0).

Miscellaneous:

• Paul Dolezal - 803 Lexington Avenue North: He explained to the Council he has a broken water pipe under the road and referred to Ordinance #51.01 - Shutdown of Old Water Services. This Ordinance states it is the responsibility of the owner to maintain the water service from the water main into the house (the connector from the house to the water main) and all expenses incurred are to be the property owner's responsibility. However, Mr. Dolezal proposed that the City should own that connection not the homeowner because the City has the rights to the water meter and rights to shut it down. Why should the City have access to these items when it's personal property? Being this is the homeowner's property, it should be up to the homeowner what goes on with the water shut-off valve, not the City. Mr. Dolezal feels it would eliminate confusion if the City owned the actual water valve and connections to the water main, not the homeowner. City Administrator Johnson suggested this would be an issue that needs to be brought up to the Utilities General Manager with the Utilities Commission to follow up with Mr. Dolezal on this issue.

• Ms. Koko Tarr - A new resident of New Prague shared some safety concerns she had regarding her son's bus route. She had already been in touch with the Bus Garage and School Superintendent. The Council listened and the Mayor advised her to attend the School Board meeting and address her concerns in front of the School Board.

• Mike Johnson - 1. Railroad improvements starting around October 2nd/3rd. Project will include the replacement of the concrete underneath rail crossings as a precursor to the Highway 19 2020 Road Project. A colored map was provided to show the problem areas getting replaced. Temporary detours will be put in place. Councilmember Bass asked about the railroad crossing on CR37. Mr. Johnson indicated that this is not part of this project. MnDOT has a grant agreement with the Union Pacific Railroad at this particular crossing. Mr. Johnson will make a note to check on CR37 to see what can be done.

2. Updated the Council on some information within the packet on the 2020 project from SEH. Also mentioned that there is a walking tour downtown taking a look at some of the recommendations on the updated landscaping (beautification) plans taking place along the road construction route.

3. Public Works staff is ready for Dozinky weekend.

4. In October, expecting a movie shoot to take place in New Prague.

• David Bruzek - By Flipside at the north side of the railroad tracks there is a pole that needs to be taken down, it's old and an eye sore. Mr. Johnson said this has been noted and will be taken care of.

• Kay Wilcox - 1. Mr. Jim Shambour mentioned a property on Windcrest Lane should have their backyard restored after the City Utilities did some work back there. 2. A resident would like the "No Pets at Dozinky" rule reinforced because they were injured last year when a pet's leash caused them to fall. Mr. Johnson said there is no City Ordinance about this but thinks it's reinforced by the Chamber.

• Maggie Bass - Reminder of the Ribbon Cutting Ceremony for Kwik Trip taking place on Tuesday, September 18th at 11 a.m. Meet and Greet at 10:00 a.m.

• Mayor Chuck Nickolay - Reminder of the Czech 100/50/25 Century Celebration event on October 28, 2018. Local communities involved in this celebration include New Prague, Montgomery, Lonsdale and Veseli. Mayor Nickolay will be doing a Proclamation for this event. Stayed tuned for additional details. Some agenda items include, a Czech mass at Church of St. Wenceslaus, the Battle of the Bands at St. Wenceslaus PAC, Czech food, Cemetery Visits and much more. This event has been organized by the Arts & Heritage Group from Montgomery. Events are made possible by grant money through various organizations like MVEC, Coborn's, etc. Patrick Fisher mentioned there will be additional information in the Dozinky section of the New Prague Times.

Motion by Councilmember Ryan seconded by Councilmember Bruzek to adjourn the meeting at approximately 6:35 p.m. Motion carried. (5-0)

Charles L. Nickolay, Mayor

ATTEST:

Michael J. Johnson, City Administrator

(Published in The New Prague Times, Thursday, October 11, 2018; No. T091-10-11)

**PUBLIC NOTICE
NOTICE OF INFORMAL
PROBATE OF WILL
AND INFORMAL
APPOINTMENT
OF PERSONAL
REPRESENTATIVE AND
NOTICE TO CREDITORS**
STATE OF MINNESOTA
COUNTY OF LE SUEUR

DISTRICT COURT
FIRST JUDICIAL DISTRICT
Court File No. 40-PR-18-1042
In Re: Estate of
Sally A. Schmid,
aka Sally Schmid,
Decedent.

Notice is given that an Application for Informal Probate of Will and Informal Appointment of Personal Representative was filed with the Registrar, along with a Will dated September 1, 2000. The Registrar accepted the application and informally appointed E. C. Schmid, Jr., whose address is 13851 Jeffrey Lane, New Prague, MN 56071, to serve as the personal representative of the Decedent's estate.

Any heir, devisee or other interested person may be entitled to appointment as personal representative or may object to the appointment of the personal representative. Any objection to the appointment of the personal representative must be filed with the Court, and any properly filed objection will be heard by the Court after notice is provided to interested persons of the date of hearing on the objection.

Unless objections are filed, and unless the Court orders otherwise, the personal representative has the full power to administer the estate, including, after thirty (30) days from the issuance of letters testamentary, the power to sell, encumber, lease, or distribute any interest in real estate owned by the Decedent.

Notice is further given that, subject to Minn. Stat. § 524.3-

801, all creditors having claims against the Decedent's estate are required to present the claims to the personal representative or to the Court within four (4) months after the date of this notice or the claims will be barred.

Dated: October 2, 2018
/s/ Joanne M. Kopet
Registrar
Joanne M. Kopet
Court Administrator
WORNSON GOGGINS, PC
Richard F. Wornson
MN# 181778
119 East Main Street
New Prague, MN 56071
Telephone: 952-758-4161
Facsimile: 952-758-4085
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rwornson@lawyersnp.com
ATTORNEY FOR PERSONAL REPRESENTATIVE
(Published in The New Prague Times, Thursdays, October 11 and 18, 2018; No. T090-10-18)

**PUBLIC NOTICE
NOTICE OF INFORMAL
PROBATE OF WILL AND
INFORMAL
APPOINTMENT OF
PERSONAL
REPRESENTATIVE AND
NOTICE TO CREDITORS**
STATE OF MINNESOTA
COUNTY OF LE SUEUR

DISTRICT COURT
FIRST JUDICIAL DISTRICT
PROBATE DIVISION
Court File No. 40-PR-18-1065
In Re: Estate of
Marilyn Joyce Sawall,
Decedent.

Notice is given that an Application for Informal Probate of Will and Informal Appointment of Personal Representative was filed with the Registrar, along with a Will dated August 6, 1992. The Registrar accepted the application and informally appointed Vicki L. Benson, whose address is 16233 130th Street, McGrath, MN 56350, to serve as

the personal representative of the Decedent's estate.

Any heir, devisee or other interested person may be entitled to appointment as personal representative or may object to the appointment of the personal representative. Any objection to the appointment of the personal representative must be filed with the Court, and any properly filed objection will be heard by the Court after notice is provided to interested persons of the date of hearing on the objection.

Unless objections are filed, and unless the Court orders otherwise, the personal representative has the full power to administer the estate, including, after thirty (30) days from the issuance of letters testamentary, the power to sell, encumber, lease, or distribute any interest in real estate owned by the Decedent.

Notice is further given that, subject to Minn. Stat. § 524.3-801, all creditors having claims against the Decedent's estate are required to present the claims to the personal representative or to the Court within four (4) months after the date of this notice or the claims will be barred.

Dated: September 27, 2018
/s/ Joanne Kopet
Registrar
Joanne Kopet
Court Administrator
WORNSON GOGGINS, PC
Christopher E. Morris
MN# 212209
119 East Main Street
New Prague, MN 56071
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ATTORNEY FOR PERSONAL REPRESENTATIVE
(Published in The New Prague Times, Thursdays, October 4 and 11, 2018; No. T087-10-11)

**NOTICE OF
MORTGAGE
FORECLOSURE SALE
THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.**

NOTICE IS HEREBY GIVEN: That default has occurred in the conditions of the following described mortgage:

DATE OF MORTGAGE: October 15, 2002

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$127,200.00

MORTGAGOR(S): John R. Kotasek and Michelle L. Kotasek, husband and wife

MORTGAGEE: Mortgage Electronic Registration Systems, Inc., a Delaware corporation, as nominee for Washington Mutual Bank, FA

DATE AND PLACE OF FILING: Recorded on October 21, 2002 and memorialized upon Certificate of Title No. 12456 as Document Number 14495 in the Office of the County Registrar of Titles of Le Sueur County, Minnesota.

ASSIGNMENTS OF MORTGAGE: Assigned to: JPMorgan Chase Bank, National Association by assignment recorded on February 5, 2010 as Document Number 19251 in the Office of the County Registrar of Titles of Le Sueur County, Minnesota; thereafter assigned to Federal National Mortgage Association by assignment recorded on February 8, 2016 as Document Number 22140 in the Office of the County Registrar of Titles of Le Sueur County, Minnesota.

LEGAL DESCRIPTION OF PROPERTY: Lot Four (4), Block One (1), Barony Hill Addition No. 2, to the City of Le Sueur, Le Sueur County, Minnesota.

REGISTERED PROPERTY STREET ADDRESS OF PROPERTY: 138 BARONY

RD, LE SUEUR, MN 56058
COUNTY IN WHICH PROPERTY IS LOCATED: Le Sueur County, Minnesota.

THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE: \$128,608.08

TRANSACTION AGENT: Mortgage Electronic Registration Systems, Inc.

NAME OF MORTGAGE ORIGINATOR: Washington Mutual Bank, FA

RESIDENTIAL SERVICER: Seterus, Inc.

TAX PARCEL IDENTIFICATION NUMBER: 21.412.0040

TRANSACTION AGENT'S MORTGAGE IDENTIFICATION NUMBER: 1000541-3000299264-0

THAT no action or proceeding has been instituted at law to recover the debt then remaining secured by such mortgage, or any part thereof, or, if the action or proceeding has been instituted, that the same has been discontinued, or that an execution upon the judgment rendered therein has been returned unsatisfied, in whole or in part.

PURSUANT, to the power of sale contained in said mortgage, the above described property will be sold by the Sheriff of said county as follows:

DATE AND TIME OF SALE: November 28, 2018 at 1:00 PM.

PLACE OF SALE: Le Sueur County Sheriff's Office, 88 South Park Avenue, Le Center, Minnesota.

to pay the debt then secured by said mortgage and taxes, if any actually paid by the mortgagee, on the premises and the costs and disbursements allowed by law. The time allowed by law for redemption by said mortgagor(s), their personal representatives or assigns is six (6) months from the date of sale. The time allowed by law for redemption by the United States of America or any agency thereof is twelve (12) months from the date of the sale.

TIME AND DATE TO VACATE PROPERTY: Unless said mortgage is reinstated or the property redeemed, or unless the time for redemption is reduced by judicial order, you must vacate the premises by 11:59 p.m. on May 28, 2019.

THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES, SECTION 582.032, DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.

MORTGAGOR(S) RELEASED FROM FINANCIAL OBLIGATION ON MORTGAGE: None

Dated: September 26, 2018
FEDERAL NATIONAL MORTGAGE ASSOCIATION Mortgagee

THE ACADEMY LAW GROUP, P.A.

By: /s/
Rebecca F. Schiller, Esq.
N. Kibongni Fondungallah, Esq.
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THIS IS A COMMUNICATION FROM A DEBT COLLECTOR.

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