



Board of County Commissioners Agenda Request

26

Agenda Item #

Requested Meeting Date: 10/11/16

Title of Item: Tax-forfeited land repurchase application - Rutherford 3-43-24

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <i>*provide copy of hearing notice that was published</i>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
--	--	---

Submitted by: Land Commissioner	Department: Land Department
---	---------------------------------------

Presenter (Name and Title): Mark Jacobs	Estimated Time Needed:
---	-------------------------------

Summary of Issue:

Mary E. Rutherford of 472 Iglehart Ave, St. Paul, MN 55103 has made application to repurchase tax-forfeited property - that part of Lot 2 as in document 328709 Section 3 Township 43 Range 23 (Idun); per MN Statute 282.

Attached is her application and a cashiers check for \$2214.12 to cover back taxes/penalty/fees.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:
Staff recommends approval of the repurchase application.

Financial Impact:

Is there a cost associated with this request? Yes No

What is the total cost, with tax and shipping? \$

Is this budgeted? Yes No *Please Explain:*

Tax-Forfeited Land Repurchase Application - Rutherford

WHEREAS, Mary E. Rutherford of 472 Iglehart Ave St Paul, Mn 55103, the owner at the time of forfeiture, has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, of amended, which land is situated in the County of Aitkin, Minnesota and described as follows, to-wit:

That part of Lot 2 as in Document 328709 Section 3 Twp 43 Rge 24 – Parcel ID 13-0-003903

And, WHEREAS, said applicant has set forth in her application that:

- a. Hardship and injustice has resulted because of forfeiture of said land, for the following reasons, to-wit:

I have been spending weekends, afternoons and longer sojourns on Bear Lake for 27 years, enjoying the spring-fed lake. I purchased my property on a contract for deed, filing the deed about 8 years ago. It has been my intention to retire there (I am 68), investing in a “tiny home” or other type of dwelling. This land has always been a respite, but recently became even more important, as a place to care for my disabled daughter when I retire. A few years ago, she was diagnosed with a chronic disease. To lose this land would be to take away my future plans for me and my family. I have attached a letter to this application which further explains my situation and the reasons for my failure to pay the taxes.

- b. The repurchase of said land by me will promote and best serve the public interest, because:

I am aware of the legacy of this property as a wilderness preserve, and that some of my neighbors along the lake have given their property to the Nature Conservancy in their wills. Their commitment to preserving the land and maintaining a conscientious community surrounding Bear Lake has had a great impression on me. If I am allowed to repurchase this plot, I will continue to avoid using pesticides in my plantings and maintain the wilderness in the proper manner. This maintains the purity of the lake for the fish and plants. I am dedicated to maintaining the broader community’s interests concerning the preservation of this land’s pristine nature and heritage.

And, WHEREAS, this board is of the opinion that said application should be granted for such reasons.

NOW, THEREFORE BE IT RESOLVED, that the application of Mary Rutherford for the purchase of the above described parcel of tax forfeited land be and the same is hereby granted and the County Auditor is hereby authorized and directed to permit such repurchase according to the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

Commissioner xx moved the adoption of the resolution and it was declared adopted upon the following vote

FIVE MEMBERS PRESENT

All Members Voting Yes

STATE OF MINNESOTA}
COUNTY OF AITKIN}

I, Patrick Wussow, Interim County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 11th day of October 2016, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 11th day of October 2016

Patrick Wussow
Interim County Administrator

Mary E. Rutherford
472 Iglehart Ave.
St. Paul, MN 55103

September 21, 2016

Aitkin County Land Department
209 2nd St. NW, Room 206
Aitkin, MN 56431

RE: Repurchase of part of Lot 2 as in Document 328709 Sec 3 Twp 43 Rge 24

To the Honorable Board of County Commissioners of Aitkin County, MN:

This letter is an addendum to the forms I have completed to apply to repurchase the land located in Aitkin County, which is listed as: parcel id: 13-0-003903.

I would like to provide an explanation for the failure on my part to stay current with my real estate taxes for this property.

About four years ago, my daughter became disabled with a chronic disease, and I am her sole caregiver. I also own a business in St. Paul, where I practice full time as a chiropractor. When I am not in my office, my time has been taken up with my daughter's medical appointments, and caring for all her basic needs. Many things in my life have fallen by the wayside as I focused on my daughter's recovery. Unfortunately this included keeping up with paying the taxes on my property in Aitkin County.

I have been visiting Bear Lake for about 27 years, fishing, camping, and hiking, enjoying the beauty and pristine nature of the area. I began the purchase of the property at issue in the 1990's, before finally filing the deed about 8 years ago. So far I have only camped on my property, and have not yet built any structures. However, my goal has been to retire to the lake within the next five years, and build a small home. My daughter and I have been researching various types of dwellings, which now include the amenities for caring for my daughter on this land.

My daughter has a degree in Design and has been filing away various ideas for us to use in the final plan. Bear Lake has such a positive effect on one's health, and thus it has seemed the perfect place for my daughter to spend time recovering. I have a small rowboat on the property, and we enjoy rowing into the spring-fed area at the east end of the lake, through the wild rice and cattails, to hear the birdcalls and enjoy the silence.

To lose this property at this point in my life, because of extreme extenuating circumstances, would result not only in my loss of my planned place of retirement in Aitkin County, but also a source of respite and healing for my daughter.

Therefore, I request that I be allowed to repurchase this property, and restore my ownership as it was prior to the forfeiture. A copy of the deed that shows my legal interest in this property is available in my file with the county, as acknowledged via phone call.

Sincerely,



Mary Rutherford



P.O. Box 646889 • St. Paul, MN 55164-0689
western-bank.com

1710300043

REMITTER:

MARY RUTHERFORD

DATE: September 21, 2016

27-85/1040
9000011

PAY TO THE

ORDER OF ***AITKIN COUNTY***

\$ 2,214.12

*** Two Thousand Two Hundred Fourteen and 12/100****DOLLARS

THIS DOCUMENT HAS A MICRO-PRINT SIGNATURE LINE, WATERMARK AND A THERMOCHROMIC ICON. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

CASHIER'S CHECK

FOR:

2 SIGNATURES REQUIRED FOR AMOUNTS GREATER THAN \$5000



⑈ 1710300043 ⑈ ⑆ 104000854 ⑆ 9000011 ⑈