



Board of County Commissioners Agenda Request

5A
Agenda Item #

Requested Meeting Date: 9/25/18

Title of Item: Public hearing - land exchange in Seavey Township

<input checked="" type="checkbox"/> REGULAR AGENDA <input 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) <small><i>*provide copy of hearing notice that was published</i></small>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input checked="" type="checkbox"/> Hold Public Hearing*
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Submitted by: Land Commissioner	Department: Land Department
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Presenter (Name and Title): Rich Courtemanche	Estimated Time Needed: 15-minutes
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Summary of Issue:

American Peat Technology is proposing a land exchange to acquire County land adjacent to their leased area in Seavey township. It involves County (fee) in SW-SW 26-44-24 land and Private land in SW-NW 20-44-24 (that they are acquiring) that is adjacent to County administered land.

The appraisal is below...
 County = \$63,900 (40-acres)
 Private = \$44,400 (40-acres)
 APT has agreed to pay the value difference in cash.

MS 371.01 1.(e). defines the exchange process for County owned land.

A public hearing date/time was set for 9/25/18 11:00 AM, at the 8/28/18 Board meeting.
 A notice of the public hearing was posted two-weeks notice in the Courthouse and the official newspaper of the County (copies enclosed). The notice was also mailed to adjoining property owners.

Enclosed is an e-mail supporting the exchange from the Chair of Seavey Town Board.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

I believe that approving the exchange is in the best interest of Aitkin County and recommend signing the attached resolution.

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:*

CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED September 25, 2018

By Commissioner: xx

20180925-0xx

American Peat Technology Land Exchange

WHEREAS, on August 28, 2018 the Aitkin County Board of Commissioners set a public hearing for September 25, 2018 at 11:00 AM to consider a land exchange of property in Seavey Township described as follows:

County Fee Land – SW ¼ of SW ¼ Section 23 T 44 R 24

Private Land – SW ¼ of NW ¼ Section 20 T 44 R 24

WHEREAS, the necessary appraisals and public hearing notice as required by M.S 373.01 have been complied with, and

WHEREAS, American Peat Technology has agreed to pay the difference in appraised values, and

WHEREAS, the Aitkin County Board of Commissioners held a public hearing on September 25th, 2018 at 11:00 AM for the purpose of hearing public comments regarding the proposed land exchange.

THEREFORE, BE IT RESOLVED that the Aitkin County Board of Commissioners authorizes the Land Commissioner’s Office to proceed with the title opinion on the privately owned parcels, and with the land exchange of the lands listed above.

BE IT FURTHER RESOLVED, that the lands exchanged are subject to zoning ordinances adopted by the County Board and that all lands are subject to highway and utility easements.

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, Jessica Seibert, 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 25th day of September 2018, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 25th day of September 2018

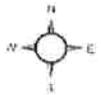
Jessica Seibert
County Administrator

SEAVEY T44N-R24W

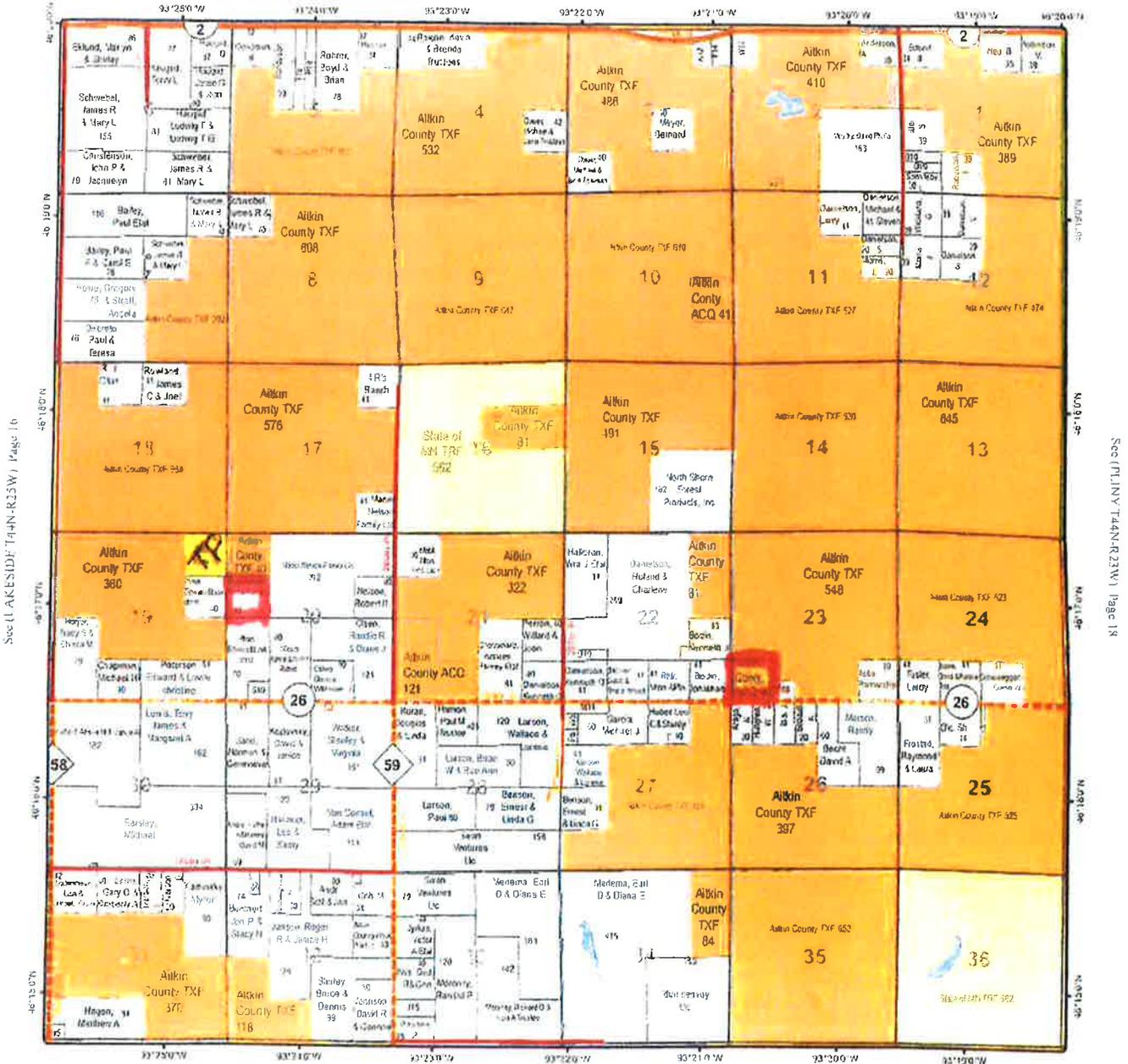


Acres are approximate.

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See (UNORGANIZED T45N-R24W) Page 23



See (IDUN T43N-R24W) Page 13



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- Choose from over 100 projects! Things like photography, food, leadership, wood working, art, animal science (you don't even have to own an animal).



**OFFICE OF
AITKIN COUNTY ASSESSOR**
209 2nd ST N.W. Room 111
AITKIN, MINNESOTA 56431
Phone: 218/927-7327 – Fax: 218/927-7379
assessor@co.aitkin.mn.us

August 9, 2018

Mark Jacobs, Land Commissioner
Aitkin County Land Department
209 2nd Street NW Room 206
Aitkin, MN 56431

Re: Valuation request for Parcels 28-0-031300 and 28-0-036600

Dear Mark:

Per your request, I have reviewed the valuation of these parcels in Seavey Township. As part of this assignment, 42 land sales were identified in Aitkin County that occurred from January 2017 through April 2018. These sales ranged in size from 32 to 48 acres and had varying elevation and land cover types.

Parcel 28-0-036600 has primarily high ground and public road frontage along one side. There were two sales of 40 acre parcels in Williams Township in 2017 that were comparable to this subject property. These parcels both are primarily high elevation with minimal wetlands like the subject. They sold for \$1425 and \$1575 per acre. Based on a review of these comparables and a review of the subject characteristics, the subject appears to be superior to the comparables. Therefore, the valuation of this subject parcel 28-0-036600 is **\$63,900**.

Parcel 28-0-031300 has no legal access and has significant wetland between the nearest public road and the parcel. The parcel itself appears to be primarily higher elevation and minimal wetland. Three different land sales with no public road frontage were identified to be comparable to this subject. All of these sales occurred in 2017. The sales prices per acre were as follows: \$450 per acre, \$1000 per acre, and \$851 per acre. All of these parcels have lower elevation than the subject. The valuation of the subject based on this analysis is **\$44,400**.

These value estimates are intended for the purposes of the Aitkin County Land Department. It was prepared using the procedures and methods of licensed Minnesota assessors. This estimate is not intended to have the level of detail, scope of work, and level of accuracy found in a full narrative appraisal conducted by an appraiser licensed by the Department of Commerce.

Please contact me with any questions.

Sincerely,

Mike Dangers
Aitkin County Assessor

Mark Jacobs

From: James Ratz [jratz@co.aitkin.mn.us]
Sent: Monday, August 13, 2018 5:21 PM
To: 'Mark Jacobs'
Subject: RE: Proposed land exchange

Mark,

There are quite a few case annotations under Minn. Stat. sec 373.01, but none appear to define or offer a standard for "substantially similar or equal value."
It appears that it is a county board determination.

Thanks,
Jim

From: Mark Jacobs [<mailto:mjacobs@co.aitkin.mn.us>]
Sent: Friday, August 10, 2018 11:43 AM
To: 'James Ratz' <jratz@co.aitkin.mn.us>
Subject: Proposed land exchange

Jim:

American Peat Technology is proposing a land exchange to acquire 40-acres adjacent to their leased area in Seavey township.

It involves County fee (26-44-24) land and Private (Potlatch) land (20-44-24 that they acquired) that is embedded in County land.

Mike Danger's appraisal is below...

County = \$63,900
Private = \$44,400

MS 371.01 1.(e). defines the exchange process for County owned land, but does not define substantially similar or equal value.

(e) Notwithstanding anything in this section to the contrary, the county may, when acquiring real property for purposes other than county highway right-of-way, exchange parcels of real property of substantially similar or equal value without advertising for bids. The estimated values for these parcels must be determined by the county assessor or a private appraisal performed by a licensed Minnesota real estate appraiser. For the purpose of determining for the county the estimated values of parcels proposed to be exchanged, the county assessor need not be licensed under chapter 82B. Before giving final approval to any exchange of land, the county board shall hold a public hearing on the exchange. At least two weeks before the hearing, the county auditor shall post a notice in the auditor's office and the official newspaper of the county of the hearing that contains a description of the lands affected.

Typically the difference in value is paid in cash.

Is there a standard or is it a County Board determination?

Mark Jacobs

From: Harold Harms [doubleh10q@gmail.com]
Sent: Wednesday, August 15, 2018 8:23 AM
To: 'Mark Jacobs'
Subject: RE: Proposed land exchange

We have no problem with the exchange. We want to do anything we can to facilitate APT getting the plant up and running sooner rather than later. Everything I know about them and their existing facility would make them a very welcome addition to the township. Thanks for letting us know. If we can be of any assistance, please let me know.

Harold Harms
Seavey Township Board Chair
26818 170TH ST
McGrath MN 56350
218-232-2935
Doubleh10q@gmail.com

Public Notices

Legal Notices may be emailed to publicnotice@ecm-inc.com, contact Tonya Orbeck, 763-691-6001 for information.

Mortgage Foreclosures

NOTICE OF SHERIFFS EXECUTION SALE - REAL PROPERTY

Under and by virtue of an Execution issued out of and under the seal of the District Court of the State of Minnesota, in and for the First Judicial District and County of Dakota.

On the 30th day of January, 2018, upon an Amended Judgment rendered in Dakota County District Court in an action therein, between Mary J. Nicholson and Mary J. Nicholson, as trustee of the Mary J. Nicholson Revocable Trust dated September 22, 2006, plaintiff; and Samantha Kay Lubbesmeyer and Minnesota Department of Public Safety, Driver and Vehicle Services Division, defendants, for the sum of \$252,977.85, ordering the joint foreclosure of liens recorded as document numbers 413742 and 414012 in the office of the Aitkin County Recorder, Aitkin, Minnesota, according to the provisions of law relating to the sale of real estate on execution, and to make report to the court, as appears by the judgment...

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

DATE AND TIME OF SALE: October 11, 2018 at 10:00 AM.
PLACE OF SALE: Aitkin County Sheriff's Office, 217 Second Street NW, Aitkin, 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 April 11, 2019.

THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS MAY BE

To approve ATV Purchase - Sheriff's Office

To accept \$250 Donation to STS from Public Utilities Commission

To authorize Payment of Primary and General Election Recounts

To approve Purchase of Backup Device - IT Dept.

Resolution adopted, Wedel/Prait, - Aitkin County Electronic Funds Policy/Procedure

Motion carried, Niemi/Westerlund, to approve purchase of Mobile Assessor

Motion carried, Pratt/Niemi, to approve the hire of Bolten & Menk, Inc. for engineering and modeling services for the Wawina Wetland Bank at a cost of \$37,500

Resolution adopted, Niemi/Westerlund, - Award Contract No. 20185

Resolution adopted, Wedel/Niemi, - NIBRS Joint Powers Agreement

Motion carried, Westerlund/Prait, to authorize hiring a temporary clerical worker for the Land Department

Motion carried, Wedel/Niemi, to approve contract with Honeywell International, Inc. for controls in the new Government Center - \$205,970.00

AITKIN COUNTY PUBLIC HEARING - LAND EXCHANGE

The Aitkin County Board will be holding a public hearing per MN Statute 373.01 on September 25, 2018 at 11:00 AM in the Aitkin Library Meeting Room, regarding a land exchange proposal of County land in SW-SW 23-44-24 and Private land in SW-NW 20-44-24.

Questions on the process should be addressed to; Mark Jacobs, Land Commissioner at 218-927-7367

Published in the Aitkin Independent Age September 5, 2018 852430

Summons

SUMMONS

STATE OF MINNESOTA
COUNTY OF AITKIN
DISTRICT COURT
NINTH JUDICIAL DISTRICT
SUBJECT MATTER: OTHER CIVIL
COURT FILE NO.: 01-CV-18-696
Security State Bank of Aitkin
a/k/a Security State Bank,
Plaintiff,
vs

PART OF THE PROPERTY TO BE SOLD CONTAINS YOUR HOUSE. YOU MAY DESIGNATE THE AREA OF A HOMESTEAD TO BE SOLD AND REDEEMED SEPARATELY.

YOU MAY DESIGNATE THE HOUSE YOU OCCUPY AND ANY AMOUNT OF THE PROPERTY AS A HOMESTEAD. THE DESIGNATED HOMESTEAD PROPERTY MUST CONFORM TO THE LOCAL ZONING ORDINANCES AND BE COMPACT SO THAT IT DOES NOT UNREASONABLY REDUCE THE VALUE OF THE REMAINING PROPERTY.

YOU MUST PROVIDE THE COURT WITH A LEGAL DESCRIPTION OF THE HOMESTEAD YOU HAVE DESIGNATED.

Dated: July 25, 2018
HABERKORN LAW OFFICES, LTD.
/s/ Christine M. Bright
Attorneys for Plaintiff
122 Second Street NW
Aitkin, MN 56431
(218)927-6913

Attorney License #395286

Published in the Aitkin Independent Age August 29, September 5, 12, 2018 850776

MARVIN L. SNEEN and as MARVIN LEROY SNEEN, JR. Decedent.

It is Ordered and Notice is given that on December 18, 2018 at 10:30 a.m., a hearing will be held in this Court at Aitkin County Courthouse, 209 - 2nd Street NW, Aitkin, Minnesota, for the formal probate of an instrument purporting to be the Will of the Decedent, dated November 17, 2003, and for the appointment of Janice F. Sneen, a/k/a Janice Faye Sneen, f/k/a Janice Faye Anderson and as Janice Fay Anderson whose address is 47821 188th Avenue, McGregor, Minnesota 55760 as Personal Representative of the Estate of the Decedent in an UNSUPERVISED administration.

Any objections to the petition must be filed with the Court prior to or raised at the hearing. If proper and if no objections are filed or raised, the Personal Representative will be appointed with full power to administer the Estate including the power to collect all assets, to pay all legal debts, claims, taxes and expenses, to sell real and personal property, and to do all necessary acts for the Estate.

Notice is also given that (sub-

Public Hearing - Land Exchange

The Aitkin County Board will be holding a public hearing per MN Statute 373.01 on September 25, 2018 at 11:00 AM in the Aitkin Library Meeting Room, regarding a land exchange proposal of County land in SW-SW 23-44-24 and Private land in SW-NW 20-44-24.

Questions should be addressed to;
Mark Jacobs, Land Commissioner at 218-927-7367

8/28/2018 BSH

Sent to landowners +
Posted 3 places in
Aitkin County Courthouse.

8/28/18 BSM

~~ATKIN COUNTY
209 2ND ST NW
ATKIN MN 56431~~

SWANSON, JEFFREY A & LISA L (1/2)
VOUK, GARRICK M & BERNADETTE (1/2)
9705 289TH AVENUE NW
ZIMMERMAN MN 55398

ARRIGO, NICK
9000 FOXLIN DRIVE
CORCORAN MN 55340

WICKRE, RICHARD & NORDAHL, RICHARD
13108 CANALVILLE LN
GRASSTON MN 55030

BODIN, JONATHAN
BODIN, RODGER & MARY TRUSTEES
25636 GRAMFORD AVE
WYOMING MN 55092

BODIN, KENNETH J
BODIN, RODGER & MARY TRUSTEES
132 7TH ST
NASHWAUK MN 55769

CAMPBELL, RANDY & MARY
22538 S HWY 95
COEUR D'ALENE ID 83814

FIELDS, ROBERT M
3121 206TH LANE NW
OAK GROVE MN 55011

MABEL NELSON FAMILY LLC
C/O ROBERT NELSON
9181 CHESSHIRE LANE N
MAPLE GROVE MN 55369

PETERSON, EDWARD & LOVLIE, CHRISTINE
1710 LINCOLN ST NE
MINNEAPOLIS MN 55413

~~POTLATCH MN TIMBERLANDS LLC
601 W FIRST AVENUE SUITE 1600
SPOKANE WA 99201~~

~~STATE OF MINNESOTA~~

*Land
Exchange*