



Board of County Commissioners Agenda Request

2K

Agenda Item #

Requested Meeting Date: February 12, 2019

Title of Item: Application to repurchase tax-forfeited property

<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) <small>*provide copy of hearing notice that was published</small>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Rich Courtemanche		Department: Land Department
Presenter (Name and Title): Rich Courtemanche - Land Commissioner		Estimated Time Needed: n/a
Summary of Issue: S 282.241 allows application to repurchase tax-forfeited property by the former owner. Partners in Action (PIA) of Minnesota, owners at the time of forfeiture, have submitted a letter of application to repurchase the following tax forfeited land: 57-1-087800, Quadna Mountain Vacation Club First Addition, Lot 2 Block 1 and has submitted the fee of \$540.95		
Alternatives, Options, Effects on Others/Comments: 		
Recommended Action/Motion: 		
Financial Impact: Is there a cost associated with this request? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No What is the total cost, with tax and shipping? \$ Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i>		

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

ADOPTED February 12, 2019

By Commissioner: xx

20190212-0xx

Repurchase Application – Partners in Action (PIA)

WHEREAS, Partners in Action (PIA) of Minnesota, the owners 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:

Quadna Mountain Vacation Club First Addition, Lot 2 Block 1
Property ID: 57-1-087800

and WHEREAS, said applicant has set forth in his application that:

- a. Hardship and injustice has resulted because of forfeiture of said land, for the following reasons, to-wit:
Mr. Gerber and I believed that PIA of Minnesota had sold this parcel to Mr. Gerber in 2005. That parcel was apparently left out of the sale. Mr. Gerber has made significant improvements to the property. He properly and lawfully removed an old foundation and filled in several large holes. He has invested significant time and expense into this project. I request to be allowed to redeem this parcel so I can convey it to Mr. Gerber.
- b. The repurchase of said land by me will promote and best serve the public interest, because:
Mr. Gerber purchased many smaller parcels near this parcel from PIA of Minnesota in 2015. It is beneficial to bring this parcel into Mr. Gerber's ownership so that the many small parcels in this area are unified in common ownership.

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 Partners in Action (PIA) of Minnesota 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

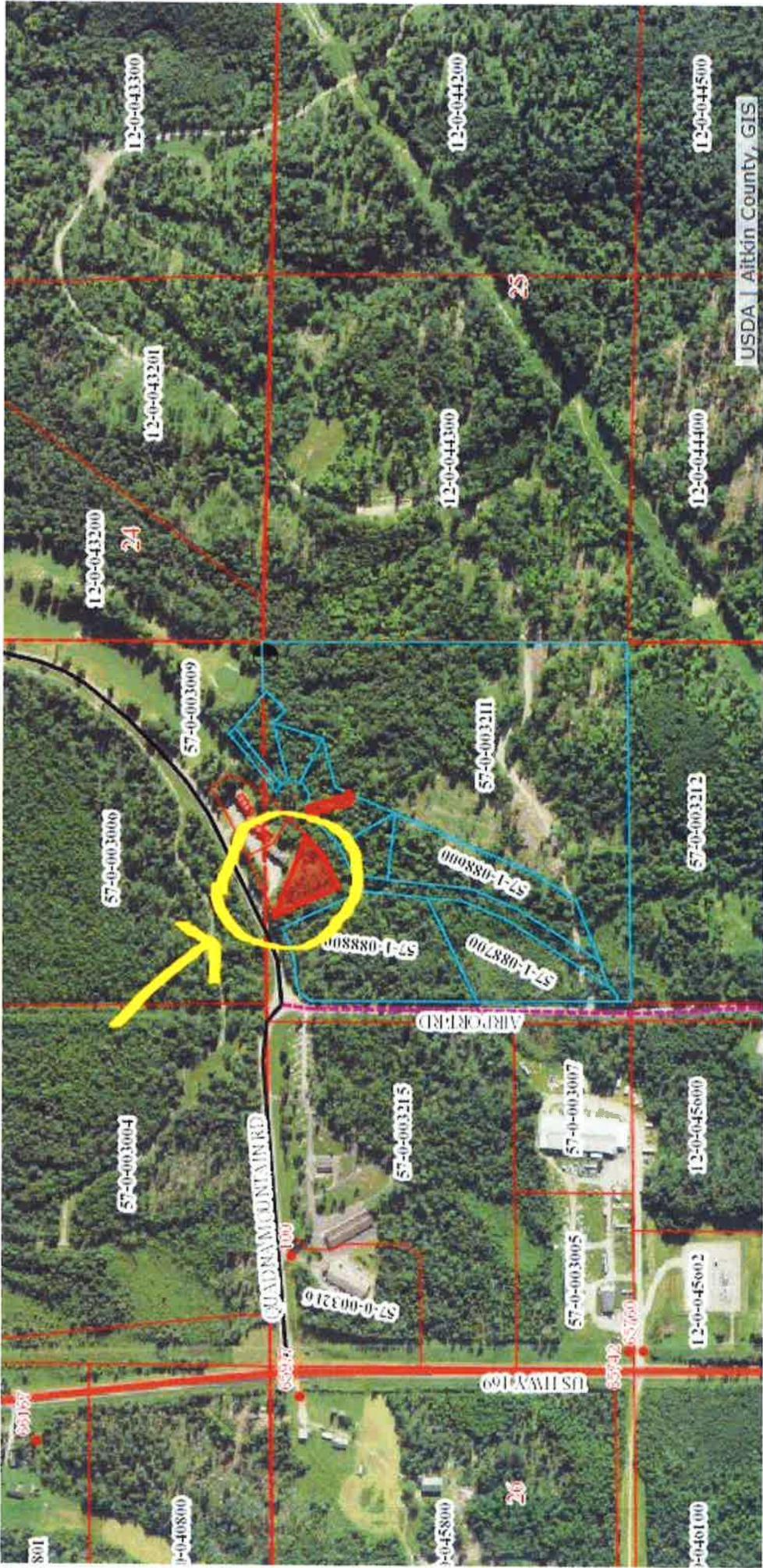
All Members Voting Yes

**STATE OF MINNESOTA}
COUNTY OF AITKIN}**

I, 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 12th day of February 2019, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 12th day of February 2019

Jessica Seibert
County Administrator



To the Honorable Board of County Commissioners of
Aitkin County, Minnesota.

I, the undersigned owner-mortgagee-heir-representative of heirs _____, at the time of forfeiture of the parcel of land situated in the County of Aitkin, State of Minnesota, described as follows, to-wit:

Lot Two (2), Block One (1), Quadna Mountain Vacation Club First Addition, according to the filed and recorded plat thereof.

do hereby make application for the purchase of said parcel... of land from the State of Minnesota, in accordance with the provisions of Minnesota Statutes 1945, Section 282.241, as amended.

In support of this application for the repurchase of said land I make the following statement:

(a) That hardship and injustice has resulted because of forfeiture of said land, for the following reasons, to-wit: Mr. Gerber and I believed that PIA of Minnesota had sold this parcel to Mr. Gerber in 2005 That parcel was apparently left out of the sale. Mr. Gerber has made significant improvements to the property. He properly and lawfully removed an old foundation and filled in several large holes. He has invested significant time and expense into this project. I request to be allowed to redeem this parcel so I can convey it to Mr. Gerber.

(b) That the repurchase of said land by me will promote and best serve the public interest, because Mr. Gerber purchased many smaller parcels near this parcel from PIA of Minnesota in 2015. It is beneficial to bring this parcel into Mr. Gerber's ownership so that the many small parcels in this area are unified in common ownership.



FOR PIA of MINNESOTA
[Handwritten Signature]
Owner-Mortgagee-Heir-Representative of Heirs

Arizona
State of Minnesota
County of Maricopa

The foregoing instrument was acknowledged before me this 27th day of December, 192018, by Curtis M. Cliff

Notarial Seal

[Handwritten Signature]
Signature of person taking acknowledgement

RYAN, BRUCKER & KALIS, LTD.

LAWYERS

201 MINNESOTA AVENUE NORTH

P.O. BOX 388

AITKIN, MINNESOTA 56431-0388

TELEPHONE (218) 927-2136

FACSIMILE (218) 927-6114

HEINRICH A. BRUCKER
henryb@rbklaw.net

ANDREW B. KALIS
andrewk@rbklaw.net

JOSEPH W. RYAN
(1908-2002)

MICHAEL F. RYAN
(1935-2010)

January 23, 2019

Ms. Beth Strande Haasken
Aitkin County Land Department
502 Minnesota Avenue North
Aitkin, MN 56431

Re: Request to Repurchase Property

Dear Ms; Strande Haasken:

Pursuant to your letter of December 14, 2018, enclosed please find our original executed repurchase application form, a copy of a deed showing that Partners in Action of Minnesota owns the real estate it is applying to repurchase, and a check in the amount of \$540.95 as and for the repurchase fee from Mr. Phillip Gerber. As you and I have discussed, Partners in Action of Minnesota is repurchasing this real estate but is immediately transferring ownership of it to Mr. Gerber. Mr. Gerber and Partners in Action of Minnesota both thought that Mr. Gerber had purchased this parcel of real estate from Partners in Action of Minnesota in a previous transaction, and since that time, Mr. Gerber has undertaken significant efforts at the property to remove an old, hazardous foundation from the property and to properly fill the hole left from that foundation. As such, Partners in Action of Minnesota and Mr. Gerber both feel that it would be beneficial for Mr. Gerber to own this parcel of real estate. I request that you please inform me of the County Board of Commissioners Meeting where this matter will be considered so that I can attend that hearing in case there are questions or concerns about this transaction.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Andrew B. Kalis

ABK

Enclosure

Partners in Action
 December 12, 2018
 57-1-087800

Interest calc January 31, 2019

Year	Tax	Cost	Interest	Penalty	Total
2012	\$ 12.00	\$ 20.00	\$ 20.20	\$ 1.20	\$ 53.40
2013	\$ 14.00	\$ -	\$ 7.83	\$ 1.40	\$ 23.23
2014	\$ 14.00		\$ 6.29	\$ 1.40	\$ 21.69
2015	\$ 14.00		\$ 4.75	\$ 1.40	\$ 20.15
2016	\$ 12.00		\$ 2.75	\$ 1.20	\$ 15.95
2017	\$ 14.00		\$ 1.67	\$ 1.40	\$ 17.07
2018	\$ 12.00		\$ 0.11	\$ 1.20	\$ 13.31
2019	\$ 18.00		\$ -	\$ -	\$ 18.00
Total:	\$ 110.00	\$ 20.00	\$ 43.59	\$ 9.20	\$ 182.79

Total:	182.79
St Deed Tax	0.60
Forf Proc Cost	100.00
Sheriff Cost	40.00
Deed	25.00
Land Dept Cost	100.00
Rec Fee	46.00
Crt Letter Fee-Auditor	6.56
Crt Letter Fee-Land	0.00
<u>Insurance</u>	<u>40.00</u>
Total:	540.95

CASHIER'S CHECK

3609

75-1516/912

REMITTER Phil Gerber

DATE 01/10/2019

PAY TO THE ORDER OF Aitkin County

\$ 540.95

Pay ExactlyFive Hundred Forty and 95/100*****



PO Box 250
Hill City, MN 55748
Tel. 218-697-8116
www.woodlandbank.com

Phil Gerber

AUTHORIZED SIGNATURE

⑈003609⑈ ⑆091215163⑆ 20⑈640⑈4⑈ 94

Details on Back. Security Features Included