



Board of County Commissioners Agenda Request

4A

Agenda Item #

Requested Meeting Date: April 23, 2019

Title of Item: Tax-Forfeited Land Sale

<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: Rich Courtemanche		Department: Land
Presenter (Name and Title): Rich Courtemanche - Land Commissioner		Estimated Time Needed: n/a
Summary of Issue: <p>The attached resolution sets the next tax forfeited land auction sale for June 28, 2019 @ 2:00 PM in Courtroom #1. This auction consists of lands previously offered for auction sale with no bidders and were offered for four (4) months for sale at a first come first serve basis with no interested party coming forward.</p> <p>MN Chapter 282.01 Sub 3. Nonconservation lands; appraisal and sale states that, "any parcels of land proposed to be sold shall be first appraised by the county board of the county in which the parcels lie. The parcels may be reappraised whenever the county board deems it necessary to carry out the intent of sections 282.01 to 282.13."</p> <p>The county assessor appraised the properties the summer 2018 and the County Board adopted those values at the October 23, 2018 board meeting. ACLD proposes that these previously assessed properties be discounted by the County Board an additional 25% and allowed to be auctioned on June 28, 2019. Any lands not purchased would be allowed to be purchased at a first come first serve basis at the Land Department Office for three (3) months, until September 13, 2019.</p>		
Alternatives, Options, Effects on Others/Comments: Adopting this resolution would allow stream lining selling previously offered properties to public auction and allow a second land sale in the same year.		
Recommended Action/Motion: Adopt Resolution		
Financial Impact: <i>Is there a cost associated with this request?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No <i>What is the total cost, with tax and shipping? \$</i> <i>Is this budgeted?</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>Please Explain:</i> Cost of advertising and mailing.		

By Commissioner: xx

Tax-Forfeited Land Sale

WHEREAS, the classification of the following county owned and tax-forfeited lands to be offered for sale has been made by the County Board in accordance with Minnesota Statutes 282, and

WHEREAS, a public hearing was held on March 6, 2012 at 10:00am, November 24, 2015 at 11 :00am, September 12, 2017 at 10:00am and on March 13, 2018 at 10:00am in the Aitkin County Courthouse regarding the classification of the attached lands and classified them to dispose of, and

WHEREAS, the County Board has made appraisals of the lands classified as non-conservation and of the timber and timber products thereon, and has made appraisal of timber and buildings on such lands as have not been classified, and a list of such lands and timber, timber only and of buildings so appraised has been filed with the County Auditor for the purpose of offering lands, timber and buildings, so listed, for sale at not less than the appraised value of the land, timber, and buildings combined, with said appraisals of each property following, and

WHEREAS, the County Board is by law designated with authority to provide for the sale of such lands on terms:

NOW, THEREFORE BE IT RESOLVED, that such parcels shall be sold on the following terms, to wit: That on sales amounting to \$5,000.00 or less per parcel, the purchase price shall be paid in full at the time of purchase. On sales amounting to more than \$5,000.00 per parcel, the purchaser shall pay a minimum of \$5,000.00 down or 25% of the purchase price (whichever is greater). Any remaining balance must be paid within 60 days. No timber shall be cut, removed, or damaged until the entire purchase price for the parcel is paid in full.

The land and improvements are being sold AS IS and the County makes no warranties as to the condition of any buildings, wells, septic systems, soils, roads, or any other thing on the tract. The tract is being sold with the understanding that the buyer and seller agree to waive disclosures required under Minnesota Statutes Chapters 513.52 to 513.60, and 1031.235 and any associated liabilities. No representation is made as to access, the condition of any structure, its fixtures or contents, or the suitability for any particular use.

Provided that in case any parcel of land bearing standing timber, buildings or timber products is sold at public auction for more than the appraised value, the amount bid in excess of the appraised value shall be allocated between the land, buildings, and timber in proportion to the respective appraised value. Upon payment in full, the purchaser of tax forfeited land at such sale shall be entitled to immediate possession, subject to the provision of any existing lease made in behalf of the State, and

BE IT FURTHER RESOLVED, that notice of such sale of lands, timber and buildings be given by publication in the official newspaper of the County as provided by law; that the County Auditor of Aitkin County offer such parcels of land for sale in the order in which they appear in said NOTICE OF SALE, and that such sale shall commence at 2:00 P.M. on Friday, the 28th day of June 2019 and continue until all parcels classified as non-conservation and timber only, buildings on parcels not classified, are offered to the highest bidder for sale. This sale will be held at the Aitkin County Courthouse 3rd floor courtroom in Aitkin, Minnesota - 209 2nd St. NW.

BE IT FURTHER RESOLVED, as required by Minnesota Statutes 284.28, there will be added to the sale price of any tax-forfeited lands sold, an amount equal to three percent (3%) of the total sale price. Said additional amount to be deposited in the State Treasury and credited to the State Real Estate Assurance Fund, and

BE IT FURTHER RESOLVED, that the Land Commissioner may withdraw any description on the list, later subject to the approval of the County Board, when it may appear to be in the public interest to do so, and

BE IT FURTHER RESOLVED, Minnesota Statutes 282.014, imposes a \$25.00 fee upon purchasers of tax forfeited land for issuance of a State Deed.

BE IT FURTHER RESOLVED, as required by Minnesota Statutes 282.01, Subdivision 6, all State Tax Deeds must be recorded with the County Recorder prior to issuing the Deed to the purchaser, therefore a recording fee for each State Deed issued must be paid to the Aitkin County Recorder by the purchaser when tax-forfeited land is paid for in full, as required in MS 357.18,

BE IT FURTHER RESOLVED, as required by Minnesota Statutes 287.22, all State Tax Deeds are subject to State Deed Tax which must be paid by the purchaser.

BE IT FURTHER RESOLVED, Aitkin County is not responsible for location of or determining property lines or boundaries.

BE IT FURTHER RESOLVED, that all lands sold hereunder are sold subject to the Zoning Ordinance adopted by the County Board, and all lands are sold subject to railroad and highway easements, power and pipeline easements, any recreational easements, and subject to all flowage rights, and

BE IT FURTHER RESOLVED, that except in the case of Deeds issued for platted property and Deeds issued to correct errors in either legal description or grantees, the Deeds issued for these parcels will contain a restrictive covenant which will prohibit enrollment of the land in a State Funded program providing compensation of marginal land or wetlands.

Aitkin County does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment and the provision of services. Prospective bidders who require special accommodations to participate in this sale should inform the Land Department as soon as possible and more than three working days before the sale. You may write to Aitkin County Land Department at 502 Minnesota Ave N. Aitkin, MN 56431 or call 218-927-7364. Pre-registration prior to the sale is encouraged. If the bidder has not preregistered, registration will be required before the sale commences to receive a bidding number.

(See Attached Table)

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

FIVE MEMBERS PRESENT
STATE OF MINNESOTA}
COUNTY OF AITKIN}

All Members Voting Yes

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 23rd day of April 2019, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 23rd day of April 2019

Jessica Seibert
County Administrator

Land Sale Parcels

Parcel #	Pin ID	Access	Legal Desc	Sec	Twp	Rge	Acres	Minimum Starting Bid
1	02-0-019201	*	South 420 feet of West One Half of Lot 5	10	52	23	6	\$ 13,200.00
2	02-1-068900 and 02-1-070600 and 02-1-068800 and 02-1-070800	*	Thoes subdivison of Lot 8 of Bridge Park Lots 1, 2 & 19 & 20	9	52	23	0.67	\$ 11,325.00
3	12-1-076000	*	Quadna Mountain View 1st Addn Lot 6 Blk 1	2	52	26	1.19	\$ 33,075.00
4	20-1-073200	*	First Addition to Swatara Lot 5 and 6 Blk 3	19	51	26	0.34	\$ 5,550.00
5	57-1-019700	*	City of Hill City - Bucks Addn to Hill City Lot 10 Blk 14				0.16	\$ 3,525.00
6	61-1-011600	*	Tingdale's Original Townsite of Tamarack				0.17	\$ 8,400.00
7	36-1-080702	*	Alfreda Addition; Lot 6 Less part in DOC #214407 (BLK 1)	24	45	26	0.49	\$ 81,375.00
<p align="center">Nothing = Access – none * = Access – maintained public road ** = Access – unmaintained public road *** = Access – road easement</p>								