



Board of County Commissioners Agenda Request

5L
Agenda Item #

Requested Meeting Date: January 7, 2020

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) <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*
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Submitted by: Rich Courtemanche	Department: Land Department
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Presenter (Name and Title): Rich Courtemanche - Land Commissioner	Estimated Time Needed: n/a
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Summary of Issue:

S 282.241 allows application to repurchase tax-forfeited property by the former owner.

Jeffery J. Jabas and Jennifer L. Jabas, Husband and wife, of 2231 Liberty Street, Mora, MN 55051, the owners at the time of forfeiture, have made and filed an application with the County Auditor for the repurchase of the hereinafter described parcel of tax forfeited land:

W ½ of @1/2 of SE SE of Section Five (5), Township Forty-four (44), Range Twenty-three (23)

and has submitted the fee of \$1,572.94

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:
Adopt 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 January 7, 2020

By Commissioner: xx

20200107-xxx

Repurchase Tax-Forfeited Property - Jabas

WHEREAS, Jeffery J. Jabas and Jennifer L. Jabas, Husband and wife, of 2231 Liberty Street, Mora, MN 55051, the owners at the time of forfeiture, have 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:

W ½ of @1/2 of SE SE of Section Five (5), Township Forty-four (44), Range Twenty-three (23)

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:

The Jabas have had ongoing financial and time challenges due to the intestinal medical issue with their daughter, and they have had financial challenges due to an economic downturn in the industry of their family owned business.

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 Jeffery J. Jabas and Jennifer L. Jabas 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 7th day of January 2020, and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 7th day of January 2020

Jessica Seibert
County Administrator



Town & Country Finance, Inc.

LENDING SINCE THE 1950'S

P.O. BOX 156, 105 8TH ST. NE, MILACA, MN 56353 - (320) 983-2178

December 17, 2019

Beth Strande Haasken
Lands Clerk
Aitkin county Land Department
502 Minnesota Ave North
Aitkin, MN 56431

Subject: Parcel #25-0-008401

Dear Ms. Strande Haasken:

Enclosed you will find a certified check in the amount of \$1,572.94 and the accompanying application for the repurchase of a tax forfeited parcel of land. We respectfully request that the Board of County Commissioners approve this request, and we apologize for not monitoring the payment real estate taxes. If this repurchase request is approved we will ensure that all future real estate taxes due on this parcel will be paid in a timely manner.

Thank you for your consideration. If you have any questions or if I can provide any additional information to help with the approval of this request, please feel free to contact me.

Sincerely,



William L. Hjort
President

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

I, the undersigned owner-mortgagee-heir-representative of heirs William L. Hjort, President Town & Country Finance, Inc., at the time of forfeiture of the parcel of land situated in the County of Aitkin, State of Minnesota, described as follows, to-wit:

The West Half of the South Half of the Southeast Quarter of the Southeast Quarter (W 1/2 of S 1/2 of SE 1/4 of SE 1/4) of Section Five(5), Township Forty-four (44), Range Twenty-three (23).

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: The Mortgagors (Jabas) have had ongoing financial and time challenges due to the intestinal medical issue with their daughter, and the mortgagors have had fiscal challenges due to an economic downturn in the industry of their family owned business.

(b) That the repurchase of said land by me will promote and best serve the public interest, because

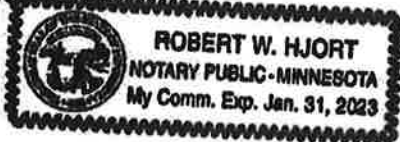
The mortgagee and mortgagors will be sure to pay all future property taxes in a timely manner.

State of Minnesota
County of Miller

William L. Hjort
Owner-Mortgagee-Heir-Representative of Heirs
William L. Hjort, President

The foregoing instrument was acknowledged before me this 16 day of December, 2019, by

Notarial Seal



Robert W. Hjort
Signature of person taking acknowledgement

431148 FILED OCT 29 '15 9:11 AM

Doc# 254214

Recorded: October 16, 2015 11:00 AM
KANABEC COUNTY RECORDER
Kanabec County, Minnesota
Rhonda Olson, Recorder
Well Certificate [] Received
Fee: \$46.00
Pages: 6

Michael T. Moriarty, County Recorder

Receipt No. 32656
Registration Tax of \$ 227.70
Paid 10-16 20 15
DENISE M. COOPER
Kanabec County Auditor-Treasurer
By: [Signature] Deputy

(Top 3 inches reserved for recording data)

MORTGAGE Minnesota Uniform Conveyancing Blanks
by Individual(s) Form 20.1.1 (2011)

MORTGAGE REGISTRY TAX DUE: \$ 229.77 DATE: 10/09/2015
(month/day/year)

CHECK IF APPLICABLE: NOTWITHSTANDING ANYTHING TO THE CONTRARY HEREIN, ENFORCEMENT OF THIS MORTGAGE IN MINNESOTA IS LIMITED TO A DEBT AMOUNT OF \$ _____ UNDER CHAPTER 287 OF MINNESOTA STATUTES.

THIS MORTGAGE ("Mortgage") is given by Jeffrey J. Jabas and Jennifer L. Jabas, Husband and Wife
(insert name and marital status of each Borrower)

as mortgagor ("Borrower"), to Town & Country Finance, Inc.
(insert name of Lender)

as mortgagee ("Lender").
In consideration of the receipt of Ninety Nine Thousand and 00/100 Dollars
(insert amount of Indebtedness)

(\$ 99,000.00) (the "Indebtedness") from Lender, Borrower hereby mortgages, with power of sale, the real property in Aitkin County, Minnesota, legally described as follows:

The West Half of the South Half of the Southeast Quarter of the Southeast Quarter (W 1/2 of S 1/2 of SE 1/4 of SE 1/4) of Section Five (5), Township Forty-four (44), Range Twenty-three (23);

And the properties located in Kanabec County described in attached Exhibit A.

Check here if all or part of the described real property is Registered (Torrens)

together with all hereditaments and appurtenances belonging thereto (the "Property"), subject to the following exceptions:

- (a) Covenants, conditions, restrictions (without effective forfeiture provisions) and declarations of record, if any;
- (b) Reservations of minerals or mineral rights by the State of Minnesota, if any;
- (c) Utility and drainage easements which do not interfere with present improvements;
- (d) Applicable laws, ordinances, and regulations;
- (e) The lien of real estate taxes and installments of special assessments not yet due and payable; and
- (f) The following liens or encumbrances, if any: (insert encumbrances)

State and Federal Tax Liens

(c) In addition to any notice required under applicable law to be given in another manner, (i) any notice to Borrower provided for in this Mortgage shall be addressed to Borrower and given by mailing the notice via certified mail to the Property address (or to such other address as Borrower may designate by written notice to Lender as provided herein), and (ii) any notice to Lender shall be given by mailing the notice via certified mail to the following address (or to such other address as Lender may designate by written notice to Borrower as provided herein): P.O. Box 156, Milaca, MN 56353

(insert Lender's address)

7. **Governing Law; Severability.** This Mortgage shall be governed by the laws of Minnesota. In the event that any provision or clause of this Mortgage or the Note conflicts with applicable law, such conflict shall not affect other provisions of this Mortgage or the Note which can be given effect without the conflicting provision.

8. **Additional Terms.** Check this box if Form 20.2.1 or any other addendum (either one or more) containing additional terms and conditions is attached to this Mortgage. If the foregoing box is not checked, then this Mortgage shall not contain any such additional terms and conditions. The number of additional attached pages is _____ Terms of this Mortgage will run with the Property and bind the parties hereto and their successors in interest.

(insert number of pages in addendum)

Borrower

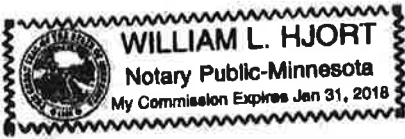
(signature) Jeffrey J. Jabas
(signature) Jennifer L. Jabas

State of Minnesota, County of Mille Lacs

This instrument was acknowledged before me on 10/09/2015, by Jeffrey J. Jabas and Jennifer L. Jabas,
(month/day/year)

Husband and Wife
(insert name and marital status of each Borrower)

(Stamp)



(signature of notarial officer)
Title (and Rank): _____
My commission expires: _____
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:
(insert name and address)

Town & Country Finance, Inc.
P.O. Box 156
Milaca, MN 56335

Note: Failure to record or file this mortgage may give other parties priority over this mortgage.



Aitkin County Land Department

502 Minnesota Avenue North
Aitkin, MN 56431
acld@co.aitkin.mn.us
218-927-7364

December 11, 2019

To: Bill Hjort
PO Box 156
Milaca MN 56353
(320-983-2178)

RE: Parcel #25-0-008401

The above described property(s) forfeited to Aitkin County on 8/7/2019 for the nonpayment of real estate taxes. The property is now owned by Aitkin County and is the responsibility of this department.

You, as an **owner/heir/mortgagee/representative of heirs** of a vested interest in the property at the time of forfeiture, have the privilege to make written application to the Aitkin County Board **requesting to be allowed to repurchase** this property.

Prior to the County Board considering a repurchase request, the following must be received in this office:

1. A copy of any document, preferably the deed, that shows you have a legal interest in this property and what type of ownership you hold on the property, whether it be previous owner, mortgagee, heir or representative of heir. If you do not have title to the property, we will not be able to accept an application from you.
2. Original fully completed, notarized and signed repurchase application form (enclosed).
3. Certified check or money order for the full amount of the repurchase made payable to Aitkin County. The repurchase amount due on Parcel #25-0-008401 is **\$1,572.94**. This amount includes the real estate taxes that have not been paid and all repurchase costs. These are due before 1/31/2020 to be eligible to put in a repurchase application for this amount. Any application received after this date will need to be refigured for the cost.