



Board of County Commissioners Agenda Request

20
Agenda Item #

Requested Meeting Date: October 12, 2021

Title of Item: Application to repurchase tax-forfeited property

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

Submitted by: Rich Courtemanche	Department: Land Department
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Presenter (Name and Title): Dennis Thompson - Asst. 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 purchaser on Contract for Deed.

Theresa Judge - 7123 54th Ave N., Crystal, MN 55428, divorced wife 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:

That portion of government lot five (5) of Section four (4), Township forty-five (45), Range twenty-seven (27) shown as lot fifty-eight (58) of Farm Island Beach according to the plat thereof on file in the office of the register of deeds of said Aitkin county, the plat of which has been vacated as to said lot 58 and as to certain other lots.

Property will revert to the owner at the time of Forfeiture.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:
Approve 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:*

Legally binding agreements must have County Attorney approval prior to submission.

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

ADOPTED October 12, 2021

By Commissioner: xxxx

20211012-xxx

Judge Repurchase

WHEREAS, Theresa Louise Judge, divorced wife of the taxpayer at the time of forfeiture (Applicant).

WHEREAS, the Applicant was to be awarded the property as part of the divorce settlement

WHEREAS, the Applicant 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 portion of government lot five (5) of Section four (4), Township forty-five (45), Range twenty-seven (27) shown as lot fifty-eight (58) of Farm Island Beach according to the plat thereof on file in the office of the register of deeds of said Aitkin county, the plat of which has be vacated as to said lot 58 and as to certain other lots.

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

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

In September of 2016 Bryan and Theresa Judge were divorced, Bryan awarded this parcel in the divorce with a buyout of \$37,750. Bryan filed bankruptcy and was to pay Theresa through the bankruptcy. In the last court appearance June 2017, the judge came out with a lien on file in September of 2017. At the time the judgement came out, Bryan had passed away suddenly on August 12, 2017. At the time of his passing, all three of Bryan and Theresa's children were minors. All of Bryan's possessions were in physical possession of his sister Brenda Daniels of Loretto, MN. Bryan had no will and despite rightfully his possessions go to the three children, she kept control of all Bryan's things and to date the children received nothing. Bryan had his sister also beneficiary to all pension funds and life insurance, Theresa then hired a probate attorney 2 ½ - 3 years ago to file probate in Aitkin and Hennepin counties. She was also told that to act on behalf of the children, conservatorship was necessary at a cost of around \$5,000. Bryan and Theresa's youngest child turns 18 (all children need to be 18 for probate for them to represent Bryan's estate) on January 2, 2022. In addition, Theresa filed bankruptcy in 2017 and as the only asset was the lien against said property has been paying \$650/month for the children to keep this property as Bryan designed and built and it is the only thing they have and the memories created here. This added to the hardship of a single parent and single income household. Jerica, Chloe, and Sean got jobs and remained full time student with high GPA's and Theresa with self-employment income contributed to the property taxes as able. Jerica has one year of college left of Architecture degree, Chloe is a freshman in college on track to be a social worker, and Sean is a senior in High school with a desire of an engineering degree. We have so much emotionally and financially invested in Bryan's absence and are in the fifth generation to own this property and really can't lose it. We also learned that the taxes paid go to the most current first and didn't know until after the fact. Please allow us to keep this parcel.

and **WHEREAS**, the Applicants have made payment of all delinquent taxes of properties

and **WHEREAS**, this board is of the opinion that said applications should be granted for such reasons,

NOW, THEREFORE BE IT RESOLVED, That the application of Theresa Louis Judge 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.

Dated at Aitkin, Minnesota, this 12th day of October 2021.

Chairman, Board of County Commissioners
Aitkin County, Minnesota

Attest:

County Auditor

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

FIVE MEMBERS PRESENT

All Members Voting

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 October, 2021 and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 12th day of October, 2021

Jessica Seibert
County Administrator

Bryan Judge
 August 30, 2021
 11-0-014500

Interest calc September 30, 2021
 (Subject to change)

	<u>Year</u>	<u>Tax</u>	<u>Cost</u>	<u>Interest</u>	<u>Penalty</u>	<u>Total</u>	
	2017	\$ 494.00	\$ 20.00	\$ 211.28	\$ 49.40	\$ 774.68	0.375
	2018	\$ 490.06		\$ 146.22	\$ 41.66	\$ 677.94	0.275
	2019	\$ -		\$ -	\$ -	\$ -	0.175
	2020	\$ -		\$ -	\$ -	\$ -	0.075
	2021	\$ 726.00		\$ -	\$ 25.41	\$ 751.41	0
Total:		\$ 1,710.06	\$ 20.00	\$ 357.50	\$ 116.47	\$ 2,204.03	

Total:	2204.03
St Deed Tax	16.50
Forf Proc Cost	100.00
Sheriff Cost	40.00
Deed	25.00
Land Dept Cost	200.00
Rec Fee	46.00
Crt Letter Fee-Auditor	6.80
<u>Insurance</u>	<u>0.00</u>
Total:	\$ 2,638.33



AITKIN COUNTY LAND DEPARTMENT

502 Minnesota Ave N.
Aitkin, MN 56431

acid@co.aitkin.mn.us
phone: 218-927-7364

September 10, 2021

JUDGE, BRYAN S

Re: TRACT FORM LOT 58 FARM ISLAND BEACH LESS .015 AC Section 4 Township 45 Range 27

To whom it may concern,

The above described property forfeited to Aitkin County on August 16, 2021 for the non-payment of real estate taxes. This property is now owned by Aitkin County and is the responsibility of the Aitkin County Land Department.

Any personal property located on this land or in the buildings on this land must be removed prior to October 25, 2021 or it will be treated as abandoned personal property.

Any personal use of this property without the written permission of this department will be treated as a "trespass". However, a person with a vested interest in this property at the time of forfeiture, may have the right to make application to repurchase this property. If you are interested in learning more about making an application to repurchase this land, please contact this office regarding the amount you would need to pay, and the repurchase application process. If a repurchase is approved by the County Board, it will return to the same status it was before it forfeited. If it remains county property it may be offered for public auction.

For information about these parcels, please go to our website <http://www.co.aitkin.mn.us> look down the right hand side menu for "Parcel Search" this will bring you to the Aitkin County Interactive Map. Once here, find and click the "Search" button at the top and then click "PIN" (parcel id number). The PIN for the property is: 11-0-014500.

If you have any questions, please feel free to contact this office at 218-927-7364.

Sincerely,

Rich Courtemanche
Aitkin County Land Commissioner



AITKIN COUNTY LAND DEPARTMENT

502 Minnesota Ave N.
Aitkin, MN 56431

acld@co.aitkin.mn.us
phone: 218-927-7364

8/31/2021

RE: 11-0-014500

The above property forfeited to Aitkin County on 8/16/2021 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 #11-0-014500 is \$2,638.33. This amount includes the real estate taxes that have not been paid and all repurchase costs. These are due before 9/30/2021 to be eligible to put in a repurchase application for this amount. An application received after this date will need to be refigured for the cost.

FULLY complete the enclosed application. This is the only information the County Board of Commissioners has as to why they should approve the repurchase. The County Board can approve the repurchase only if it is determined that:

- An undue hardship or injustice resulting from the forfeiture will be corrected by the repurchase.
- The repurchase will promote the use of such lands that will best serve the public interest.

After the completed application and full payment of the repurchase amount has been received in this office, the application will be submitted to the Aitkin County Board for consideration. If the County Board approves the repurchase of the property, the property will go back into the same status as before any forfeiture. In other words, if there are any liens on the property they will all be reinstated. The fees that you are paying here cover only the forfeiture and real estate tax costs. The money that you send to us will be cashed if the County Board approves the repurchase. If they do not approve the repurchase, the money will be returned to you.

If you have any questions, please feel free to contact me.

Becky Roden
Lands Clerk
Aitkin County Land Department
502 Minnesota Ave North
Aitkin, MN 56431
acld@co.aitkin.mn.us
218-927-7364

Becky Roden

From: n>
Sent: Thursday, August 26, 2021 3:58 PM
To: Aitkin County Land Department
Subject: Property repurchase

[NOTICE: This message originated outside of the Aitkin County Mail System -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello, this is _ a emailing you about repurchasing the Judge property.

Sent from my iPhone

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

I, the undersigned owner-mortgagee-heir-representative of heirs Chloe Judge at the

time of forfeiture of the parcel ... of land situated in the County of Aitkin, State of Minnesota, described as follows, to-wit: County of Aitkin, State of Minnesota, that portion of Government Lot 5 of section four, township 45, range 27 shown as lot 58 of Farm Island Beach according to the plat thereof on file in the office of the register of deeds of said Aitkin County, the Plat of which has been vacated as to said lot 58 and as to certain other lots.

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: In September of 2016 Bryan and Theresa Judge were divorced, Bryan awarded this parcel in the divorce with a buyout of \$37,750. Bryan filed bankruptcy and was to pay Theresa through the bankruptcy. In the last court appearance June 2017 the judge came out with a lein on file in September of 2017. At the time the judgement came out, Bryan had passed away suddenly on August 12, 2017. At the time of his passing, all three of Bryan and Theresa's children were minors, all of Bryan's possessions were in physical possession of his sister

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

The property will be properly maintained and Aitkin County will have future revenue in property taxes and we have and continue to only use local business in the community in which the property is located

Chloe Judge
Owner-Mortgagee-Heir-Representative of Heirs

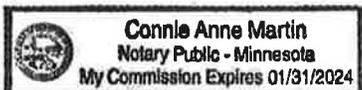
State of Minnesota
County of Hennepin

The foregoing instrument was acknowledged before me this 26 day of September, 2021 by

Connie Anne Martin

Connie Anne Martin
Signature of person taking acknowledgement

Notarial Seal



(There has been no contact with Brenda since the funeral)
Brenda Daniels of Loretto, MN. Bryan had no will and despite rightfully his possessions go to the three children, she kept control of all Bryan's things and to date the children received nothing. Bryan had his sister also beneficiary to all pension funds and life insurance. Theresa then hired a probate attorney 2 1/2 - 3 years ago to file probate in Aitkin and Hennepin counties. She was also told that to act on behalf of the children, conservatorship was necessary, at a cost of around \$5000. Bryan and Theresa's youngest child turns 18 (all children need to be 18 for probate for them to represent Bryan's estate) on January 2, 2022. In addition, Theresa filed bankruptcy in 2017 and as the only asset was the lien against said property has been paying \$650/month for the children to keep this property as Bryan designed and built and it is the only thing they have and the memories created here. This added to the hardship of a single parent and single income household. Jerica, Chloe, and Sean got jobs and remained full time student with high GPA's and Theresa with self employment income contributed to the property taxes as able. Jerica has one year of college left of Architecture degree, Chloe is a freshman ~~in~~ college on track to be a social worker, and Sean is a senior in High School with a desire of an engineering degree. We have so much emotionally and financially invested in Bryan's absence and are the fifth generation to own this property and really can't lose it. We also learned that taxes paid go to most current first and didn't know until after the fact. PLEASE allow us to keep this parcel,

Thank you

Individual Personal Representative
to Individual(s)

No delinquent taxes; certificate of real estate value received; and transfer entered on September 3, 1997
 by Alice Datcher County Auditor
Maria Budman Deputy

304524
 FILED SEP 3 1997 AT 9AM
 ROGER HOWARD ACT. CO. RECORDER
 (reserved for recording data)

STATE DEED TAX DUE HEREON: \$1.65

Date: AUGUST 20, 1997

FOR VALUABLE CONSIDERATION, WANDA A. THORUD, Grantor.

as Personal Representative of the Estate of MICHAEL B. JUDGE
Decedent, single , married at the time of death, hereby conveys to BRYAN S. JUDGE

, Grantee(s), real property in AITKIN
County, Minnesota, described as follows:

COUNTY OF AITKIN, STATE OF MINNESOTA, THAT PORTION OF GOVERNMENT LOT FIVE (5) OF SECTION FOUR (4), TOWNSHIP FORTY-FIVE (45), RANGE TWENTY-SEVEN (27) SHOWN AS LOT FIFTY-EIGHT (58) OF FARM ISLAND BEACH ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE REGISTER OF DEEDS OF SAID AITKIN COUNTY, THE PLAT OF WHICH HAS BEEN VACATED AS TO SAID LOT 58 AND AS TO CERTAIN OTHER LOTS.

THE SELLER CERTIFIES THAT THE SELLER DOES NOT KNOW OF ANY WELLS ON THE ABOVE DESCRIBED REAL PROPERTY.

CERTIFICATE OF REAL ESTATE
 VALUE () FILED (X) NOT
 REQUIRED CERTIFICATE OF REAL
 ESTATE VALUE NO. _____

AITKIN COUNTY DEED TAX
 No 10 Date 9.3.97
\$ 1.65 Dollars Paid
Deborah Nelson
 County Treasurer
 By _____ Deputy

STATE OF MINNESOTA
CERTIFICATION OF VITAL RECORD

CERTIFICATE OF DEATH

STATE FILE NUMBER 2017-MN-027393

DECEDENT BRYAN JUDGE
LAST NAME BEFORE
FIRST MARRIAGE
ALSO KNOWN AS
SOCIAL SECURITY NUMBER
SEX MALE
BORN
PLACE OF BIRTH

DATE OF DEATH
PLACE OF DEATH

MARITAL STATUS
SPOUSE
LAST NAME BEFORE
FIRST MARRIAGE
RESIDENCE
PARENT
PARENT
FUNERAL HOME
DISPOSITION

GEARTY-DELMORE FUNERAL CHAPEL, INC.
CREMATION

CAUSE OF DEATH
IMMEDIATE
UNDERLYING

OTHER CONTRIBUTING
CONDITIONS

MANNER
MEDICAL CERTIFIER

REBECCA WILCOXON, M.D.
HENNEPIN COUNTY MEDICAL EXAMINER'S OFFICE 530 CHICAGO AV, MINNEAPOLIS,

THIS RECORD HAS NOT BEEN AMENDED

THIS IS A TRUE AND CORRECT RECORD OF DEATH REGISTERED IN THE MINNESOTA OFFICE OF VITAL RECORDS.

MR&C Certificate ID
10936031



27B-000112858

FILED:

Molly Mulcahy Crawford

Molly Mulcahy Crawford
STATE REGISTRAR



ISSUED

HENNEPIN COUNTY SERVICE CENTER-BD



THIS CERTIFICATE IS VALID ONLY WHEN PRINTED ON OFFICIAL WATERMARKED

3
UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Theresa Louise Judge
fdba Salon Six

Case No: 18-43315 - MER

Debtor(s)

Chapter 13 Case

ORDER CONFIRMING CHAPTER 13 PLAN AND ALLOWING COMPENSATION

It appears that the debtor(s) filed a plan, that the plan conforms to Local Rules 3015-1 through 3020-3 and Local Form 3015-1, that copies thereof were mailed to creditors, that a meeting of creditors was held, that a hearing on confirmation of the plan was held, and no objection to confirmation of the plan as filed or as modified has been made, or if made, has been withdrawn or overruled by the court.

It further appears that the attorney for the debtor(s) filed an application for compensation for preconfirmation services, and that the application conforms to Local Rule 2016-1(d) and Local Form 2016-1(d).

IT IS ORDERED:

1. The plan as filed or as modified is confirmed;
2. Any request of the debtor for termination of the stays in Part 16 of the plan is granted; and
3. The attorney for the debtor(s), Mark Soule, is awarded \$3000.00 for total compensation or reimbursement and the trustee is authorized to pay the unpaid balance to the attorney for the debtor(s) as provided in the plan.

Dated: 2/7/19

Michael E Ridgway
United States Bankruptcy Judge

NOTICE OF ENTRY AND FILING ORDER OR JUDGMENT Filed and docket entry made on February 7, 2019 Lori Vosejka Clerk, United States Bankruptcy Court By: heidi Deputy Clerk

mnboenf13 13ocnf 11/27/2017

State of Minnesota

District Court

County
Hennepin

Judicial District:	Fourth
Court File No.:	27-FA-15-3849
Case Type:	Dissolution w/ Child

In re the Marriage of:

Theresa Judge
Petitioner
and

Certificate of Dissolution
Minn.Stat. §518.148

Bryan Judge
Respondent

1. Petitioner's name is: Theresa Louise Judge

2. Petitioner's prior name(s) or other name(s) are: None OR

Theresa
First Middle Last

Theresa
First Middle Last

3. Respondent's name is: Brian Sean Judge

4. Respondent's prior name(s) or other name(s) are: None OR

First Middle Last

First Middle Last

5. The marriage of Petitioner and Respondent is dissolved. The date of the Judgment
and Decree is: September 26, 2016

6. Name Changes in the Judgment and Decree: (Check all that apply)

None

Petitioner's name is changed to: _____
First Middle Last

Respondent's name is changed to: _____
First Middle Last

7. The parties have _____ living minor or dependent children together. The name of each child

is: _____

8. Refer to "Form 11. Confidential Information Form" for social security numbers. (Per Minn. Gen. R. Prac. 11).

This Certificate of Dissolution is conclusive evidence of the facts recited herein.



Robben, Patrick
2016.09.26 16:03:12
-05'00'

Dated: _____

Patrick Robben
Judge of District Court



March 15, 2018

Theresa L. Judge

RE: Probate Administration Engagement Letter: Estate of Bryan S. Judge

Dear Theresa:

Thank you for allowing us to serve you.

The purpose of this engagement letter is to confirm that my office will be providing you with estate administration services.

Initiating Bryan's estate administration process requires a Petition to be filed with the Aitkin County Probate Court. My office will prepare the Petition, meet with you to sign it, and then e-file the Petition with the court.

We will charge our normal hourly rate for estate administration services rendered on behalf of the estate. My current hourly rate and those of my assistants are as follows:

William M. Hansen	\$355
Mary R. Watson	\$255
Rose M. Pingel	\$230
Genea B. Halejak	\$205
Cheryl R. Christensen	\$ 95

Our normal hourly fees will be subject to periodic adjustment.

Any out-of-pocket expenses which we may incur, such as filing fees, long distance telephone calls, facsimiles, photocopies, recording fees, messenger services, etc. will be added to your bill.

Our standard practice is to bill monthly throughout the process for services rendered to that date. Our invoices are due upon presentation. Since the homestead and vehicle are exempt assets, you agree to personally pay our fees. As we discussed, please provide us with a \$1,000.00 retainer made payable to William M. Hansen Associates, PLLC IOLTA (this is our firm's trust account). Our monthly statements will show the fees deducted from the retainer. Once the retainer is depleted, you further agree to pay our fees until the estate is completed. Any subsequent bills you receive will assess a service charge of 12% per annum on outstanding invoices starting on the 31st day after the date on the initial invoice.

With your permission, any of my other employees, namely, Mary R. Watson, Rose M. Pingel, Genea B. Halejak, and Cheryl R. Christensen will assist me in the administration of your ex-husband's estate. Ms. Watson is an attorney, Ms. Pingel and Ms. Halejak are paralegals, and Ms. Christensen is a legal secretary.

