



Board of County Commissioners Agenda Request

2P

Agenda Item #

Requested Meeting Date: November 9, 2021

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><i>*provide copy of hearing notice that was published</i></small>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
Submitted by: Dennis Thompson		Department: Land
Presenter (Name and Title): Dennis Thompson, Assistant Land Commissioner		Estimated Time Needed: NA
Summary of Issue: <p>S 282.241 allows application to repurchase tax-forfeited property by the former purchaser on Contract for Deed.</p> <p>Dennis M. Benson, owner at the time of forfeiture, has made and filed an application with the County Auditor for the repurchase of the hereinafter described parcels of tax-forfeited land:</p> <p>Parcel #45-0-010700, Section 6, Township 47, Range 24 NE NW Lot 11 Less Plat of Felknor's Shores and Less BN RR ROW as in Doc 365292</p> <p>Property will revert to the owner at the time of Forfeiture.</p>		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Approve resolution		
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>		

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

RESOLUTION

WHEREAS, Dennis M. Benson, taxpayer at the time of forfeiture.
(Applicant)

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:

Parcel #45-0-010700, Section 6, Township 47, Range 24
NE NW Lot 11 Less Plat of Felknor's Shores and Less BN RR ROW as in Doc 365292

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:

I lost all my hunting land.

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 Dennis M. Benson 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 9th day of November 2021.

Chairman, Board of County Commissioners
Aitkin County, Minnesota

Attest:

County Auditor

A-1182/1183 T-46806/46809/46816

RECEIPT DATE 10/19/2021 No. 467009

RECEIVED FROM [Crossed out] \$ 705.00

[Crossed out] DOLLARS

FOR RENT
 FOR Special Use permit # 10-48-25

ACCOUNT [Crossed out] CASH
 PAYMENT 100 133 CHECK
 BAL. DUE [Crossed out] MONEY ORDER
 CREDIT CARD

FROM 10/14/21 TO 10/1/22

BY [Signature] 3-11

RECEIPT DATE 10-22-21 No. 467010

RECEIVED FROM [Crossed out] \$ 50.00

[Crossed out] DOLLARS

FOR RENT
 FOR Well Cut on Repurchase

ACCOUNT [Crossed out] CASH
 PAYMENT [Crossed out] CHECK
 BAL. DUE [Crossed out] MONEY ORDER
 CREDIT CARD

FROM [Crossed out] TO [Crossed out]

BY [Signature] 3-11

RECEIPT DATE 10-28-21 No. 467011

RECEIVED FROM [Crossed out] \$ 2280.93

[Crossed out] DOLLARS

FOR RENT
 FOR Repurchase App 450-010700

ACCOUNT [Crossed out] CASH
 PAYMENT [Crossed out] CHECK
 BAL. DUE [Crossed out] MONEY ORDER
 CREDIT CARD

FROM [Crossed out] TO [Crossed out]

BY [Signature] 3-11

RECEIPT DATE _____ No. 467012

RECEIVED FROM _____ \$ _____

_____ DOLLARS

FOR RENT
 FOR _____

ACCOUNT _____ CASH
 PAYMENT _____ CHECK
 BAL. DUE _____ MONEY ORDER
 CREDIT CARD

FROM _____ TO _____

BY _____ 3-11

September 17, 2021
45-0-010700

Interest calc October 31, 2021
(Subject to change)

<u>Year</u>	<u>Tax</u>	<u>Cost</u>	<u>Interest</u>	<u>Penalty</u>	<u>Total</u>	
2017	\$ 286.00	\$ 20.00	\$ 131.58	\$ 37.24	\$ 474.82	0.383333
2018	\$ 272.00		\$ 86.70	\$ 34.00	\$ 392.70	0.283333
2019	\$ 318.00		\$ 63.26	\$ 27.03	\$ 408.29	0.183333
2020	\$ 300.00		\$ 27.12	\$ 25.50	\$ 352.62	0.083333
2021	\$ 284.00		\$ -	\$ 14.20	\$ 298.20	0

Total: \$ 1,460.00 \$ 20.00 \$ 308.66 \$ 137.97 \$ 1,926.63

Total: 1926.63
 St Deed Tax 16.50
 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 6.80
Insurance 20.00
 Total: \$ 2,280.93



AITKIN COUNTY LAND DEPARTMENT

502 Minnesota Ave N.
Aitkin, MN 56431

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

September 14, 2021

Re: (NE NW) LOT 11 LESS PLAT OF FELKNOR'S SHORES & LESS BN RR ROW AS IN DOC 365292 Section 6 Township 47 Range 24

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: 45-0-010700 .

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

9/17/2021

Dennis Benson
7902 County Rd 78
Lakeshore, MN 56468

RE: 45-0-010700

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 #45-0-010700 is **\$2280.93**. This amount includes the real estate taxes that have not been paid and all repurchase costs. These are due before 10/31/2021 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

To the Honorable Board of County Commissioners of

Aitkin

County, Minnesota.

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

(NE NW) Lot 11 Less Plat of Felknor shores + Less Bn RR Row 45 in Doc 365 292 Section 6 township 47

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:

I Lost all my hunting Land

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

the place will be cleaned up

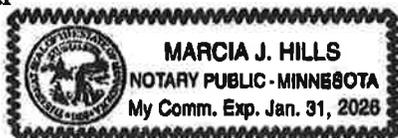
State of Minnesota Aitkin
County of

Dennis M Benson
Owner-Mortgagee-Heir-Representative of Heirs

The foregoing instrument was acknowledged before me this 28 day of 20 21 October, 1921, by Dennis M Benson

Notarial Seal

[Signature]
Signature of person taking acknowledgement



Individual(s) to Individual(s)

No delinquent taxes and transfer entered; Certificate of Real Estate Value (X) filed () not required
Certificate of Real Estate Value No. 35085

April 8, 2005
Karl Pearson
County Auditor
by Judith Bernberg
Deputy

365293

FILED APR 08 '05 AT ATKIN

Diane M. Lafferty, County Recorder

DEED TAX DUE: \$ 87.45

Date: May 30, 2003

(reserved for recording data)

FOR VALUABLE CONSIDERATION, PEGGY LORRAINE PADGET

single

(marital status)

Grantor, hereby conveys and warrants to DENNIS MICHAEL BENSON

Grantee, real property in AITKIN County, Minnesota, described as follows:
That part of Government Lots 10 and 11, Section 6, Township 47, Range 24, Aitkin County, Minnesota, lying Southeasterly of the Southeasterly right of way line of the Burlington Northern and Santa Fe Railway and lying Northwesterly of the Northwesterly line of Portage Lane, Felknors Shores, according to the plat thereof on file in the office of the County Recorder in and for said County; AND That part of said Government Lot 10, lying Southeasterly of said railroad right of way line and lying Northwesterly of the following described line: Beginning at the most Westerly corner of said Portage Lane, and assuming the Westerly line of Lot 1, Block 1, Felknors Shores bears South 19 degrees 16 minutes 29 seconds east; thence South 77 degrees 12 minutes 44 seconds West 272.00 feet; thence South 62 degrees, 42 minutes 23 seconds West to the Southeasterly line of said railroad right of way, and said line there ending; AND that part of said Government Lot 10 lying Northwesterly of the Northwesterly right of way line of said Burlington Northern and Santa Fe Railroad. SUBJECT to easements, restrictions and reservations of record, if any; SUBJECT to previous mineral reservations of record, if any, together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: NONE
This deed is given in full satisfaction of that certain contract for deed between the parties; grantor does not warrant title as against any liens, encumbrances, adverse claims or other matters which purchasers have created, suffered or permitted to accrue after the date of said contract.

Check box if applicable:

- The Seller certifies that the seller does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

MINNESOTA COUNTY DEED TAX

No 93 Date 6-13-03
87.45 Dollars Paid
Winnona

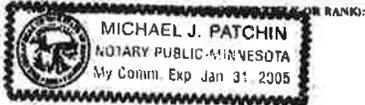
Peggy Lorraine Padget
PEGGY LORRAINE PADGET

County Deed Tax Stamp Here

STATE OF MINNESOTA }
COUNTY OF ST. LOUIS }

This instrument was acknowledged before me on May 30, 2003 Date

by PEGGY LORRAINE PADGET, single



Michael J. Patchin
SIGNATURE OF NOTARY PUBLIC OR OTHER OFFICIAL

Check here if part or all of the land is Registered (Torrens)

Tax Statements for the real property described in this instrument should be sent to (include name and address of Grantee):

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):
Michael J. Patchin
COLOSIMO, PATCHIN, KEARNEY,
LINDELL & BRUNFELT, LTD.
301 Chestnut St.
Virginia, MN 55792
MJP:ss:12,511
8430X

Dennis Michael Benson
27794 394th Lane
Aitkin, MN 56431

Well Disclosure of Grantee in Deed Pursuant to Contract for Deed

WELL DISCLOSURE OF GRANTEE IN DEED PURSUANT TO CONTRACT FOR DEED

Check one:

- The Grantee certifies that the Grantee does not know of any wells on the described real property.
- A well disclosure certificate accompanies this document.
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

Dennis M. Benson

 Dennis Michael Benson

This form cannot be recorded independently. It must be attached to a deed given pursuant to a contract for deed.

Dennis Benson
 2775 4-3942 Lane
 Oakton, VA 22131

RECORDED
 TRACT INDEX
 GRANTOR
 GRANTEE
 CONVEYANCE

OFFICE OF COUNTY RECORDER
 ATRIN COUNTY, MN
 WELL CERTIFICATE RECEIVED
 WELL CERTIFICATE NOT REQUIRED

COUNTY RECORDER
 ATRIN COUNTY, MINNESOTA
FILED
 APR 08 2005PAM
Dennis M. Benson
 As Doc. No.

365293

8/20/10
 4-8-10

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

ADOPTED November 9, 2021

By Commissioner:

20211109-xxx

Benson Repurchase

WHEREAS, Dennis M. Benson, taxpayer at the time of forfeiture.
(Applicant)

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:

Parcel #45-0-010700, Section 6, Township 47, Range 24
NE NW Lot 11 Less Plat of Felknor's Shores and Less BN RR ROW as in Doc 365292

and **WHEREAS**, said Applicants 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:

I lost all my hunting land.

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 Dennis M. Benson 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 9th day of November 2021.

Chairman, Board of County Commissioners
Aitkin County, Minnesota

Attest:

County Auditor

**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 9th Day of November 2021 and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 9th day of November, 2021

Jessica Seibert
County Administrator