



Board of County Commissioners Agenda Request



Requested Meeting Date: March 24, 2015

Title of Item: Application of Cancellation of Forfeiture

<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: Kirk Peysar		Department: Auditor
Presenter (Name and Title): NA		Estimated Time Needed: NA
Summary of Issue: Application for cancellation of forfeiture for parcel in Palisade. See Attached. Application was submitted and approved on September 9, 2014 but we need a resolution to submit to the Department of Revenue.		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Approve application and adopt resolution for cancellation of forfeiture for Perry Street in Palisade		
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.

By Commissioner: xx

20150324-0xx

Cancellation of Forfeiture - Perry Street

WHEREAS, the County Auditor has made application for cancellation of forfeiture for the Certificate of Forfeiture dated August 8, 2014 and recorded in the office of the Aitkin County Recorder as Document 424212 on August 11, 2014, as to the forfeiture of Part Vacated Perry Street, City of Palisade, and

WHEREAS, this part of vacated Perry Street was left as a separate parcel instead of connecting and transferring with adjacent lot. According to MS 507.17 every conveyance of real estate which abuts upon a vacated street, alley or other public right-of-way shall be construed to include that part of such right-of-way or street which, either by operation or presumption of law, attaches thereto upon such vacation, unless such conveyance expresses a contrary intention, and

WHEREAS, this vacated part of Perry Street abuts Lot 6 Block 1 of Palisade and should have been attached and transferred with said lot when it was sold.

THEREFORE, BE IT RESOLVED, the Aitkin County Board of Commissioners approve the cancellation of forfeiture.

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) ss.
Office of County Auditor,)

I, Kirk Peysar, Auditor, of the County of Aitkin, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 24th day of March A.D., 2015, and that the same is a true and correct copy of the whole thereof.

WITNESS MY HAND AND SEAL OF OFFICE at Aitkin, Minnesota, this 24th day of March A.D., 2015

KIRK PEYSAR, County Auditor

BY _____, Deputy



Board of County Commissioners Agenda Request

25
Agenda Item #

Requested Meeting Date: September 9, 2014

Title of Item: Application for Cancellation of Forfeiture

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	Action Requested: <input checked="" type="checkbox"/> Approve/Deny Motion <input type="checkbox"/> Adopt Resolution (attach draft)	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing* <small>*provide copy of hearing notice that was published</small>
Submitted by: Kirk Peysar		Department: Auditor
Presenter (Name and Title): Kirk Peysar		Estimated Time Needed: NA
Summary of Issue: Application for cancellation of forfeiture for parcel in Palisade. See Attached		
Alternatives, Options, Effects on Others/Comments:		
Recommended Action/Motion: Approve application for cancellation of forfeiture - Pt Vacated Perry Street, Palisade.		
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 Please Explain:		

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

Application for Cancellation of Forfeiture

In Aitkin County

Name and Address of Applicant:

Aitkin County Auditor
 209 2nd Street NW Room 202
 Aitkin MN 56431

Applicant Is:

County Auditor
 Property Owner
 Owner's Agent

Legal Description of Property Forfeited:

(Attach additional sheet if needed)

Pt Vacated Perry Street
 (Peary Street)

Certificate of Forfeiture for Property Described Above:

Date of Execution: August 8 2014
(Month) (Day) (Year)

Date of Recording: August 11 2014
(Month) (Day) (Year)

Place of Recording: Aitkin Co Recorder's Office 424212
(Office) (Document Number)

Reason for Cancellation: Exemption Administrative Error
(Explain in detail -- attach additional sheet if needed)

See Attached

Applicant's Request:

Applicant requests that the certificate of forfeiture for the property described above be canceled, and that the county auditor be ordered to record this application for cancellation of forfeiture as a certificate of cancellation pursuant to Minnesota Statutes, Sections 279.33 and 279.34, which will void the tax forfeiture of the property described above.

Applicant's Signature:

Kurt Peterson, County Auditor

Date of Signature:

8 14 2014
(Month) (Day) (Year)

Return Application along with a duplicate copy to:

MN Department of Revenue, Property Tax Division
 Mail Station 3340, St. Paul MN 55146-3340

Approval by County Board and County Auditor

Certification of Approval:

The county board, by resolution, and the county auditor approve the application and recommend its acceptance by the Department of Revenue.

Resolution Number: _____

Meeting Date: _____

Clerk's Signature

Date of Signature

County Auditor's Signature

Date of Signature

Order of the Department of Revenue - State of Minnesota

REJECTION

ACCEPTANCE

Upon examination of the contents of the application, it is ordered that the application be rejected.

Upon examination of the contents of the application, it is ordered that the application be accepted, that the certificate of forfeiture be canceled, and that the county auditor record this application for cancellation of forfeiture as a certificate of cancellation pursuant to Minnesota Statutes, Sections 279.33 and 279.34, which will void the tax forfeiture of the property described in the application.

Commissioner of Revenue

By: _____

Commissioner of Revenue

By: _____

Reason for Rejection:

County Auditor's Number: _____

Department of Revenue's Number: _____

Date Application Received by the
Department of Revenue: _____

Reason for Cancellation

This part of vacated Peary Street was left as a separate parcel instead of connecting and transferring with adjacent lot. According to MS 507.17 Every conveyance of real estate which abuts upon a vacated street, alley, or other public right-of-way shall be construed to include that part of such right-of-way or street which, either by operation or presumption of law, attaches thereto upon such vacation, unless such conveyance expresses a contrary intention.

This vacated part of Peary Street abuts Lot 6 Block 1 of Pallsade and should have been attached and transferred with said lot when it was sold.

AITKIN COUNTY BOARD

September 9, 2014

The Aitkin County Board of Commissioners met this 9th day of September, 2014 at 9:02 a.m. with the following members present: Chairperson J. Mark Wedel, Commissioners Laurie Westerlund, Don Niemi, Brian Napstad, Anne Marcotte, County Administrator Nathan Burkett, and Administrative Assistant Sue Bingham.

CALL TO ORDER

Motion by Commissioner Napstad, seconded by Commissioner Westerlund and carried, all members voting yes to approve the September 9, 2014 amended agenda. Item 6A – Testimony in Support of Enbridge Pipeline, was removed.

APPROVED
AGENDA

Motion by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to approve the Consent Agenda as follows: A) Correspondence File: August 26, 2014 – September 8, 2014; B) Approve County Board Minutes: August 26, 2014; C) Approve Commissioner Warrants: General Fund \$71,382.59, Road & Bridge \$15,364.39, Health & Human Services \$105.60, Trust \$7,047.89, Forest Development \$24,084.29, Long Lake Conservation Center \$1,640.25, Parks \$3,003.84 for a total of \$122,628.85; D) Approve Auditor Warrants – Taconite Payments to Towns & Cities: Agency \$56,217.00; E) Adopt Resolution – County Tax Forfeited Land Sale; F) Approve Sale of Forfeited Vehicles – Sheriff's Office; G) Approve 2015 Medical Examiner Contract and Authorize Signatures; H) Accept Donation from Brat Sale Proceeds of \$194.51 to Sobriety Court; I) Approve Duplicates of Lost Municipal Order or Warrants: James Glassing – Refund Check #6854 for \$8.04, and Connie Gretschrann – Refund Check #6917 for \$163.00; J) Approve Application for Cancellation of Forfeiture – Pt Vacated Perry Street, Palisade

CONSENT
AGENDA

Under the consent agenda, motion for a resolution by Commissioner Napstad, seconded by Commissioner Niemi and carried, all members voting yes to adopt resolution – County 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

RESOLUTION
090914-055
COUNTY TAX
FORFEITED
SALE

WHEREAS, a public hearing was held on March 6, 2012 at 10:00 am 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