

**Resolution No. 2020-24
Brown County Resolution**

The following Resolution was offered by Commissioner Simonsen, was seconded by Commissioner Berg, and passed 5-0, to adopt the following resolution on this date 8-18-2020:

**BROWN COUNTY AUDITOR'S NOTICE OF SALE OF LANDS 2020
FORFEITED TO THE STATE FOR NON-PAYMENT OF TAXES**

NOTICE OF PUBLIC SALE OF TAX FORFEITED LANDS

Notice is hereby given, that I shall sell to the highest bidders at my office located in the Brown County Courthouse LEC Training Room, in the City of New Ulm, commencing at 10 o'clock a.m. on the 17th day of September 2020, the following described parcels of land forfeited to the State of Minnesota for non-payment of real estate taxes, which have been classified and appraised as provided by law. Said sale will be governed, as to terms, by the resolution of the Brown County Board of Commissioners, appearing at the end of this notice.

**CERTIFICATE OF BROWN COUNTY COMMISSIONERS OF LIST OF
TAX FORFEITED LANDS TO BE SOLD**

BE IT HEREBY RESOLVED, that the County Board of Commissioners of Brown County, Minnesota, having classified and appraised all lands in said County forfeited to the State of Minnesota for non-payment of real estate taxes, considering the present use of adjacent lands, accessibility to established roads, schools, and other public services and the effect of their sale and occupancy on the public burdens, does hereby determine that it is advisable to order the sale of the following described parcels of land at Public Auction, pursuant to Minnesota Statutes Sections 282.0 et seq.:

| Parcel | Legal Description | Address | Specials Prior to Forfeiture | Specials Add After Forfeiture | Basic Sale Price |
|----------------------------|---|----------------------------|------------------------------|-------------------------------|------------------|
| CITY OF SLEEPY EYE | | | | | |
| 002.000.028.06.060 | Lot 6 Block 28, Original Plat/SE | 416 Main St W | \$12,726.80 | \$0.00 | \$1,500.00 |
| 002.000.038.09.090 | Lot 9 Block 38, Original Plat/SE | 412 Maple St SW | \$2,061.01 | <i>Pending</i> | \$3,650.71 |
| 002.105.016.01.010 | N 79' of Lot 1 Block 16, Brackenridge 1 st Add. | 221 Water St SE | \$14,737.19 | \$0.00 | \$2,000.00 |
| 002.135.001.17.170 | S2 of W 33' of Lot 17; & S2 of Lot 18 Block 1, Brackenridge 3 rd Add. | 121 4 th Ave SE | \$0.00 | \$0.00 | \$10,000.00 |
| 002.570.001.08.080 | Lot 8 Block 1, Nelson 2 nd Add. | 829 Walnut St SW | \$4,786.25 | | \$4,081.21 |
| CITY OF SPRINGFIELD | | | | | |
| 003.030.005.03.030 | Lot 3 Block 5, Bagens 2 nd Add. | 320 Central St W | \$17,862.72 | \$0.00 | \$1,500.00 |
| 003.040.002.08.081 | Sublot B of Lot 8 & Sublot B of Lot 9 Block 2 Bagens 3 rd Add. | 124 Park Ave N | \$11,985.31 | \$581.52 | \$1,500.00 |
| 003.050.004.09.090 | Lot 9 Block 4, Bagens 4 th Add. | 314 Sanborn St W | \$15,573.57 | \$0.00 | \$2,500.00 |
| 003.110.002.01.010 | Lot 1 Block 2, Mary J Dooners Add. | 430 Lincoln St W | \$9,393.56 | \$0.00 | \$2,500.00 |
| 003.120.004.08.081 | Lots 8B, 9B & S 80' of Lot 10 Block 4, Mary J Dooners 2 nd Add. | 314 Bagen Ave N | \$28,755.89 | \$0.00 | \$2,000.00 |
| 003.250.001.07.070 | Lot 7 Block 1, Schwarzrock 3 rd Add. | 315 Van Buren Ave N | \$0.00 | \$0.00 | \$5,000.00 |
| 003.250.003.06.060 | Lot 6 & S 10' of Lot 5 Block 3 Schwarzrock 3 rd Add. | 314 Washington Ave N | \$0.00 | \$130.53 | \$1,500.00 |
| CITY OF COBDEN | | | | | |
| 004.000.003.01.010 | Lots 1, 2 & 3 Block 3, Original Plat/Cobden | 435 Center St | \$3,044.72 | \$3,930.00 | \$5,000.00 |
| 004.002.006.07.070 | Lots 4, 5 & 6 Block 6, Frederickson Add. | 415 County Road 7 N | \$4,530.17 | \$1,320.00 | \$500.00 |
| CITY OF EVAN | | | | | |
| 006.008.003.02.020 | Lot A of NE4 of NW4 .38 acres 08-110-033 | 32711 270 th St | \$439.00 | \$0.00 | \$1,000.00 |
| 006.010.004.05.050 | Lot C; & Lots 5 thru 9 Block 4, Knudson Add. | 239 Knudsen St | \$567.00 | \$0.00 | \$250.00 |
| COTTONWOOD TOWNSHIP | | | | | |
| 130.021.001.01.040 | Exc .17 AC Plat 215856 Lot 3 Block 1, Cooper's Riverview Acres 2.82 ac 21-109-030 | | \$0.00 | \$0.00 | \$2,500.00 |

BE IT FURTHER RESOLVED, that the Brown County Board of Commissioners does hereby authorize its County Auditor-Treasurer to conduct the sale of tax forfeited lands on the 17th day of September 2020 commencing at 10 o'clock a.m. pursuant to Minnesota Law. The sale will be governed by the terms approved by the County Board. Detailed terms of this sale are on file with the County Auditor-Treasurer's office or on our web site at www.co.brown.mn.us. The purchaser is entitled to immediate possession.

IN WITNESS WHEREOF, we have hereunto subscribed our names this 18th day of August, 2020.
COUNTY OF BROWN BOARD OF COMMISSIONERS

| | | YEA | NAY | OTHER |
|------------------|-------------------------|-----|-----|-------|
| Scott Windschitl | Commissioner District 3 | X | | |
| Anton Berg | Commissioner District 2 | X | | |
| David Borchert | Commissioner District 1 | X | | |
| Dean Simonsen | Commissioner District 4 | X | | |
| Jeff Veerkamp | Commissioner District 5 | X | | |

/s/David Borchert
Chairman, Brown County

ATTEST:
/s/Sam Hansen
Administrator, Brown County

CERTIFICATION

State of Minnesota
County of Brown

I, Sam Hansen, duly appointed, qualified and acting County Administrator for the County of Brown, State of Minnesota, do hereby certify that I have compared the foregoing copy of a Resolution with the original minutes of the proceedings of the Board of County Commissioners, Brown County, Minnesota, at their session held on the 18th day of August, 2020, now on file in my office, and have found the same to be a true and correct copy thereof.

Witness my hand and official seal at New Ulm, Minnesota, this 18th day of August, 2020.

/s/ Sam Hansen
Administrator, Brown County

BROWN COUNTY TAX FORFEITED LAND
TERMS OF SALE FOR NON-CONSERVATION CLASSIFICATION AND APPRAISAL FOR PARCELS APPEARING ON
THE BROWN COUNTY AUDITOR'S NOTICE OF SALE OF LANDS 2020

FOR PUBLIC AUCTION ON WEDNESDAY, SEPTEMBER 17, 2020 AT 10:00 A.M.
BROWN COUNTY COURTHOUSE – LEC TRAINING ROOM

Public Sales: Sale Price

All tax-forfeited parcels offered at a public auction is sold to the highest bidder for not less than the Minimum Bid price set forth on the Tax Forfeited List 2020. The Minimum Bid price equals the total of the Basic sale price and any Special Assessments that have been certified after the date of Forfeiture.

Auction Registration:

Registration for the auction begins at 8:15 a.m. the day of the auction at the Auditor-Treasurer's office on the 2nd floor of the Brown County Courthouse. All bidders must register by providing a Driver's License or other acceptable photo ID. Must be at least 18 years old to register for and bid on available properties. All bidders must provide earnest money in the form of certified funds. This means the earnest money must be one of the following: Cashier's Check, Money Order, or Certified Checks. **NO CASH WILL BE ACCEPTED.**

Sales Over The Counter:

Any parcels for which no bid is received during the public sale can be purchased beginning the next business day, September 18, 2020 at 9:00 a.m. at the office of the Brown County Auditor-Treasurer, for not less than the Basic sale price, as defined above, set forth on the Brown County Auditor's Sale of Lands 2020. The Basic Sale price cannot be changed unless the parcel is re-appraised, or special assessments are changed by the local government, republished and offered again at a subsequent auction.

Prohibited Purchasers:

Pursuant to Minn. Statute Sec 282.016, the following persons or entities shall not be allowed to register or participate in the auction, either personally, or as an agent or attorney for a prohibited person or entity: district court administrators, county auditors, treasurers, assessors or any deputies or employees of any of the above individuals, a person or entity that owns another property in Brown County for which there are delinquent taxes owing. A person prohibited from purchasing property must not directly, or indirectly, have another person purchase it on behalf of the prohibited purchaser for the prohibited purchaser's benefit or gain.

Prior to completing registration forms, a search will be performed to determine if the applicant is a prohibited purchaser or bidder. In the event that it is found the applicant is prohibited, they will not be allowed to register or bid on properties at auction. In the event a winning bid has been awarded to a prohibited bidder or purchaser, the person or entity will forfeit their earnest money, and the sale will be nullified as invalid. The property will be re-bid or re-offered at a future auction, at the sole discretion of Brown County.

IMPORTANT INFORMATION!

QUALIFIED BIDDERS: All bidders must register, provide a Driver's License/photo ID and Earnest Money in the form of Certified Funds (Cashier's Checks or Money Orders) **NO CASH WILL BE ACCEPTED.**

EARNEST MONEY: Earnest Money will be held by Brown County during the Public Auction. Upon completion of the Auction, said Earnest Money will be returned to the unsuccessful bidders.

- All parcels with Minimum Bid Price over \$1,000 – Earnest Money in the amount of five hundred dollars (\$500) is required to bid on these properties.
- All checks should be made payable to the Brown County Treasurer
- Earnest money of successful bidders will be applied to the purchase price.

- **IF A SUCCESSFUL BIDDER FAILS TO CLOSE THE PURCHASE IMMEDIATELY AFTER THE AUCTION, THE EARNEST MONEY WILL BE FORFEITED.**

Extra Fees and Costs: In Addition to the Basic Sale Price

The following fees and surcharges will be collected at the time of the sale:

- state deed fee of \$25
- deed filing fee of \$46
- assurance fees calculated as 3% of the sale price
- state deed tax .33% of the total sale price (calculated pursuant to M.S. 287.21.)

Note: Checks used for payment of the purchase price must clear the bank before a State Deed is ordered. If a check is returned for insufficient funds, or any other reason as non-negotiable, the sale is automatically cancelled, the earnest money will be forfeited to Brown County, and the property may be scheduled for a subsequent public auction at the sole discretion of Brown County.

Default:

All participants in the Brown County Tax-Forfeit Auction are hereby informed that the Brown County collection of dishonored checks will be enforced. **DO NOT BID ON A PROPERTY UNLESS YOU ARE POSITIVE YOU HAVE THE NECESSARY FUNDS AVAILABLE.**

Payment Terms:

Sale of Property will be for cash only.

Special Assessments: Local improvements not yet assessed, and any special assessments levied after forfeiture, must be assumed by the purchase. **In addition, any outstanding balance of cancelled special assessments that existed prior to the tax-forfeiture MAY BE REASSESSED by the municipality. It is the responsibility of the prospective buyer to contact the city to determine special assessments that may have been cancelled and may be subject to reassessment, and the city's terms for the payment of such assessments.**

Conditions: Restrictions on the Use of the Properties

Sales are subject to the following restrictions on the use of the properties and are sold "as is":

- (1) existing leases,
- (2) easements obtained by a governmental subdivision or state agency for a public purpose,
- (3) building codes and zoning laws,
- (4) all sales are final with no refunds or exchanges allowed, and
- (5) the appraised value does not represent a basis for future taxes.

Contact the city where the property is located for details of building codes or zoning laws. **ALL PROPERTY IS SOLD 'AS IS' AND MAY NOT CONFORM TO LOCAL BUILDING AND ZONING ORDINANCES. THE COUNTY MAKES NO WARRANTY THAT THE LAND IS 'BUILDABLE'.** ALL SALES ARE FINAL, AND NO REFUNDS OR EXCHANGES ARE PERMITTED. Brown County is not responsible for location or determining property lines or boundaries.

Buyers will be required to sign the "**Purchasers "As Is" Addendum**".

Former Owners:

Any former owner entitled to repurchase a parcel of property under M.S. 282.012 or M.S. 282.241 must pay the Minimum Bid Price or the total amount of the delinquency whichever is greater.

Settlement is Final

It is understood that the Buyer(s) accepts the property "as is". No warranties as to physical condition of the property subject to this purchase agreement have been made by Seller, its Employees or Agents; and any warranties of physical condition of the property are void. The Seller, its Employees or Agents, have no further responsibility or liability with respect to the condition or management of the property. This provision shall survive delivery of the State Deed.

Hazardous Materials Indemnification:

The purchaser shall indemnify Brown County and/or the State of Minnesota for environmental contamination as a result of purchaser's use and occupancy of the property.

Radon Warning Statement: The Minnesota Department of Health strongly recommends that ALL homebuyers have an indoor radon test performed prior to purchase or taking occupancy and recommends having the radon levels mitigated if elevated radon concentrations are found. Elevated radon concentrations can easily be reduced by a qualified, certified, or licensed, if applicable, radon mitigation. Every buyer of an interest in residential real property is notified that the property may present exposure to dangerous levels of indoor radon gas that may place the occupants at risk of developing radon-induced lung cancer. Radon, a Class A human carcinogen, is the leading cause of lung cancer in nonsmokers and the second leading cause overall. The seller of any interest in residential real property is required to provide the buyer with any information or radon test results of the dwelling.

Title: Proof of Ownership

The buyer will receive a receipt at the time of the sale. The Department of Revenue will issue a state deed after full payment is made. Tax forfeiture will create a break in the chain of title. SELLER CONVEYS TAX TITLE and the services of an attorney may be necessary to make the title marketable.

COVID-19 PRACTICES TO BE INCORPORATED:

In an effort to incorporate CDC requirements at the time of the Tax Forfeited Sale, lands will be offered for sale by City:

| | |
|-----------------|-------------------|
| Sleepy Eye | 10 a.m. |
| Springfield | 10:30 a.m. |
| Cobden | 11 a.m. |
| Evan/Cottonwood | 11:15 a.m. |

THERE MAY BE OTHER COVENANTS AND RESTRICTIONS CONTAINED IN CONTRACTS. DUE DILIGENCE BY ANY BIDDER IS STRONGLY ENCOURAGED.

IN ORDER TO PROTECT YOUR LEGAL INTERESTS, WE RECOMMEND THAT YOU CONSULT WITH YOUR ATTORNEY REGARDING THE CONTRACT AND ON OTHER LEGAL MATTERS.