

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 2023

FOR PUBLIC AUCTION ON THURSDAY, SEPTEMBER 21, 2023 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 2023. 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 8:30 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 22, 2023 at 10:00 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 2023. 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.

**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.**