

# Public Notice

(First Date of Pub.: Wed., Feb. 22, 2017)  
(Dates of Pub.: Wed., Feb. 22 & Mar. 1, 2017)

## ORDINANCE NO. 320

**AN ORDINANCE ANNEXING PROPERTY TO THE CITY OF TRACY**  
**WHEREAS**, the Hospice of Murray County (hereinafter, "Hospice") owns real property legally described as:

All that part of the East Half (E½) of the Northwest Quarter (NW¼) of Section Twenty-Four (24), Township One Hundred Nine (109) North, Range Forty (40) West, in the City of Tracy, Lyon County, Minnesota, being more particularly described as follows:

Beginning at a point 540 feet east of the southeast corner of Lot 5, Block 2 of Sunrise Addition, to the City of Tracy; thence North 89 degrees 04 minutes 34 seconds East, bearing based on Lyon County Coordinate System, along the north line of State Street extended, a distance of 165.00 feet; thence North 00 degrees 10 minutes 30 seconds West a distance of 280.00 feet; thence South 89 degrees 04 minutes 34 seconds West 165.00 feet, to a point on the east line of 5<sup>th</sup> Street; thence South 00 degrees 10 minutes 30 seconds East, along said east line, a distance of 280.00 feet, to the point of beginning.

**WHEREAS**, the above-referenced real property is not within the City's boundaries, but adjoins or abuts the City's boundaries;

**WHEREAS**, the above-referenced real property is 120 acres or less;

**WHEREAS**, the above-referenced real property is unincorporated;

**WHEREAS**, the above-referenced real property is not located within a flood plain or shoreland area;

**WHEREAS**, the above-referenced real property was previously used for agricultural farming and the Hospice is intending on building and operating a hospice facility on the above-referenced real property;

**WHEREAS**, annexation is required to provide city utilities to the above-referenced real property;

**WHEREAS**, the City received a petition for annexation from all the property owners of the above-referenced real property;

**WHEREAS**, pursuant to Minn. Stat. 414.033, subd. 2(3), the City is authorized to annex the above-referenced real property by ordinance;

**WHEREAS**, pursuant to Minn. Stat. 414.033, subd. 2b, the City held a public hearing on the proposed ordinance on February, 13, 2017 at 6:45 p.m. after giving thirty (30) days written notice by certified mail to the town or towns affected by the proposed ordinance and to all landowners within and contiguous to the area to be annexed;

**WHEREAS**, no objections were raised by the town or towns affected by the proposed ordinance;

**WHEREAS**, Monroe Township, the town affected by the proposed ordinance, submitted a written letter to the City approving and supporting the proposed ordinance and annexation;

**WHEREAS**, provisions of Minn. Stat. 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

**WHEREAS**, after considering all factors surrounding the proposed ordinance, the City finds that the proposed ordinance and annexation is in the City's best interests;

**NOW THEREFORE**, the City of Tracy does ordain:

1. The City Council hereby determines that the real property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that its use is being proposed for construction which requires or will need city services, including public sewer facilities.

2. None of the real property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minn. Stat. 414.0325.

3. The corporate limits of the City of Tracy, Minnesota, are hereby extended to include the following described real property, said real property abutting the City of Tracy and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, to wit:

All that part of the East Half (E½) of the Northwest Quarter (NW¼) of Section Twenty-Four (24), Township One Hundred Nine (109) North, Range Forty (40) West, in the City of Tracy, Lyon County, Minnesota, being more particularly described as follows:

Beginning at a point 540 feet east of the southeast corner of Lot 5, Block 2 of Sunrise Addition, to the City of Tracy; thence North 89 degrees 04 minutes 34 seconds East, bearing based on Lyon County Coordinate System, along the north line of State Street extended, a distance of 165.00 feet; thence North 00 degrees 10 minutes 30 seconds West a distance of 280.00 feet; thence South 89 degrees 04 minutes 34 seconds West 165.00 feet, to a point on the east line of 5<sup>th</sup> Street; thence South 00 degrees 10 minutes 30 seconds East, along said east line, a distance of 280.00 feet, to the point of beginning.

4. That the City Clerk of the City of Tracy is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Lyon County Auditor, and the Monroe Township Clerk.

5. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED BY THE CITY COUNCIL OF THE CITY OF TRACY, MINNESOTA THIS 13<sup>th</sup>, DAY OF FEBRUARY OF 2017.

APPROVED:  
/s/ Stephen Ferrazzano  
Stephen Ferrazzano, Mayor

ATTESTED:  
/s/ Madonna Peterson  
Madonna Peterson, City Clerk

(First Date of Pub.: Wed., Feb. 22, 2017)  
(Dates of Pub.: Wed., Feb. 22, Mar. 1, 8, 2017)

## NOTICE TO CONTRACTORS

Sealed Proposals will be received until 10:00 a.m. on March 15, 2017 in the Auditor/Treasurers Office of the Lyon County Government Center in Marshall, MN by E.J. Moberg, Lyon County Auditor/Treasurer on behalf of the Board of Commissioners for the following projects. Bid opening will be in the County Administrative Conference Room, 607 West Main, Marshall, MN.

**SAP 042-606-011, SAP 042-608-031, SAP 042-609-034, SAP 042-610-041, SAP 042-610-043, SAP 042-611-033, SAP 042-624-017, CP 17-01 and FOB Mix**  
**Bituminous Overlay and Aggregate Shouldering**

See the Lyon County website, [www.lyonco.org](http://www.lyonco.org), for complete Notice and bid information.

Aaron VanMoer, P.E.  
Lyon County Engineer

(First Date of Pub.: Wed., Feb. 22, 2017)  
(Dates of Pub.: Wed., Feb. 22, Mar. 1, 8, 2017)

## NOTICE TO CONTRACTORS

Sealed Proposals will be received until 10:15 a.m. on March 15, 2017 in the Auditor/Treasurers Office of the Lyon County Government Center in Marshall, MN by E.J. Moberg, Lyon County Auditor/Treasurer on behalf of the Board of Commissioners for the following projects. Bid opening will be in the County Administrative Conference Room, 607 West Main, Marshall, MN.

**SAP 042-610-040 and SAP 042-610-042**  
**Bituminous Surfacing OR ALTERNATE BID Concrete Surfacing**

See the Lyon County website, [www.lyonco.org](http://www.lyonco.org), for complete Notice and bid information.

Aaron VanMoer, P.E.  
Lyon County Engineer

(First Date of Pub.: Wed., Feb. 22, 2017)

(Dates of Pub.: Wed., Feb. 22, Mar. 1, 8, 15, 22, 29, 2017)

## 16-103210 NOTICE OF MORTGAGE FORECLOSURE SALE

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION. NOTICE IS HEREBY GIVEN, that default has occurred in the conditions of the following described mortgage:

D A T E O F MORTGAGE: September 30, 2011  
ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$94,600.00  
MORTGAGOR(S): Andrew C. Bradtke and Nicole M. Renneke, both single

MORTGAGEE: Mortgage Electronic Registration Systems, Inc.  
TRANSACTION AGENT: Mortgage Electronic Registration Systems, Inc.  
MIN#: 1000739-8130675405-3  
LENDER OR BROKER AND MORTGAGE ORIGINATOR STATED ON THE MORTGAGE: Bremer Bank National Association  
SERVICER: JPMorgan Chase Bank, N.A.

DATE AND PLACE OF FILING: Filed September 30, 2011, Lyon County Recorder, as Document Number 192354

ASSIGNMENTS OF MORTGAGE: Assigned to: JPMorgan Chase Bank, National Association; Dated: January 26, 2016 filed: February 16, 2016, recorded as document number ER04240

LEGAL DESCRIPTION OF PROPERTY: Lot Nine (9) of Block Two (2) of Sharratt's First Addition, to the City of Lynd  
PROPERTY ADDRESS: 112 N River St, Lynd, MN 56157  
PROPERTY IDENTIFICATION NUMBER: 26-104008-0  
COUNTY IN WHICH PROPERTY IS LOCATED: Lyon

THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE: \$90,520.94  
THAT all pre-foreclosure requirements have been complied with; that no action or proceeding has been instituted at law or otherwise to recover the debt secured by said mortgage, or any part thereof;

PURSUANT, to the power of sale contained in said mortgage, the

(First Date of Pub.: Wed., Feb. 22, 2017)  
(Dates of Pub.: Wed., Feb. 22, Mar. 1, 8, 15, 22, 29, 2017)

## 17-105671 NOTICE OF MORTGAGE FORECLOSURE SALE

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTITY OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION. NOTICE IS HEREBY GIVEN, that default has occurred in the conditions of the following described mortgage:

DATE OF MORTGAGE: January 15, 2014  
ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$127,645.00  
MORTGAGOR(S): Anthony M Bowers and Jessica Bowers, husband and wife

MORTGAGEE: Mortgage Electronic Registration Systems, Inc.  
TRANSACTION AGENT: Mortgage Electronic Registration Systems, Inc.  
MIN#: 100424732545369518  
LENDER OR BROKER AND MORTGAGE ORIGINATOR STATED ON THE MORTGAGE: Paramount Residential Mortgage Group, Inc.

SERVICER: Cenlar FSB  
DATE AND PLACE OF FILING: Filed January 15, 2014, Lyon County Recorder, as Document Number 202019  
ASSIGNMENTS OF MORTGAGE: Assigned to: Paramount Residential Mortgage Group, Inc.  
LEGAL DESCRIPTION OF PROPERTY: All that part of the Southwest Quarter (SW1/4) of Section Twenty-four (24), Township One hundred Twelve (112) North, Range Forty-one (41) West of the 5th Principal Meridian in Lyon County, Minnesota, described as follows:

Commencing at the Southwest corner of Section 24, Township 112 North, Range 41 West; thence East along the South line of said Section 24 a distance of 1892 feet to the true place of beginning; thence North at right angles 810 feet; thence West at right angles 316 feet; thence South 33 degrees 38 minutes West 607 feet; thence South 43 degrees 07 minutes West 416.8 feet to a point on the South line of said Section 24; thence East along the South line of said Section 24 a distance of 937 feet to the true place of beginning, containing 11.1 acres more or less, EXCEPTING THEREFROM road right of way and easements of record.

PROPERTY ADDRESS: 2832 300th St, Marshall, MN 56258  
PROPERTY IDENTIFICATION NUMBER: 06-024006-0  
COUNTY IN WHICH PROPERTY IS LOCATED: Lyon

THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE

above described property will be sold by the Sheriff of said county as follows:

DATE AND TIME OF SALE: April 13, 2017, 10:00am  
PLACE OF SALE: Sheriff's Main Office, 611 West Main Street, Marshall, MN 56258

to pay the debt secured by said mortgage and taxes, if any, on said premises and the costs and disbursements, including attorneys fees allowed by law, subject to redemption within 6 months from the date of said sale by the mortgagor(s) the personal representatives or assigns.

TIME AND DATE TO VACATE PROPERTY: If the real estate is an owner-occupied, single-family dwelling, unless otherwise provided by law, the date on or before which the mortgagor(s) must vacate the property, if the mortgage is not reinstated under section 580.30 or the property is not redeemed under section 580.23, is 11:59 p.m. on October 13, 2017, or the next business day if October 13, 2017 falls on a Saturday, Sunday or legal holiday.

«THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES SECTION 582.032 DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN 5 UNITS, ARE NOT PROPERTY USED FOR AGRICULTURAL PRODUCTION, AND ARE ABANDONED.  
Dated: February 17, 2017

JPMorgan Chase Bank, National Association  
Assignee of Mortgagee

SHAPIRO & ZIELKE, LLP  
BY

Lawrence P. Zielke - 152559  
Diane F. Mach - 273788  
Melissa L. B. Porter - 0337778  
Randolph W. Dawdy - 2160X  
Gary J. Evers - 0134764  
Tracy J. Halliday - 034610X  
Attorneys for Mortgagee  
12550 West Frontage Road,  
Suite 200  
Burnsville, MN 55337  
(952) 831-4060

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR

NOTICE: \$129,791.42

THAT all pre-foreclosure requirements have been complied with; that no action or proceeding has been instituted at law or otherwise to recover the debt secured by said mortgage, or any part thereof;

PURSUANT, to the power of sale contained in said mortgage, the above described property will be sold by the Sheriff of said county as follows:

DATE AND TIME OF SALE: April 13, 2017, 10:00am  
PLACE OF SALE: Sheriff's Main Office, 611 West Main Street, Marshall, MN 56258

to pay the debt secured by said mortgage and taxes, if any, on said premises and the costs and disbursements, including attorneys fees allowed by law, subject to redemption within 6 months from the date of said sale by the mortgagor(s) the personal representatives or assigns.

TIME AND DATE TO VACATE PROPERTY: If the real estate is an owner-occupied, single-family dwelling, unless otherwise provided by law, the date on or before which the mortgagor(s) must vacate the property, if the mortgage is not reinstated under section 580.30 or the property is not redeemed under section 580.23, is 11:59 p.m. on October 13, 2017, or the next business day if October 13, 2017 falls on a Saturday, Sunday or legal holiday.

THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES SECTION 582.032 DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN 5 UNITS, ARE NOT PROPERTY USED FOR AGRICULTURAL PRODUCTION, AND ARE ABANDONED.  
Dated: February 21, 2017

Paramount Residential Mortgage Group, Inc.  
Assignee of Mortgagee

SHAPIRO & ZIELKE, LLP  
BY

Lawrence P. Zielke - 152559  
Diane F. Mach - 273788  
Melissa L. B. Porter - 0337778  
Randolph W. Dawdy - 2160X  
Gary J. Evers - 0134764  
Tracy J. Halliday - 034610X  
Attorneys for Mortgagee  
12550 West Frontage Road,  
Suite 200  
Burnsville, MN 55337  
(952) 831-4060

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR

(First Date of Pub.: Wed., Feb. 22, 2017)

(Dates of Pub.: Wed., Feb. 22 & Mar. 1, 2017)

## ORDINANCE NO. 322 AN ORDINANCE ANNEXING REAL PROPERTY TO THE CITY OF TRACY

**WHEREAS**, the City of Tracy (hereinafter, "City") owns real property legally described as:

The Southeast Quarter of Section 12, Township 109 North, Range 40 West, Lyon County, Minnesota, EXCEPT that part of said Southeast Quarter described as follows:

Commencing at the southeast corner of the Southeast Quarter of said Southeast Quarter; thence South 88 degrees 42 minutes 24 seconds West (assumed bearing) on the south line of said Southeast Quarter, 412.50 feet to the point of beginning; thence South 88 degrees 42 minutes 24 seconds West on said south line, 544.50 feet; thence North 01 degrees 17 minutes 36 seconds West, at right angles, 400.00 feet; thence North 88 degrees 42 minutes 24 seconds East, at right angles and parallel with said south line, 544.50 feet; thence South 01 degrees 17 minutes 36 seconds East, at right angles, 400.00 feet to the point of beginning.

ALSO EXCEPT

The East 919.00 feet of the Southeast Quarter of Section 12, Township 109 North, Range 40 West, Lyon County, Minnesota.

**WHEREAS**, the above-referenced real property is not within the City's boundaries, but adjoins or abuts the City's boundaries;

**WHEREAS**, the above-referenced real property is 120 acres or less;

**WHEREAS**, the above-referenced real property is unincorporated;

**WHEREAS**, the above-referenced real property is not located within a flood plain or shoreland area;

**WHEREAS**, the above-referenced real property is currently being used for agricultural farming and the City is intending to build a wastewater treatment pond on the above-referenced real property to improve the water service within the City;

**WHEREAS**, pursuant to Minn. Stat. 414.033, subd. 2(1), the City is authorized to annex the above-referenced real property by ordinance;

**WHEREAS**, pursuant to Minn. Stat. 414.033, subd. 2b, because the City owns the real property proposed to be annexed by this ordinance, no public hearing or notice is required;

**WHEREAS**, provisions of Minn. Stat. 414.033 Subd. 13 are not applicable in that there will be no change in the electric utility service provider resulting from the annexation of the territory to the municipality.

**WHEREAS**, after considering all factors surrounding the proposed ordinance, the City finds that the proposed ordinance and annexation is in the City's best interests;

**NOW THEREFORE**, the City Council of the City of Tracy, Minnesota, ordains:

1. The City Council hereby determines that the real property as hereinafter described abuts the city limits and is or is about to become urban or suburban in nature in that its use is being proposed for construction which requires or will need city services, including public sewer facilities.

2. None of the real property is now included within the limits of any city, or in any area that has already been designated for orderly annexation pursuant to Minn. Stat. 414.0325.

3. The corporate limits of the City of Tracy, Minnesota, are hereby extended to include the following described real property, said real property abutting the City of Tracy and being 120 acres or less in area, and is not presently served by public sewer facilities or public sewer facilities are not otherwise available, to wit:

The Southeast Quarter of Section 12, Township 109 North, Range 40 West, Lyon County, Minnesota, EXCEPT that part of said Southeast Quarter described as follows:

Commencing at the southeast corner of the Southeast Quarter of said Southeast Quarter; thence South 88 degrees 42 minutes 24 seconds West (assumed bearing) on the south line of said Southeast Quarter, 412.50 feet to the point of beginning; thence South 88 degrees 42 minutes 24 seconds West on said south line, 544.50 feet; thence North 01 degrees 17 minutes 36 seconds West, at right angles, 400.00 feet; thence North 88 degrees 42 minutes 24 seconds East, at right angles and parallel with said south line, 544.50 feet; thence South 01 degrees 17 minutes 36 seconds East, at right angles, 400.00 feet to the point of beginning.

ALSO EXCEPT

The East 919.00 feet of the Southeast Quarter of Section 12, Township 109 North, Range 40 West, Lyon County, Minnesota.

4. That the City Clerk of the City of Tracy is hereby authorized and directed to file a copy of this Ordinance with the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Minnesota Secretary of State, the Lyon County Auditor, and the Monroe Township Clerk.

5. That this Ordinance shall be in full force and effect and final upon the date this Ordinance is approved by the Office of Administrative Hearings.

PASSED BY THE CITY COUNCIL OF THE CITY OF TRACY, MINNESOTA THIS 13<sup>th</sup> DAY OF FEBRUARY 2017.

APPROVED:  
/s/ Stephen Ferrazzano  
Stephen Ferrazzano, Mayor

ATTESTED:  
/s/ Madonna Peterson  
Madonna Peterson, City Clerk

(First Date of Pub.: Wed., Feb. 22, 2017)  
(Dates of Pub.: Wed., Feb. 22 & Mar. 1, 2017)

## ORDINANCE NO. 321 AN ORDINANCE AMENDING CHAPTER 3 OF THE CITY CODE RELATING TO ZONING

The City of Tracy does ordain:

**Section 1.** Chapter 3 of the City Code and the City of Tracy Zoning Map are hereby amended as follows, to wit:

All that part of the East Half (E½) of the Northwest Quarter (NW¼) of Section Twenty-Four (24), Township One Hundred Nine (109) North, Range Forty (40) West, in the City of Tracy, Lyon County, Minnesota, being more particularly described as follows:

Beginning at a point 540 feet east of the southeast corner of Lot 5, Block 2 of Sunrise Addition, to the City of Tracy; thence North 89 degrees 04 minutes 34 seconds East, bearing based on Lyon County Coordinate System, along the north line of State Street extended, a distance of 165.00 feet; thence North 00 degrees 10 minutes 30 seconds West a distance of 280.00 feet; thence South 89 degrees 04 minutes 34 seconds West 165.00 feet, to a point on the east line of 5<sup>th</sup> Street; thence South 00 degrees 10 minutes 30 seconds East, along said east line, a distance of 280.00 feet, to the point of beginning.

is hereby zoned as R-2 (Multiple Family Residential District).

**Section 2.** Pursuant to City Code 3.10, subd. 4(B), within thirty (30) days after official publication of the ordinance, the Public Works Department shall record on the City of Tracy Zoning Map the changes in zoning resulting from the passage of this ordinance.

**Section 3.** Except as amended herein, Chapter 3 of the City Code shall remain in full force and effect.

**Section 4.** This ordinance shall take effect from and after its passage and publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF TRACY, MINNESOTA THIS 13<sup>th</sup> DAY FEBRUARY OF 2017.

APPROVED:  
/s/ Stephen Ferrazzano  
Stephen Ferrazzano, Mayor

ATTESTED:  
/s/ Madonna Peterson  
Madonna Peterson, City Clerk