

# Public Notices

(First Date of Pub.: Wed., Oct. 11, 2017)

(Dates of Pub.: Wed., Oct. 11, 2017)

## PUBLIC NOTICE

Notice is hereby given that Lyon County Commissioners will meet for the purpose of approving for sale and classifying tax-forfeited lands, at 10:00 AM on Tuesday, November 21, 2017, in the Commissioner Room on the second floor of the Lyon County Government Center, 607 West Main Street, Marshall, MN 56258.

As described in Minnesota Statute § 282.01, parcels of land becoming the property of the state in trust under law declaring the forfeiture of lands to the state for taxes must be classified by the county board as conservation or non-conservation.

At the meeting, the county board will allow any person or agency possessing pertinent information to make or submit comments and recommendations about the pending classification for the parcels listed below. In addition, representatives of governmental entities in attendance will be allowed to describe plans, ideas, or projects that may involve use or acquisition of the property by that or another governmental entity. After allowing testimony, the board may classify, reclassify or delay taking action on any parcel or parcels.

Parcel #	Legal Description
21-102001-0	Lot One (1) of Block Seven (7), First Railway Addition to Town of Balaton, Lyon County, Minnesota
23-102003-0	All of Lot Numbered Six (6) in Block Numbered One (1) of Sanden's First Addition to the Village of Florence, as platted.
24-100078-0	Westerly 60 ft of Lots One (1) & Two (2), Block seventeen (17) except west 60 ft Lot one (1), Original Plat, City of Garvin, Minnesota.
24-100079-0	The Westerly Sixty (W'ly 60) feet of Lot One (1), Block Seventeen (17), City of Garvin, Minnesota.
31-104183-0	Lot Twenty-three (23), Block Twenty-four (24), Second Railway Addition to the City of Tracy.
31-112014-0	The North Fifty (50) feet of Lots One and Two (1 and 2) in Block Two (2) of Moses First Addition to the City of Tracy, Minnesota.
31-122003-0	That part of Block One (1) of Henning's Addition to the City of Tracy, Lyon County, Minnesota, described as follows: Commencing at a point of 200 feet East of the Northwest corner of said Block One (1); running thence South 89 Feet; thence East 50 feet, thence North 89 feet; thence West 50 feet to the point of beginning.
31-122005-0	Lots Two (2) and Three (3), of Block One (1), of Henning's Addition of the City of Tracy.
31-122010-0	Lot One (1) Block Two (2), Henning's Addition to the City of Tracy.

E.J. Moberg

Lyon County Auditor/Treasurer



# Public Notice

(First Date of Pub.: Wed., Oct. 11, 2017)  
(Dates of Pub.: Wed., Oct. 11, 2017)

**ORDINANCE NO. 361  
AN ORDINANCE AMENDING AND REPLACING CITY CODE SECTION 6.18- (EMERGENCY) PROHIBIT OF STORM WATER, SURFACE WATER OR GROUND WATER TO DISCHARGE INTO THE SANITARY SEWER SYSTEM**

The City of Tracy does ordain:

Subd. 1. This ordinance shall amend and replace Section 6.18 of the City of Tracy City Code.

Subd. 2. It shall be unlawful for any person to discharge water or cause to be discharged any unpolluted waters such as storm water, ground water, roof run off, subsurface drainage such as that from floor drains, sump pumps or pits, cisterns, field tile or any other recognizable source or any type of private, commercial or industrial cooling water to any sanitary sewer.

Subd. 3. Any person, firm or corporation having a roof drain system, surface drain system, footing tile, swimming pool, ground water drain system or sump pump now connected and/or discharging into the sanitary sewer system shall disconnect and/or remove the same. Any disconnects or opening into the sanitary sewer shall be closed or repaired in an effective, workmanlike manner, as approved by the Public Works Director.

Subd. 4. Dwellings and other buildings and structures which require because of the infiltration of water into basements, crawl spaces and the like, a sump pump system to discharge excess water shall have a permanently installed discharge line which shall not at any time discharge water into the sanitary sewer system. A permanently installed discharge line shall be one which provides for year around discharge capability, shall be buried underground, shall be connected to the city storm sewer line from the property, shall consist of a rigid discharge line, shall include a check valve, and shall be approved by the Public Works Director. Upon connection to the city storm sewer, the Public Works Director shall be allowed access upon the property to inspect the discharge line.

Subd. 5. Any person, firm or corporation found in violation of Subd. 3 of this ordinance, shall, within 30 days after service of a written notice from the City specifying the corrective action and repairs required, bring the property into compliance as set forth in the written notice. If the property is not brought into compliance within 30 days after service of the written notice, the City and its duly designated employees and agents may enter the property and take all necessary action to bring the property into compliance with this ordinance. The property owner shall be responsible for all costs incurred by the City to bring the property into compliance with this ordinance. If the total amount of such costs exceed \$120.00 and the property owner, prior to the work being completed, notifies the City in writing a desire to pay such costs in monthly installments, such costs shall be paid by the property owner at the rate of \$10.00 per month without interest until fully paid. If such monthly payments become 60 or more days delinquent, the unpaid balance of such costs shall immediately become due and payable in full. The City may assess any outstanding costs to the property pursuant to the applicable city ordinances and state statutes.

Subd. 6. A property requiring or now having a permanently installed discharge line shall not be issued an annual permit for discharge to the city sanitary sewer during the months of November, December, January, February, and March. It shall be unlawful for any person to apply for or obtain an annual permit during the months listed herein.

Subd. 7. Duly authorized employees or representatives of the city, bearing proper credentials and identification, shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling, and testing pertinent to determine the nature of discharge into any public sewer or natural outlet in accordance with the provisions of this section. In lieu of having the city inspect their property, any person or entity may furnish a certificate from a licensed plumber certifying that their property is in compliance with this ordinance.

Subd. 8. Dwellings and other buildings and structures found with no discharges of water prohibited by this ordinance shall receive a Certificate of Compliance at the time of inspection. Dwellings and other buildings and structures, which upon initial inspection, are found to have discharges of water prohibited by this ordinance, shall be served a Notice of Correction which shall describe the required corrective action to be taken within ten (10) days of service of the notice.

Subd. 9. Any person, firm or corporation refusing to allow their property to be inspected or refusing to furnish a plumbers certificate within 14 days of the date the duly authorized city employees or representatives are denied admittance to their property, shall be subject to a surcharge in an amount in accordance with the yearly rate set by an annual resolution per month, which shall be imposed and collected with the monthly utility billing until the property is in compliance with this ordinance. Non-compliance shall be presumed from date of last prior inspection. The City may grant waivers from the surcharges where strict enforcement may cause undue hardship unique to the property or where the property owner was scheduled for disconnection but cannot due so due to circumstances, such as availability of the plumber or inclement weather.

Subd. 10. If the dwelling or other building or structure has an additional connection for use as a secondary line to discharge water into the sanitary sewer system and if the Public Works Director and/or his/her designate determines specific periods of time when said secondary connection may commence and terminate for water discharge into the sanitary sewer system, then in that event, a permit may be granted by the City for such discharge into the sanitary sewer system. Monetary hardship is not a basis for such permit. Application for an inclement weather permit shall be made to the City Administrator in writing. Said application shall identify the address of the dwelling and/or structure, the name of the owner and applicant and describe the inclement weather needs of such permit. The City shall determine whether or not to issue said inclement weather permit after receipt of the application and any necessary inspections.

Subd. 11. At any future time, if the city has reason to suspect that an illegal connection may exist in a dwelling or other building or structure, the owner, after written notice, shall comply with the provisions of subdivision 1 herein.

PASSED BY THE CITY COUNCIL OF THE CITY OF TRACY, MINNESOTA THIS 25th DAY OF SEPTEMBER, 2017.

(First Date of Pub.: Wed., Oct. 4, 2017)  
(Dates of Pub.: Wed., Oct. 4, 11, 2017)

**ADVERTISEMENT FOR BIDS  
NOTICE FOR VENDORS  
GARVIN PARK SHOWER / BATHROOM FACILITY BUILDING  
LYON COUNTY, MN**

NOTICE IS HEREBY GIVEN that bids will be received for the furnishing of one complete shower / bathroom building to be delivered and placed at Garvin Park (Lyon County, Minnesota), 1440 US Highway 59, Garvin, MN 56132.

**The deadline for submitting bids is 1:30pm [CST], Monday, October 16, 2017.**

Each bid and all papers bound and attached thereto shall be placed in an envelope and securely sealed therein. The envelope shall be so marked as to indicate the name of bidder and shall be addressed to the following:

GARVIN PARK SHOWER / BATHROOM BUILDING  
c/o Roger Schroeder  
Lyon County Environmental Administrator  
504 Fairgrounds Road  
Marshall, MN 56258

Bids may be either mailed, delivered by messenger, or submitted in person. Bids arriving after the designated time listed above will be returned unopened. No electronic submissions.

Proposal forms, specifications, plans and other contract documents may be received electronically via email request to rogerschroeder@co.lyon.mn.us, via download from the Lyon County Website <http://lyonco.org>, and are available for review at the Lyon County Environmental Department, 504 Fairgrounds Road, Marshall MN.

Interpretation and clarification of these materials will be done by Roger Schroeder, Environmental Department Administrator. Please feel welcome to call with any questions.

No bids may be withdrawn for a period of forty-five (45) days from the date of opening of bids. The County reserves the right to reject any or all bids and waive informalities, and further reserves the right to award the contract in the best interest of the County.

DATED: Wednesday, September 20, 2017

(First Date of Pub.: Wed., Oct. 11, 2017)  
(Dates of Pub.: Wed., Oct. 11, 18, 25, Nov. 1, 8, 15, 2017)

**17-106983  
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 11, 2012  
**ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE:** \$106,600.00  
**MORTGAGOR(S):** Justin G. Staeffler and Lacey A. Staeffler, husband and wife  
**MORTGAGEE:** Wells Fargo Bank, N.A.

**LENDER OR BROKER AND MORTGAGE ORIGINATOR STATED ON THE MORTGAGE:** Wells Fargo Bank, N.A.  
**SERVICER:** Wells Fargo Bank, N.A.

**DATE AND PLACE OF FILING:** Filed September 12, 2012, Lyon County Recorder, as Document Number 196548

**LEGAL DESCRIPTION OF PROPERTY:**

Lot Twenty-four (24), in Block One (1) of the Third Addition to Eatros Place, Marshall, Minnesota

**PROPERTY ADDRESS:** 400 Kathryn Ave, Marshall, MN 56258  
**PROPERTY IDENTIFICATION NUMBER:** 27-209024-0

**COUNTY IN WHICH PROPERTY IS LOCATED:** Lyon

**THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE:** \$100,690.61

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:** November 30, 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 May 30, 2018, or the next business day if May 30, 2018 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: October 3, 2017  
  
Wells Fargo Bank, NA  
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  
Shapiro & Zielke, LLP  
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., Oct. 11, 2017)  
(Dates of Pub.: Wed., Oct. 11, 2017)

**NOTICE OF PUBLIC HEARING ON  
SUBSEQUENT RURAL DEVELOPMENT FUNDING  
FOR PROPOSED STABILIZATION POND SYSTEM**

TO WHOM IT MAY CONCERN:

**TIME AND PLACE:** Notice is hereby given that the City Council of Tracy, Minnesota will meet at City Hall (33 Morgan Street) in the City of Tracy, Minnesota at 6:45 P.M. on October 23, 2017, to subsequent funding from USDA Rural Development for the Proposed Stabilization Pond System project.

Such persons as desire to be heard with reference to the proposed improvements will be heard at this meeting.

DATED: October 11, 2017.

(First Date of Pub.: Wed., Oct. 11, 2017)  
(Dates of Pub.: Wed., Oct. 11, 2017)

**LYON COUNTY BOARD OF COMMISSIONERS  
Tuesday, September 19, 2017**

**A Summary of the Proceedings of the Lyon County Board**

9:00 a.m. pursuant to notice the Lyon County Commissioners met with the following members present: Commissioners Graupmann, Anderson, Sanow, Crowley and Ritter. Also present: Administrator Stomberg and Attorney Maes.

**MSP** to approve the agenda.

**MSP** to approve the consent agenda.

**MSP** to approve the aeration permits for the 2017-2018 season.

**MSP** to allow Michael Fonteyn to repurchase his tax-forfeited property due to an undue hardship. Costs must be paid within 14 days.

**MSP** to approve the Conditional Use Permit for Verizon to construct a new communication tower with the stipulations presented.

**MSP** to approve the trade in of the 2008 Freightliner plow truck with the purchase of a 2018 Wester Star truck chassis with Boyer Ford and purchase body and snow equipment from Towmaster for a total of \$190,783. Also, purchase the extended warranty for \$6,605.00.

**MSP** to approve the out of state travel to Sioux Falls, SD for Roger Schroeder and Darron Grahn to look at mattress springs baler to use at the processing facility.

**MSP** to approve the quote to deliver daily cover at the landfill for a total of \$49,812.00 from the Lyon County Highway Department.

**MSP** to approve the Environmental Administrator to advertise for bids for the purchase of a fabricated building or construction on site for the Garvin Park shower bathroom building.

**MSP** to approve the purchase of 250 recycling carts from McQueen Recycling Cart Companies for a total of \$15,057.50.

**MSP** to approve the low quote from Bisbee Plumbing & heating for the replacement of the heating system in the Lyon County Museum for a total of \$95,000.

**MSP** to approve the hire of Derek DeVos as Heavy Equipment Operator with a starting hourly rate of \$22 and a start date to be determined.

**MSP** to approve the advertising of the Signman position and review the job description at the first meeting of October.

**MSP** to adjourn at 11:30 a.m.

A copy of these proceedings are available in the County Administrator Office of Lyon County and also available at [www.lyonco.org](http://www.lyonco.org).

(First Date of Pub.: Wed., Oct. 4, 2017)

(Dates of Pub.: Wed., Oct. 4, 11, 18, 25, Nov. 1, 8, 2017)

**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:** September 22, 2003

**ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE:** \$71,379.00

**MORTGAGOR(S):** Mana Rae Hughes, a single person  
**MORTGAGEE:** Washington Mutual Bank, FA

**DATE AND PLACE OF FILING:** Recorded on September 23, 2003 as Document Number 149521; as modified of record by document recorded on March 7, 2016 as Document No. ER04270 in the Office of the County Recorder of Lyon County, Minnesota.

**ASSIGNMENTS OF MORTGAGE:** Assigned to: Wells Fargo Bank, N.A. by assignment recorded on December 22, 2006 as Document Number 169029 in the Office of the County Recorder of Lyon County, Minnesota.

**LEGAL DESCRIPTION OF PROPERTY:** All that part of Lots 1, 2 and 3, of Block 6, Riverside Addition to the City of Marshall, described as follows: Beginning at a point 75 feet Southwesterly from the East corner of Lot 1, Block 6, said Addition, thence in a Northwesterly direction parallel with Walnut Street a distance of 100 feet; thence in a Northeasterly direction parallel with Fourth Street a distance of 38 feet; thence in a Southeasterly direction parallel with Walnut Street a distance of 100 feet; thence in a Southwesterly direction parallel with Fourth Street a distance of 38 feet, to point of beginning, Lyon County, Minnesota.

**STREET ADDRESS OF PROPERTY:** 415 4TH STREET NORTH, MARSHALL, MN 56258  
**COUNTY IN WHICH PROPERTY IS LOCATED:** Lyon County, Minnesota.

**THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE:** \$66,764.23  
**TRANSACTION AGENT:** None  
**NAME OF MORTGAGE ORIGINATOR:** Washington Mutual Bank, FA

**RESIDENTIAL SERVICER:** Wells Fargo Bank, N.A.  
**TAX PARCEL IDENTIFICATION NUMBER:** 27-757040-0

**TRANSACTION AGENT'S MORTGAGE IDENTIFICATION NUMBER:** None

THAT no action or proceeding has been instituted at law to recover the debt then remaining secured by such mortgage, or any part thereof, or, if the action or proceeding has been instituted, that the same has been discontinued, or that an execution upon the judgment rendered therein has been returned unsatisfied, in whole or in part.

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:** November 30, 2017 at 10:00 AM.

**PLACE OF SALE:** Lyon County Sheriff's Office, 611 West Main Street, Marshall, Minnesota.

to pay the debt then secured by said mortgage and taxes, if any actually paid by the mortgagee, on the premises and the costs and disbursements allowed by law. The time allowed by law for redemption by said mortgagor(s), their personal representatives or assigns is six (6) months from the date of sale.

**TIME AND DATE TO VACATE PROPERTY:** Unless said mortgage is reinstated or the property redeemed, or unless the time for redemption is reduced by judicial order, you must vacate the premises by 11:59 p.m. on May 30, 2018.

**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 FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.**

**MORTGAGOR(S) RELEASED FROM FINANCIAL OBLIGATION ON MORTGAGE:** Mana Rae Hughes

Dated: September 27, 2017

WELLS FARGO BANK, N.A.  
Mortgagee

THE ACADEMY LAW GROUP, P.A.

By: \_\_\_\_\_ /s/\_\_\_\_\_  
Rebecca F. Schiller, Esq.  
N. Kibongni Fondungallah, Esq.  
Samuel R. Coleman, Esq.  
**\*Corbin C. Smith, Esq.\***  
Attorneys for Mortgagee  
The Academy Professional Building  
25 Dale Street North  
St. Paul, MN 55102  
(651) 209-9760  
(15-1537-FC02)

**THIS IS A COMMUNICATION FROM A DEBT COLLECTOR.**

(First Date of Pub.: Wed., Oct. 11, 2017)  
(Dates of Pub.: Wed., Oct. 11, 2017)

**ORDINANCE NO. 362**

**AN ORDINANCE AMENDING CITY CODE SECTION 8.30 SUBD 3A – ANIMAL LICENSE/PERMIT – REPLACING VERBIAGE FROM “VALID FOR THE LIFE OF THE ANIMAL” TO “YEARLY”**

**SECTION 8.30. ANIMAL LICENSE/ PERMIT.**

**Subd. 3. ANIMAL LICENSES.**

A. An animal license shall be required of each dog and cat which is harbored or kept within the City. The City Administrator shall issue a license upon the owner of the animal making written application accompanied by a fee of \$10.00 an amount in accordance with the yearly rate set by an annual resolution and a copy of current vaccination certificate. The license shall include a numbered tag which shall be affixed to a collar to be worn by the licensed animal at all times. The license shall be valid for the life of the animal yearly, subject to the conditions set forth in paragraphs B. and C. of this Subdivision. All animal license holders prior to this ordinance amendment will be grandfathered in and their license will remain as a permanent animal license for the life of that animal.

**PASSED AND ADOPTED** by the Tracy City Council this 9th day of October 2017.

Mayor

ATTEST:

City Administrator

(First Pub.: Wed., Oct. 11, 2017)  
(Dates of Pub.: Wed., Oct. 11, 2017)

**PUBLIC HEARING NOTICE**

**Notice of Public Hearing – City of Tracy, MN – Ordinance Amending and Replacing City Code 6.13 Section 2 subd2-An Ordinance Clarifying Responsibility for Maintenance of Water Service Lines and Providing For a Fee For Such Maintenance**

PUBLIC NOTICE is given to all persons in the City of Tracy, MN that a public hearing will be held on October 23, 2017 at the City Council Chambers, City Hall at 6:40 p.m., to solicit comments regarding the amendment of City Code 6.13. The amendment is for the City to have the obligation to maintain and repair that part of a service line which runs from a water main including the first curb stop. Copies of the Proposed Ordinance are available during regular working hours at the office of the City Clerk located at City Hall.

All persons interested are invited to attend this hear and be heard



**If it's not in your newspaper, how will you know?**  
**ZONING CHANGES IN YOUR NEIGHBORHOOD? A PROPOSAL TO INCREASE PROPERTY TAXES? HOW DO PUBLIC OFFICIALS SPEND YOUR TAX DOLLARS?**

These are a few topics that affect your family and your local government officials are required to publish this information in the local newspaper.

Your local newspaper fulfills an essential role in serving your right to know. After all, it shouldn't be your responsibility to know how to look...where to look...when to look...and even what to look for in order to be informed about public information. It is the government's responsibility to notify you of public information, and your local newspaper is the most accessible place to find it.

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