

Public Notice

(First Date of Pub.: Wed., Jan. 31, 2018)
(Dates of Pub.: Wed., Jan. 31 & Feb. 7, 2018)

**CITY OF TRACY
COUNTY OF LYON
STATE OF MINNESOTA**

**NOTICE OF PUBLIC HEARING
ON THE QUESTION OF
WHETHER THE CITY SHALL
CONTINUE TO OPERATE A
MUNICIPAL LIQUOR STORE
PURSUANT TO MINNESOTA
STATUTE § 340A.602**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Council on the 12th day of February, 2018, in the City Hall located at 336 Morgan Street, Tracy, Minnesota 56175, at 7:00 p.m. to consider the question of whether the City of Tracy shall continue to operate a municipal liquor store.

Pursuant to Minn. Stat. § 340A.602, any city in which the report of the operations of a municipal liquor store has shown a net loss prior to interfund transfer in any two of three consecutive years, the city council shall, not more than 45 days prior to the end of the fiscal year following the three-year period, hold a public hearing on the question of whether the city shall continue to operate a municipal liquor store.

SIGNED BY:

Shane Daniels, City Clerk

(First Date of Pub: Wed, Jan 31, 2018)
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Notice to the Public

The City of Tracy will be conducting a test of the automatic precinct tabulating equipment (M100 and DS200) that will be used to count the votes cast for the February 13, 2018 Special Recall Election of Tony Peterson and a test of the Voter assist terminal (Auto Mark) that will be available as an optional ballot marker to assist voters to vote privately and independently.

The test will be held on Wednesday, February 7, 2018 at 9:30 am at the Tracy City Hall, 336 Morgan St, Tracy, MN. This Test will be open to representatives of Tony Peterson, the press, and the public.

**Shane Daniels
City Administrator**

(First Date of Pub.: Wed., Jan. 24, 2018)
(Dates of Pub.: Wed., Jan. 24, 31, Feb. 7, 14, 21, 28, 2018)

**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: November 8, 2005

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$80,000.00

MORTGAGOR(S): Andy J. Borth and Joyce A. Borth, husband and wife

MORTGAGEE: Mortgage Electronic Registration Systems, Inc.

TRANSACTION AGENT: Mortgage Electronic Registration Systems, Inc.

MIN#: 100039046765698218

LENDER OR BROKER AND MORTGAGE ORIGINATOR STATED ON THE MORTGAGE: Quicken Loans, Inc.

SERVICER: Ditech Financial LLC FKA Green Tree Servicing LLC
DATE AND PLACE OF FILING: Filed November 18, 2005, Lyon County Recorder, as Document Number 162986

ASSIGNMENTS OF MORTGAGE: Assigned to: Bank of America, NA; Thereafter assigned to GreenTree Servicing LLC; thereafter assigned to New Residential Mortgage, LLC; thereafter assigned to Ditech Financial LLC.

LEGAL DESCRIPTION OF PROPERTY:
Lot Three (3) and Four (4), in Block Two (2), of Fay F. Reed's Addition to the City of Marshall, Minnesota

PROPERTY ADDRESS: 411 Kossuth Ave, Marshall, MN 56258
PROPERTY IDENTIFICATION NUMBER: 27-745018-0
COUNTY IN WHICH PROPERTY IS LOCATED: Lyon

THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE: \$67,950.12

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: March 15, 2018, 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 September 15, 2018, or the next business day if September 15, 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: January 17, 2018

Ditech Financial LLC
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
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., Jan. 31, 2018)
(Dates of Pub.: Wed., Jan. 31 & Feb. 7, 2018)

NOTICE OF SPECIAL RECALL ELECTION OF THE CITY COUNCIL OF THE CITY OF TRACY

Notice is hereby given that a Special Election for the Recall of Councilmember Tony Peterson of the City Council of the City of Tracy will be held on February 13, 2018 at the City of Tracy's designated polling place, Tracy City Hall, 336 Morgan Street, Tracy, Minnesota 56175. Polls will open at 7:00 a.m. and will close at 8:00 p.m. Any voter interested in absentee voting should contact the City Clerk at (507) 629-5528 for more information. Sample ballots are available for viewing at the Tracy City Hall.

The question that will appear on the ballot at the Special Recall Election will be as follows:

Shall Councilmember Tony Peterson be recalled?
Yes
No

If a majority of those voting on the question vote in favor of recall, Councilmember Tony Peterson shall be thereby removed from office. The statement of the grounds for recall are as follows:

- Violations of City Charter Section 2.14, Control of Administrative Services, by issuing orders directly to city employees.
- Violations of City Code Section 2.10, subd. 1(B), defining the Councilmember's role, by attempting to exercise administrative authority and independently conducting city affairs without council approval.
- Violations of City Code Section 2.30, subd. 2, Code of Ethics, Responsibilities of Public Office, by interacting with city employees and members of the public in a manner which is verbally abusive and physically threatening, creating a hostile atmosphere for city constituents and a hostile workplace for city employees.
- Violations of City Code 2.30, subd. 3, Code of Ethics, Dedicated Service, by exceeding his authority per City Code 2.10, subd. 1(B) and being uncooperative with the City Administrator.

Councilmember Tony Peterson provides the following answer to the statement of grounds for recall:

For the record, none of the five people who initiated this petition have witnessed any of the charges listed as they did not happen. They are on record with the accusations but offer no first hand evidence. I do not use verbal abuse or threats to anyone in the public or anywhere else. I did have a loud argument with the City Administrator and publicly apologized for that event. I have not "issued orders" to any city employee. There are rumors of such involving tattered flags and I do have the e-mail evidence to prove that this was a request and promptly thanked all employees involved. In my service to this community I have worked with four administrators and if the previous three were to be consulted, you would find my conduct was not only polite, but in full compliance with the City Charter and City Code of Conduct. This petition of recall offers no evidence of charges. The Charter allows any member of the council to investigate City Affairs as per section 2.13. This allows any council member to ask questions and request information on, but not limited to financial information, and how and where City funds are to be or have been spent. These questions do not make an individual uncooperative to an administrator, but do secure the necessary information to make educated decisions as to how city funds are to be spent. I have followed the same thought processes to date as I have in the two previous terms I served this community. I take the role of an elected official seriously and would do nothing to discredit myself or my community. As the City Attorney pointed out, the petition does not have to offer proof, just accusations. That being said, I would be more than happy to have a discussion with any and all residents in regard to the accusations. For those who are not willing to talk with me, I would ask you to talk with people who deal with me daily, those who I have helped and those who I serve with on boards and commissions. I would also ask, one final time, consider the facts pointed out by the City Attorney, these charges are unproven accusations, there is no basis in fact that they are true and this is the only vehicle in which I am able to defend myself. I do not make threats. I did not make Madonna quit. I did not close the liquor store. I truly care about my community and only want to make it a better place to live, for everyone. If you would like to see me continue to serve our community, vote no on the recall petition.

Thank you,
Tony Peterson

(First Date of Pub.: Wed., Jan. 24, 2018)
(Dates of Pub.: Wed., Jan. 24, 2018)

LYON COUNTY BOARD OF COMMISSIONERS
Tuesday, January 2, 2018

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 cast a unanimous ballot to nominate Paul Graupmann as Board Chair for 2018. Motion passed with Commissioners Anderson, Sanow, Crowley and Ritter voting in favor. Commissioner Graupmann abstained from voting.

MSP to cast a unanimous ballot for Gary Crowley as 2018 Vice Chair. Motion passed with Commissioners Anderson, Sanow, Graupmann and

Ritter voting in favor. Commissioner Crowley abstained from voting.

MSP to approve the agenda.
MSP to approve the consent agenda.

MSP to approve the 2018 Liquor License Renewal for Saratoga Archery Club.

MSP to approve the out of state travel policy for elected officials as presented.

MSP to designate www.lyonco.org as the official publication of advertisement for transportation-related projects and the official paper of 2018 is the Balaton Press Tribune.

MSP to authorize the Auditor Treasurer to pay certain claims as presented.

MSP to approve the resolution to designate depositories for County use and authorize the Auditor Treasurer to make investments of funds.

Chair Graupmann opened the drainage authority at 9:17 a.m.

MSP to approve hiring Hydro Engineering to complete the

engineering on the County Ditch 5 repair project.

MSP to reject the petition for the repair of County Ditch 5 and complete the repair as the ditch authority.

The regular Board reconvened at 9:30 a.m.

MSP to approve the transfer between drainage systems for year-end 2017 and periods thereafter, as necessary.

MSP to approve the contract with Western Mental health for mental health services within the jail and allow Administrator and Board Chair to sign agreement.

MSP to approve the 2018 County wage scale to reflect a 2.5% increase.

MSP to set the minimum salary for the elected Sheriff and County Attorney at \$85,050.

MSP to adjourn at 10:25 a.m.

A copy of these proceedings are available in the County Administrator Office of Lyon County and also available at www.lyonco.org.

(First Date of Pub.: Wed., Jan. 24, 2018)
(Dates of Pub.: Wed., Jan. 24, 31, 2018)

STATE OF MINNESOTA
COUNTY OF REDWOOD
IN DISTRICT COURT
FIFTH JUDICIAL DISTRICT
PROBATE COURT DIVISION
Court File No.: 64PR1827

In Re: Estate of
HAROLD E COOPER aka
HAROLD EUGENE COOPER
Aka HAROLD COOPER, Deceased

ORDER AND NOTICE OF HEARING ON PETITION FOR PROBATE OF WILL AND FOR APPOINTMENT OF PERSONAL REPRESENTATIVE IN UNSUPERVISED ADMINISTRATION AND NOTICE TO CREDITORS

It is Ordered and Notice is given that on February 16, 2018, at 8:15 o'clock a.m., a hearing will be held in this Court at the Redwood County Courthouse, Redwood Falls, Minnesota, for the formal probate of an instrument purporting to be the Will of the Decedent, dated July 2, 2009, and decedent dated N/A, for the appointment of Kerry Cooper, whose address is 11556 Co. Hwy. 20, Tracy, MN 56175, as Personal Representative of the Estate of

the Decedent in an unsupervised administration. Any objections to the Petition must be filed with the Court prior to or raised at the hearing. If proper and if no objections are filed or raised, the Personal Representative will be appointed with full power to administer the Estate including the power to collect all assets, to pay all legal debts, claims, taxes and expenses, to sell real and personal property, and to do all necessary acts for the Estate. Notice is also given that (subject to Minn. Stat. 524.3-801) all creditors having claims against the Estate are required to present the claims to the Personal Representative or to the Court Administrator within four (4) months after the date of this Notice or the claims will be barred.

District Court Judge, Probate Division
Court Administrator Patty Amberg
By: Michele Walz
Deputy Court Administrator
Dated: 1/8/2018

PAUL M. MALONE (#66941)
MALONE & MAILANDER
Attorneys at Law
2605 Broadway Avenue
P.O. Box 256
Slayton, MN 56172-0256
Phone: (507) 836-8581
Fax: (507) 836-8851
Email: pmalone@iw.net

(First Date of Pub.: Wed., Jan. 24, 2018)
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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: May 23, 2012

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$28,000.00

MORTGAGOR(S): Daniel Knudson, a single person
MORTGAGEE: Wells Fargo Bank, N.A.

DATE AND PLACE OF FILING: Recorded on May 25, 2012 as Document Number 195246 in the Office of the County Recorder of Lyon County, Minnesota.

ASSIGNMENTS OF MORTGAGE: Assigned to: None.

LEGAL DESCRIPTION OF PROPERTY: Lots One (1), Two (2) and Three (3) in Block One (1) of the Original Plat, City of Tracy, Lyon County, Minnesota, according to the recorded plat thereof.

STREET ADDRESS OF PROPERTY: 78 SOUTH ST, TRACY, MN 56175

COUNTY IN WHICH PROPERTY IS LOCATED: Lyon County, Minnesota.

THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE: \$19,375.41

TRANSACTION AGENT: None
NAME OF MORTGAGE ORIGINATOR: Wells Fargo Bank, N.A.

RESIDENTIAL SERVICER: Wells Fargo Bank, N.A.

TAX PARCEL IDENTIFICATION NUMBER: 31-100001-0 and 31-100002-0

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: March 15, 2018 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 September 17, 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: None

Dated: January 19, 2018

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
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