

Public Notice

Ballot

Judge

Judge

City of Tracy

State of Minnesota

February 13, 2018

City Question Ballot

City of Tracy, Minnesota

Special Recall Election

February 13, 2018

Instructions to Voters:

To vote, completely fill in the oval(s) next to your choice(s) like this:

City Question

To vote for a question, fill in the oval next to the word "Yes" on that question. To vote against a question, fill in the oval next to the word "No" on that question.

City Question

Shall Councilmember Tony Peterson be recalled?

Yes

No

Tracy

0170

Typ 01 Seq 0001 Sp 01

Sample Ballot

(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 pm. 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, 31, Feb. 7, 14, 21, 28, 2018)

17-107990

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

A S S I G N M E N T S O F 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. 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:

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
25 Dale Street North
St. Paul, MN 55102
(651) 209-9760
(18-0021-FC01)

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)

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

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NOTICE OF CUSTER TOWNSHIP REGULAR MONTHLY MEETINGS IN 2018

Notice is hereby given to residents of Custer Township, County of Lyon, State of Minnesota that the regular monthly meetings of the town board will be held on the last Monday of each month. In the event a legal holiday falls on the last Monday of the month, the meeting will be held on the last Tuesday. Meetings will be held at the residence on 1500 250th Avenue, Balaton MN.

January 29 at 1:30 P.M.
February 26 at 1:30 P.M.
March 26 at 1:30 P.M.
April 30 at 7:30 P.M.
May 29 at 7:30 P.M.
June 25 at 7:30 P.M.

July 30 at 7:30 P.M.
Aug 27 at 7:30 P.M.
Sept 24 at 7:30 P.M.
Oct 29 at 7:30 P.M.
Nov 26 at 1:30 P.M.
Dec 31 at 1:30 P.M.

Linda B Meaden, Clerk
Custer Township

Professional Directory



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Cell: 507-828-7050

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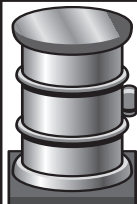
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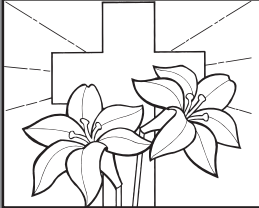
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