

Public Notice

(First Date of Pub.: Wed., Jan. 22, 2020)
(Dates of Pub.: Wed., Jan. 22, 2020)

LYON COUNTY BOARD OF COMMISSIONERS Tuesday, December 17, 2019

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 Crowley, Anderson, Sanow and Ritter. Members absent: Commissioner Graupmann. Also present: Administrator Stomberg and County Attorney Maes.

MSP to approve the agenda.
MSP to approve the consent agenda.
MSP to approve the Law Enforcement services contract extension with the City of Russell for JANUARY 22, 2020- December 31, 2021 as presented.

MSP to approve the Region V Homeland Security and Emergency Management Association Mutual Aid Agreement.

MSP to approve the 2019 Emergency Management Performance Grant.

MSP to approve the Lyon County Emergency Operations Plan and approve the resolution adopting the plan.

MSP to approve the purchase of 6 Motorola APX 4000 for \$3,608.45 per unit.

MSP to approve the listing of expenditures made during 2019 to be paid from the Recorder's Compliance Fund monies for a total of \$78,511.96.

MSP to approve the payment of claims on December 31, 2019 and extend approval to the Auditor/Treasurer to pay certain claims into 2020.

MSP to adopt a resolution to approve tax abatement to owners of 301 Stephen Avenue, Marshall, as the abatement meets the statutory requirements outlined in Minnesota Statute § 469.1813, subd. 1 as well as the County's policy requirements with an estimated abatement amount of \$3,678 over 4 years.

MSP to adopt a resolution to approve tax abatement to owners of 702 E. Southview Drive, Marshall, as the abatement meets the statutory requirements outlined in Minnesota Statute § 469.1813, subd. 1 as well as the County's policy requirements with an estimated abatement amount of \$1,920 over 4 years.

MSP to adopt a resolution to approve tax abatement to owners of 330 3rd St., Balaton, as the abatement meets the statutory requirements outlined in Minnesota

Statute § 469.1813, subd. 1 as well as the County's policy requirements with an estimated abatement amount of \$21,830 over 4 years.

MSP to table the Nexamp Solar, LLC CUP for the Balaton and Yankton locations until the January 7, 2020 meeting. Also requesting more information about the decommissioning costs.

MSP to award the Landfill construction base bid and alternate 1 bid from Rachel Contracting for a total of \$979,150.00.

MSP to approve the landfill construction professional consulting services with Burns & McDonnell for landfill construction oversight for the Phase 10A-2 construction project for a net total not to exceed \$137,000.

MSP to approve the authorization for professional engineering services for 2020 with Burns & McDonnell not to exceed \$110,000.

MSP to declare parcel 27-542004-4, 203 8th St, Marshall as surplus and advertise for sealed bids.

MSP to approve the 2020 Fee Schedule as presented.

MSP to raise the per diem rate to \$75/meeting and the maximum per diem per day would be \$140 and leave the salary and Board Chair rate the same.

MSP to approve the budget as presented and set the 2020 levy at \$15,080,187, which is a 2.2% increase from 2019.

MSP to enter into closed session at 11:18 a.m. to discuss the salary of the Sheriff and Attorney.

MSP to come out of closed session at 11:36 a.m.

MSP to set the Sheriff salary for 2020 at \$105,046.

MSP to set the County Attorney salary for 2020 at \$139,744.

MSP to adjourn at 11:40 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. 22, 2020)
(Dates of Pub.: Wed., Jan 22, 2020)

Public Notice

Lyon County has designated its official website for 2020 as [HYPERLINK "http://www.lyonco.org"](http://www.lyonco.org) www.lyonco.org. Official publication of

Advertisements for Bids of transportation construction projects will be posted on the official website.

(First Date of Pub.: Wed., Jan. 22, 2020)
(Dates of Pub.: Wed., Jan. 22, 29, Feb. 5, 12, 19, 26, 2020)

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: August 10, 2012

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$57,942.00

MORTGAGOR(S): Vernes Ann Bostic, an unmarried woman

MORTGAGEE: JPMorgan Chase Bank, N.A.

LENDER OR BROKER AND MORTGAGE ORIGINATOR STATED ON THE MORTGAGE: JPMorgan Chase Bank, N.A.

SERVICER: NewRez LLC, f/k/a New Penn Financial, LLC, d/b/a Shellpoint Mortgage Servicing

DATE AND PLACE OF FILING: Filed September 6, 2012, Lyon County Recorder, as Document

Number ER01927

ASSIGNMENTS OF MORTGAGE: Assigned to: NewRez LLC f/k/a New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing

LEGAL DESCRIPTION OF PROPERTY: Lots Twenty-One (21), Twenty-Two (22), Twenty-Three (23) and Twenty-Four (24) of Block 3, Moses Third Addition to the City of Tracy, State of Minnesota.

PROPERTY ADDRESS: 161 E Craig Ave, Tracy, MN 56175

PROPERTY IDENTIFICATION NUMBER: 31-1160190

COUNTY IN WHICH PROPERTY IS LOCATED: Lyon

THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE: \$53,644.49

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

(First Pub. Date: Wed., Jan 22, 2020)
(Pub. Dates: Wed., Jan 22, 2020)

SPECIAL MEETING OF THE LYON COUNTY BOARD OF COMMISSIONERS

The Lyon County Board of Commissioners will hold a special meeting on Tuesday, January 28, 2020, at 6:30pm in the Law Enforcement Center Basement, 611 W. Main St., Marshall, MN, to take public comment on a request for Lyon County to consent to allow initial refugee resettlement in Lyon County.

On September 26, 2019, President Trump issued an executive order requiring state and local governments to provide written consent to the federal government before refugees can be resettled in their jurisdictions. Beginning June 1, 2020, the order will generally apply to all arriving refugees including those with family members already living in Minnesota.

All interested parties are invited to attend. If you are unable to attend, any comments or questions may be submitted in writing by January 27, 2020, to the Lyon County Administrator's Office or by email to: lorenstomberg@co.lyon.mn.us

Lyon County Administrator
Lyon County Government Center
607 West Main Street
Marshall, MN 56258

as follows:

DATE AND TIME OF SALE: March 12, 2020, 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 12, 2020, or the next business day if September 12, 2020 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 16, 2020

NewRez LLC, f/k/a New Penn Financial, LLC, d/b/a Shellpoint Mortgage Servicing
Assignee of Mortgagee

SHAPIRO & ZIELKE, LLP

BY

Lawrence P. Zielke - 152559
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 Pub. Date: Wed., Jan. 15, 2020)
(Pub. Dates: Wed., Jan. 15 & 22, 2020)

NOTICE OF PUBLIC HEARING ON A PROPOSED SALE OF REAL PROPERTY OWNED BY THE ECONOMIC DEVELOPMENT AUTHORITY OF TRACY, MINNESOTA

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Council of Tracy, Minnesota on the 27th day of January, 2020, in the City Council Chambers at City Hall located at 336 Morgan Street, Tracy, Minnesota 56175, at 6:45 p.m. to consider the advisability of the sale of real property owned by the Economic Development Authority of Tracy, Minnesota located at 410 State Street in the City of Tracy (parcel # 31-184014-1) with the following legal description:

The Westerly Two Hundred Forty (240) feet of the following described tract: That part of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section Twenty-Four (24), Township One Hundred Nine (109), Range Forty (40), City of Tracy, Minnesota, described as follows:

Beginning at a point at the southeast corner of Lot Five (5), Block Two (2), Sunrise Addition, thence Easterly on a line parallel to the North line of State Street extended a distance of 540 feet; thence Southerly on a line parallel to the East line of Sunrise Addition, a distance of 448.3 feet; thence Westerly along the South line of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section Twenty-four (24), Township One Hundred Nine (109), Range Forty (40), a distance of 540 feet; thence Northerly along the East line of Sunrise Addition a distance of 446 feet to the point of beginning.

The terms and conditions of the proposed sale are available to the public at the Economic Development Authority of Tracy, Minnesota's office.

Dated this 15th day of January, 2020.

Shane Daniels, Interim City Clerk

(First Date of Pub.: Wed., Jan. 8, 2020)
(Dates of Pub.: Wed. Jan. 8, 15, 22, 2020)

NOTICE OF CANCELLATION OF CONTRACT FOR DEED

YOU ARE NOTIFIED:

THE RIGHT TO VERIFICATION OF THE DEBT AND IDENTIFICATION OF THE ORIGINAL CREDITOR WITHIN THE TIME PROVIDED BY LAW IS NOT AFFECTED BY THIS ACTION.

1. Default has offered in the Contract for Deed ("Contract") dated July 1, 2009. And recorded on August 17, 2009, as Document Number 182575, in the Office of the County Recorder of Lyon County, Minnesota, in which P C & B Properties, Inc., as seller, sold to Victor Cordova and Rebecca L Cordova, as purchaser, the real property in Lyon County, Minnesota, described as follows:

Lot 3, Block 3, Hennings Addition, City of Tracy

2. The default is as follows:
Failure to pay monthly installments of \$269.65 on September 1, 2017 and on the 1st day of each month thereafter through JANUARY 22, 2020 totaling \$8,089.50.

Failed to pay real estate taxes payable in 2018 of \$836.00.
Failed to pay real estate taxes payable in 2019 of \$1,686.00.

3. The conditions contained in Minn. Stat. 559.209 have been complied with or are not applicable.

4. THIS NOTICE IS TO INFORM YOU THAT BY THIS NOTICE THE SELLER HAS BEGUN PROCEEDINGS UNDER MINNESOTA STATUTES, SECTION 559.21, TO TERMINATE YOUR CONTRACT FOR THE PURCHASE OF YOUR PROPERTY FOR THE REASONS SPECIFIED IN THIS NOTICE. THE CONTRACT WILL TERMINATE **NINETY (90) DAYS AFTER THE FIRST DATE OF PUBLICATION OF THIS NOTICE** UNLESS BEFORE THEN:
(a). THE PERSON AUTHORIZED IN THIS NOTICE TO RECEIVE PAYMENTS RECEIVES FROM YOU:

(1) THE AMOUNT THIS NOTICE SAYS YOU OWE; PLUS
(2) THE COSTS OF SERVICE (TO BE SENT TO YOU); PLUS
(3) \$500.00 TO APPLY TO ATTORNEYS' FEES ACTUALLY EXPENDED OR INCURRED; PLUS
(4). FOR CONTRACTS EXECUTED ON OR AFTER MAY 1, 1980, ANY ADDITIONAL PAYMENTS BECOMING DUE UNDER THE CONTRACT TO THE

(First Date of Pub.: Wed. Jan. 1, 2020)
(Dates of Pub.: Wed. Jan. 1, 8, 15, 22, 29, Feb. 5, 2020)

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 4, 2016

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$50,500.00

MORTGAGOR(S): Ryan Peterson, a single person

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 January 8, 2016, Lyon County Recorder, as Document Number ER04171

LEGAL DESCRIPTION OF PROPERTY:

Commencing at a point 643 feet North of the Southwest corner of the SE 1/4 of the NW 1/4 of Section 9, Township 113, Range 40, and thence running East 170 feet, thence North 50 feet, thence West 170 feet, thence South 50 feet to beginning.

PROPERTY ADDRESS: 129 W 5th St N, Cottonwood, MN 56229

PROPERTY IDENTIFICATION NUMBER: 22-148025-0

COUNTY IN WHICH PROPERTY IS LOCATED: Lyon

THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE: \$49,329.15

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

SELLER AFTER THIS NOTICE WAS SERVED ON YOU; PLUS

(5). FOR CONTRACTS, OTHER THAN EARNEST MONEY CONTRACTS, PURCHASE AGREEMENTS AND EXERCISED OPTIONS, EXECUTED ON OR AFTER AUGUST 1, 1985, \$161.79 (WHICH IS TWO PERCENT OF THE AMOUNT IN DEFAULT AT THE TIME OF SERVICE OTHER THAN THE FINAL BALLOON PAYMENT, ANY TAXES, ASSESSMENTS, MORTGAGES, OR PRIOR CONTRACTS THAT ARE ASSUMED BY YOU); OR

(b). YOU SECURE FROM A COUNTY OR DISTRICT COURT AN ORDER THAT THE TERMINATION OF THE CONTRACT BE SUSPENDED UNTIL YOUR CLAIMS OR DEFENSES ARE FINALLY DISPOSED OF BY TRIAL, HEARING OR SETTLEMENT. YOUR ACTION MUST SPECIFICALLY STATE THOSE FACTS AND GROUNDS THAT DEMONSTRATE YOUR CLAIMS OR DEFENSES.

IF YOU DO NOT DO ONE OR THE OTHER OF THE ABOVE THINGS WITHIN THE TIME PERIOD SPECIFIED IN THIS NOTICE, YOUR CONTRACT WILL TERMINATE AT THE END OF THE PERIOD AND YOU WILL LOSE ALL THE MONEY YOU HAVE PAID ON THE CONTRACT; YOU WILL LOSE YOUR RIGHT TO POSSESSION OF THE PROPERTY; YOU MAY LOSE YOUR RIGHT TO ASSERT ANY CLAIMS OR DEFENSES THAT YOU MIGHT HAVE; AND YOU WILL BE EVICTED. IF YOU HAVE ANY QUESTIONS ABOUT THIS NOTICE, CONTACT AN ATTORNEY IMMEDIATELY.

5. The name, mailing address, street address or location and telephone number of the seller or of an attorney authorized by the seller to accept payments pursuant to this notice is:

Paul E Stoneberg
300 South O'Connell Street
Marshall, MN 56258
Street address or location where the Seller or the Attorney will accept payment pursuant to this notice:
300 South O'Connell Street
Marshall, MN 56258

507-537-00591

This person is authorized to receive the payments from you under this notice.

Paul E. Stoneberg

THIS COMMUNICATION IS FROM A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION WILL BE USED FOR THIS PURPOSE.

DATE AND TIME OF SALE: February 20, 2020, 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 August 20, 2020, or the next business day if August 20, 2020 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: December 20, 2019

Wells Fargo Bank, N.A.
Mortgagee

SHAPIRO & ZIELKE, LLP

BY
Lawrence P. Zielke - 152559
Melissa L. B. Porter - 0337778
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Certified Public Accountants

GREG SHAW, CPA; EDWARD CARTER, ENROLLED AGENT

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Quinn M. Horvath, Owner/Funeral Director

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Call 507-629-4300
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with a description and the week it ran.

