

Public Notice

(First Date of Pub.: Wed., Nov. 15, 2023)
(Dates of Pub.: Wed., Nov. 15, 22, 29, Dec. 6, 13, 20, 2023)

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: November 14, 2018
ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$176,248.00
MORTGAGOR(S): Adam Chandler, a single man
MORTGAGEE: Mortgage Electronic Registration Systems, Inc., as nominee for United Wholesale Mortgage

DATE AND PLACE OF FILING: Recorded on November 14, 2018 as Document Number 217253 in the Office of the County Recorder of Lyon County, Minnesota.

ASSIGNMENTS OF MORTGAGE: Assigned to: Lakeview Loan Servicing, LLC by assignment recorded on May 17, 2022 as Document Number ER13823 in the Office of the County Recorder of Lyon County, Minnesota.

LEGAL DESCRIPTION OF PROPERTY: Lot Ten (10), Block Six (6), First Addition to Morningside Heights, City of Marshall, Minnesota, according to the recorded plat thereof
Lyon County, Minnesota.

STREET ADDRESS OF PROPERTY: 400 HILL ST S, 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: \$174,466.78

TRANSACTION AGENT: Mortgage Electronic Registration Systems, Inc.

NAME OF MORTGAGE ORIGINATOR: United Wholesale Mortgage

RESIDENTIAL SERVICER: LoanCare, LLC
TAX PARCEL IDENTIFICATION NUMBER: 27-541035-0

TRANSACTION AGENT'S MORTGAGE IDENTIFICATION NUMBER: 100032412181756385

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: January 04, 2024 at 10:00 AM.

PLACE OF SALE: Lyon County Sheriff's Office, 611 West Main Street, Marshall, MN 56258.

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 July 5, 2024.

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: November 07, 2023
LAKEVIEW LOAN SERVICING, LLC
Mortgagee

TROTT LAW, P.C.

By: _____ /s/
N. Kibongni Fondungallah, Esq.

Samuel R. Coleman, Esq.
Sung Woo Hong, Esq.

Attorneys for Mortgagee
25 Dale Street North
St. Paul, MN 55102

(651) 209-9760
(23-0121-FC02)

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR.

(First Date of Pub.: Wed., Nov. 15, 2023)
(Dates of Pub.: Wed., Nov. 15, 22, 2023)

NOTICE OF PUBLIC HEARING ON AN ORDINANCE TO AMEND SECTION 4.40, SUBD. 9 OF THE CITY CODE

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Council on the 27th day of November 2023, in the City Hall located at 336 Morgan Street, Tracy, Minnesota 56175, at 6:30 p.m. to consider approving an ordinance to amend Section 4.40, subd. 9 of the City Code. The proposed ordinance is as follows:

City Code Section 4.40, subd. 9 shall be amended as follows:

"Subd. 9. DEFERMENT OF ASSESSMENTS.

A. ~~Deferral of Assessment Costs. Any System charge that the Tracy City Council approves at the assessment hearing may be levied for but can defer the first installment of any assessment levied until a designated future year, the year to be determined by when direct benefit is realized. At the time a deferred assessment becomes payable, it is divided into a number of installments such that the last installment shall be payable at a time determined by the Council.~~

~~Interest shall accrue during the period of deferment or paid during the period when the assessment becomes payable.~~

B. ~~Deferment of Special Assessment for Senior Citizens. The Tracy City Council, in accordance with Minnesota State Statutes 435.193 may defer the payment of any assessment for improvement projects defined herein on homestead property owned by a person who is 65 years of age or older for whom it would be a hardship~~

(First Date of Pub.: Wed., Nov. 22, 2023)
(Dates of Pub.: Wed., Nov. 22, 2023)

Notice is hereby given that the City of Balaton will receive sealed bids for the purchase of the following items:

Full Electric Hospital Beds (11 total)

All bids must be submitted for each item individually. Bid forms can be obtained at the Balaton City Office or by email at balatonmn@gmail.com. All bids must be in a sealed envelope and clearly marked **'Sale**

to make the payments:

~~The option to defer the payment of special assessments for Senior Citizens shall terminate, and all accounts accumulated plus applicable interest shall become due upon the occurrence of any of the following events:~~

- ~~The death of the owner when there is no spouse who is eligible for Senior Citizen deferment.~~
- ~~The sale, transfer, or subdivision of all or any part of the property.~~
- ~~The loss of homestead status on the property.~~
- ~~Determination by the Tracy City Council for any reason that there would be no hardship to require immediate or partial payment.~~

~~C. Procedure To Obtain Deferred Assessment. In accordance with Minnesota State Statute 435.193, the homeowner shall make application for deferred payment of special assessments on forms prescribed by the County Auditor of the County in which the homestead is located. Where the deferred assessment is granted, the auditor shall record a notice thereof with the County Recorder said county which shall set forth the amount recorded by the auditor along with and in the same manner as the amount of the assessment.~~

Pursuant to Minn. Stat. 435.193, as amended, the City Council may, by resolution, establish standards, guidelines, and procedures for the deferral of payments of special assessments."

Dated this 13 day of November 2023.

Jeff Carpenter, City Clerk/Administrator

(First Date of Pub.: Wed., Nov. 22, 2023)
(Dates of Pub.: Wed., Nov. 22, 2023)

NOTICE OF PUBLIC HEARING ON Aⁱⁱ ORDINANCE TO AMEND CHAPTER II, PART 6 OF THE BALATON CITY CODE

NOTICE IS HEREBY GIVEN that a public hearing will be held before the City Council on the 11th day of December 2023, in the City Hall located at 134 3rd Street, Balaton, Minnesota 56115, at 7:00 p.m. to consider the passage of an ordinance to amend Chapter II, Part 6 of the Balaton City Code as follows:

"The City Council of the City of Balaton does ordain:

1. Chapter II, Part 6 of the Balaton City Code shall be amended and replaced as follows:

"206.02 DEFINITIONS: For purposes of these policies, the following definitions will apply:

3. Benefit Earning Employees: Employees who are eligible for at least a pro-rated portion of city provided benefits. Except for sick leave benefits as provided in Section 206.14, such employees must be year-round employees who work at least 20 hours per week on a regular basis.

4. Employee: An individual who performs work for at least 80 hours in a year. An employee does not include an independent contractor.

8. Seasonal Employee: Employees who work only part of the year (100 days or less) to conduct seasonal work Seasonal employees may be assigned to work a full-time or part-time schedule. Seasonal employees do not earn credit for seniority.

9. Temporary Employee: Employees who work in temporary positions. Temporary jobs might have a defined start and end date or may be for the duration of a specific project. Temporary employees may be assigned to work a full-time or part-time schedule. Temporary employees do not earn credit for seniority.

10. Earned sick and safe time. "Earned sick and safe time" means paid time off for the purposes provided in Minn. Stat. 181.944 7, as amended. Earned sick and safe time and sick leave are synonymous and interchangeable.

11. Family member. "Family member" means:

- (1) an employee's:
 - (i) child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in loco parentis;
 - (ii) spouse or registered domestic partner;
 - (iii) sibling, stepsibling, or foster sibling;
 - (iv) biological, adoptive, or foster parent, stepparent, or a person who stood in loco parentis when the employee was a minor child;
 - (v) grandchild, foster grandchild, or stepgrandchild;
 - (vi) grandparent or stepgrandparent;
 - (vii) a child of a sibling of the employee;
 - (viii) a sibling of the parents of the employee; or
 - (ix) a child-in-law or sibling-in-law;
 - (2) any of the family members listed in clause (1) of a spouse or registered domestic partner;
 - (3) any other individual related by blood or whose close association with the employee is the equivalent of a family relationship; and
 - (4) up to one individual annually designated by the employee.
12. Domestic Abuse. "Domestic abuse" has the meaning given in section 518B.01.
13. Health care professional. "Health care professional" means any person licensed, certified, or otherwise authorized under federal or state law to provide medical or emergency services, including doctors, physician assistants, nurses, advanced practice registered nurses, mental health professionals, and emergency room personnel.
14. Sexual assault. "Sexual assault" means an act that constitutes a violation under Minn. Stat. 609.342 to 609.3453 or 609.352.
15. Stalking. "Stalking" has the meaning given in section 609.749.
16. Year. "Year" means the calendar year, January 1 to December 31.

206.03. SCOPE:

SUBD. 1. PERSONNEL COVERED. These policies apply to all employees of the city. Except as otherwise provided by state or federal law, these policies do not apply to:

1. Elected officials
2. City attorney
3. Members of city boards, commissions, and committees
4. Consultants and contractors
5. Volunteers, except as specifically noted for paid-per-call firefighters

206.11. COMPENSATION.
SUBD. 2. SEASONAL, TEMPORARY AND PART-TIME EMPLOYEES.

Whenever an employee works for a period less than the regularly established number of hours a day, days a week, or weeks a month, the amount paid shall bear the same relationship to the full time rate for the position as the time actually worked bears to the time required for full-time service. Seasonal and Temporary employees are not entitled to vacation leave, or holidays with pay.

SUBD. 5.
B. UNUSED SICK LEAVE OVER 120 DAYS. All full-time employees, who began employment before January 1, 2024, who have reached the maximum accumulation of 120 days of sick leave, may at the end of the year cash-out 25% of the accumulated sick leave over 120 days to either the POSTED RETIREMENT HEALTH CARE SAVINGS PLAN or THE DEFERRED COMPENSATION PLAN at the employee's regular rate of pay.

SUBD. 7. SEVERANCE PAY. All employees who began employment before January 1, 2024, upon completion of 10 years of service will receive severance pay for unused accumulated sick leave to a maximum of 120 days/960 hours. This severance pay will be cashed-out at a rate of 1/3 of the accumulated number of hours/days at the hourly rate being paid at the time of the resignation or retirement. Severance pay for unused accumulated sick leave shall not be paid to any employee who is involuntarily terminated, discharged, or separated from employment.

206.14. SICK LEAVE.
SUBD. 1. AMOUNT
Employees shall be entitled to eighty (80) hours of sick leave each year. Sick leave shall be available for immediate use at the start of each year. Unused hours do not carry over from year to year. Employees who begin employment after the start of the year, shall earn sick leave at the rate of one (1) hour for every thirty (30) hours worked, up to a maximum of forty-eight (48) hours for the first year of employment, and thereafter, shall be entitled to eighty (80) hours of sick leave at the beginning of each subsequent year, with no carry over of unused sick leave hours. Except as provided in Section 206.11, subds. 5 and 7, the City will not pay or compensate employees for unused earned sick leave hours.

SUBD. 2. USE OF SICK LEAVE. An employee may use earned sick leave for:

- (1) an employee's:
 - (i) mental or physical illness, injury, or other health condition;
 - (ii) need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or
 - (iii) need for preventive medical or health care;
- (2) care of a family member:
 - (i) with a mental or physical illness, injury, or other health condition;
 - (ii) who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or other health condition; or
 - (iii) who needs preventive medical or health care;
- (3) absence due to domestic abuse, sexual assault, or stalking of the employee or employee's family member, provided the absence is to:
 - (i) seek medical attention related to physical or psychological injury or disability caused by domestic abuse, sexual assault, or stalking;
 - (ii) obtain services from a victim services organization;
 - (iii) obtain psychological or other counseling;
 - (iv) seek relocation or take steps to secure an existing home due to domestic abuse, sexual assault, or stalking; or
 - (v) seek legal advice or take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic abuse, sexual assault, or stalking;
- (4) closure of the employee's place of business due to weather or other public emergency or an employee's need to care for a family member whose school or place of care has been closed due to

weather or other public emergency;
(5) the employee's inability to work or telework because the employee is: (i) prohibited from working by the City due to health concerns related to the potential transmission of a communicable illness related to a public emergency; or (ii) seeking or awaiting the results of a diagnostic test for, or a medical diagnosis of, a communicable disease related to a public emergency and such employee has been exposed to a communicable disease or the City has requested a test or diagnosis; and
(6) when it has been determined by the health authorities having jurisdiction or by a health care professional that the presence of the employee or family member of the employee in the community would jeopardize the health of others because of the exposure of the employee or family member of the employee to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease.

For the purposes of this subdivision, a public emergency shall include a declared emergency as defined in Minn. Stat. 12.03 or a declared local emergency under Minn. Stat. 12.29. After accrued sick leave has been exhausted, vacation leave may be used upon approval of the city council, to the extent the employee is entitled to such leave. Employees must use at least four (4) hours of sick leave per occurrence.

SUBD. 3 NOTICE. When taking sick leave, the employee shall notify his/her department head of this fact prior to the beginning of the scheduled workday. Failure to supply the department with adequate notice may be cause for denial of sick leave or other disciplinary action. If the need for use of sick leave is foreseeable, an employee shall provide a minimum of seven (7) days' advance notice to his/her department head prior to taking sick leave.

SUBD. 4. PENALTY. Using or claiming sick leave for a purpose not authorized by Subdivision 2 may be cause for disciplinary action under Section. 206.23.

SUBD. 5. REINSTATEMENT OF SICK LEAVE. When there is a separation from employment and the employee is rehired within one hundred eighty (180) days of separation, previously accrued earned sick leave that had not been used shall be reinstated. An employee is entitled to use accrued earned sick leave and accrue additional sick leave at the commencement of reemployment.

SUBD. 6. DOCUMENTATION. An employee who uses three or more consecutive days of sick leave shall provide reasonable documentation, as set forth in Minn. Stat. 181.9477, subd. 3, to City proving that the use of sick leave is covered by subdivision 2.

SUBD. 7 ACCUMULATION OF SICK LEAVE. Employees who began employment before January 1, 2024, may carry over and accumulate any sick leave that was earned and not used prior to January 1, 2024. Beginning January 1, 2024, any earned and unused sick leave hours shall not carry over in subsequent years, as set forth in subdivision 2 of this section. Accumulated unused sick leave exceeding one hundred twenty (120) days may be traded at the rate of four (4) unused sick days for one (1) vacation day.

206.23. DISCIPLINE.
SUBD. 1. IN GENERAL. City employees shall be subject to disciplinary action for failing to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable city policies. It is the policy of the city to administer disciplinary penalties in a non-discriminatory manner. Every disciplinary action shall be for just cause and the employee may demand a hearing or use the grievance procedure of Section 206.21 with respect to any disciplinary action which he/she believes is either unjust or disproportionate to the offense committed. The supervisor or department head shall investigate any allegation on which disciplinary action might be based before any disciplinary action is taken.

2. This ordinance becomes effective January 1, 2024."

Dated this 15 day of November, 2023

/s/ Kim Wall

Kim Wall, City Clerk