



# Board of County Commissioners Agenda Request

2K  
Agenda Item #

**Requested Meeting Date:**

**Title of Item:** Cancellation of Forfeiture Request - Frank

<input type="checkbox"/> REGULAR AGENDA <input checked="" type="checkbox"/> CONSENT AGENDA <input type="checkbox"/> INFORMATION ONLY	<b>Action Requested:</b> <input type="checkbox"/> Approve/Deny Motion <input checked="" type="checkbox"/> Adopt Resolution (attach draft) <small>*provide copy of hearing notice that was published</small>	<input type="checkbox"/> Direction Requested <input type="checkbox"/> Discussion Item <input type="checkbox"/> Hold Public Hearing*
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<b>Submitted by:</b> Kirk Peysar	<b>Department:</b> Auditor
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<b>Presenter (Name and Title):</b> Kirk Peysar	<b>Estimated Time Needed:</b> NA
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**Summary of Issue:**

Application for Cancellation of Forfeiture for parcel in Aitkin Township (See Attached)

**Alternatives, Options, Effects on Others/Comments:**

**Recommended Action/Motion:**

Approve application and adopt resolution for cancellation of forfeiture for parcel in Aitkin Township

**Financial Impact:**

Is there a cost associated with this request?  Yes  No

What is the total cost, with tax and shipping? \$

Is this budgeted?  Yes  No Please Explain:

CERTIFIED COPY OF RESOLUTION OF COUNTY BOARD OF AITKIN COUNTY, MINNESOTA

ADOPTED July 9, 2019

By Commissioner: xx

20190709-0xx

**Cancellation of Forfeiture**

**WHEREAS**, Michael and Barbara Frank were the owners of a parcel of land in Aitkin County described as Parcel ID 01-0-037201, (NE NE) Lot 3, (NW NE) Lot 2, SW NE, AND (SE NE) Lot 5 lying Sly of Rd ROW as in Document 385158, 64.47 Acres, and

**WHEREAS**, on March 4, 2010 a Mortgage dated February 16, 2010 was recorded as Document #398863 between John R Cosgriff (Lender) and Michael and Barbara Frank (Borrowers) for said property, and

**WHEREAS**, on August 10, 2018 said property forfeited for non payment of taxes, recorded August 14, 2018 as Document #446857, and

**WHEREAS**, John R Cosgriff was not notified as an interested party in said property regarding the pending forfeiture, and

**THEREFORE BE IT RESOLVED**, the Aitkin County Board of Commissioners approve the Cancellation of Forfeiture.

Commissioner xx moved for adoption of the resolution and it was declared adopted upon the following vote

FIVE MEMBERS PRESENT

All Members Voting Yes

STATE OF MINNESOTA}  
COUNTY OF AITKIN}

I, Jessica Seibert, County Administrator, Aitkin County, Minnesota do hereby certify that I have compared the foregoing with the original resolution filed in the Administration Office of Aitkin County in Aitkin, Minnesota as stated in the minutes of the proceedings of said Board on the 9<sup>th</sup> day of July, 2019 and that the same is a true and correct copy of the whole thereof.

Witness my hand and seal this 9<sup>th</sup> day of July, 2019

\_\_\_\_\_  
Jessica Seibert  
County Administrator

# Application for Cancellation of Forfeiture

PT90

in Aitkin County

The applicant requests that the certificate of forfeiture for the property described below be canceled pursuant to Minnesota Statutes, sections 279.33 and 279.34.

Applicant Information	Name(s) of applicant(s) <b>Aitkin County Auditor</b>			
	Mailing address of applicant <b>209 2nd Street NW Rm 202</b>			
	City <b>Aitkin</b>	State <b>MN</b>	Zip code <b>56431</b>	Phone <b>218-927-7354</b>
	Applicant is: <input checked="" type="checkbox"/> County auditor <input type="checkbox"/> Property owner <input type="checkbox"/> Owner's agent			

Property Information	<b>Legal description of property: (attach additional sheets if needed)</b> <b>(NE-NE) Lot 3, (NW-NE) Lot 2, SW NE, AND (SE-NE) Lot 3 Lying Sly of Rd ROW as in Doc 385158 Section 18, Township 47, Range 27 64.47 Ac</b>
	<b>All or part of the described real property is registered (Torrens):</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Certificate of Forfeiture	<b>Certificate of Forfeiture</b>	
	Date of execution <b>August 10, 2018</b>	Date of recording <b>August 14, 2018</b>
	Location of recording <b>Aitkin Co Recorder's Office</b>	Recording number <b>446857</b>

Cancellation	<b>Reason for Cancellation</b> <input type="checkbox"/> Exemption <input checked="" type="checkbox"/> Administrative error
	Explain in detail the reason(s) for cancellation. Attach additional sheets if necessary. <b>A party with interest in the property was not notified of the pending forfeiture. A mortgage was given by John R Cosgriff (doc #398863) but was not satisfied.</b>

Sign Here	Signature of applicant _____	Date _____
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County Approval	<b>Auditor to complete this section.</b> The County Board and county auditor of <u>Aitkin</u> County, Minnesota, have reviewed this application for the cancellation of the certificate of forfeiture for the property described above, pursuant to Minnesota Statutes 279.33 and 279.34, and recommend that the cancellation be granted by the Minnesota Department of Revenue.
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Sign Here	Signature of county auditor _____	County _____	Date _____	Phone _____
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Return application to: Minnesota Department of Revenue Property Tax Division Mall Station 3340 St. Paul, MN 55146-3340

Department Use Only	<b>Order of the Minnesota Department of Revenue</b> Upon examination of the contents of this application, it is hereby:		
	<input type="checkbox"/> <b>rejected.</b> Reasons for rejection:		
	<input type="checkbox"/> <b>accepted.</b> The certificate of forfeiture is to be canceled, and the county auditor is to record this application as a certificate of cancellation pursuant to Minn. Stat. 279.33 and 279.34 which will void the tax forfeiture of the property described in this application.		
	Commissioner of Revenue	By	Date application received by Minnesota Department of Revenue
Minnesota Department of Revenue's number		County Auditor's number	