

The Isanti County Board of Commissioners has prepared a List of Tax-Forfeited Land #2019-01, dated August 7, 2019, attached as Exhibit "B" and on file with the County Auditor-Treasurer, of lands forfeited to the state pursuant to MN Statutes Chapter 281, and classified as non-conservation lands pursuant to MN Statutes Chapter 282, and has determined the appraised value of each parcel.

Notice is hereby given that Isanti County shall sell to the highest bidder, but for not less than the appraised value as it appears on the List of Tax-Forfeited Land #2019-01, the parcels of land described on the List of Tax-Forfeited Land #2019-01, which have forfeited to the State of Minnesota for the non-payment of real estate taxes and which have been classified and appraised as provided by law. This sale will be governed by the terms set out below as approved by the resolution of the Isanti County Board of Commissioners, adopted on the 7th day of August, 2019. The sale shall commence at 9:30 a.m. on the 4th day of October, 2019, and will be held at the Isanti County Government Center, 555 18th Ave SW, Cambridge, MN in the County Board Room. Any parcel for which "no bid" is received at the public auction sale may be sold the next business day beginning at 8:00 a.m. at the Isanti County Auditor-Treasurer office located at 555 18th Ave SW, Cambridge, MN to anyone offering to pay the appraised value and each parcel will be sold on a first come, first serve basis. Each parcel shown on Exhibit "B" has been appraised for the amount set opposite the description thereof, and the County Auditor-Treasurer is authorized to offer each parcel to the highest bidder, but for not less than the appraised value, as determined at a public sale commencing at 9:30 a.m. on October 4, 2019. An opening bid price cannot be changed unless the parcel is re-appraised, republished, and offered at a subsequent auction.

Terms and Conditions of Sale

EARNEST MONEY TERMS: Certified funds, as Earnest Money, which are equal to the terms listed below shall be required at the time of registration. Registration will begin at 8:30 a.m. on October 4, 2019, by the Isanti County Board Room, on the 1st floor of the Isanti County Government Center, located at 555 18th Ave SW, St. Cambridge, MN. Earnest Money will be held by Isanti County Auditor-Treasurer staff during the public auction. Upon completion of the auction, tendered Earnest Money will be returned to all unsuccessful bidders. Earnest Money must meet the following criteria:

- for all properties must be equal to \$1,000.00 in order to bid and must be paid at the time of registration.
- must be in the form of certified funds.
 - **Acceptable certified funds are a certified check from a bank, money order, or cashier's check. Cash is not accepted.**
 - **The payee line must be made out to both Isanti County and the bidder (your name) with "or" between the names (see example below):**

Pay to the order of: "Isanti County OR Jane Doe" (← your name here)

PROOF OF IDENTIFICATION:

- Notary Procedure: At the time of sale, each purchaser must provide proof of identification by supplying a photo identification card (i.e. driver's license or state identification card).
- Power of Attorney Procedure: Any individual buying property from the tax forfeited land auction for another individual or group of individuals will not be allowed to sign the required documents unless proof of power of attorney is provided.

PROHIBITED PURCHASERS: MN Statute 282.016, paragraph (a) prohibits the following persons, either as an agent or attorney for another person, from purchasing tax forfeited lands offered for public sale in the county for which the person performs duties: county auditor, county treasurer, county attorney, court administrator of the district court, county assessor, supervisor of assessments, deputy or clerk or an employee of such office, a commissioner of tax-forfeited lands or an assistant to such commissioner. A person prohibited from purchasing property under this section must not directly or indirectly have another person purchase it on their behalf for their own benefit or gain.

TERMS OF SALE (Cash will not be accepted at the auction):

Full payment can be accepted on any property at the time of sale **OR** for each parcel of land sold for more than \$10,000.00 at least a 20% down payment is required the day of the sale, with a balance remaining payable in 48 level monthly payments, including interest. All additional money due must be paid by personal check or certified funds (see Additional Terms for Contract for Deed information on page 3).

Any successful bidder who does not complete his or her sale transaction for a property will forfeit his or her Earnest Money and the subject parcel will be offered for sale at the next available auction.

EXTRA FEES AND COSTS: In addition to the purchase price of the property, the following extra fees and costs are due when applicable:

At the time of sale, the following fees will be added:

- Assurance fee (3% of the total purchase price payable at the time of purchase). This is a surcharge for the state assurance account.
- Contract filing fee of \$46.00, if abstract or Torrens. It is \$92.00 if it is both abstract and Torrens.

At the time of final payment, the following fees will be added:

- State deed fee of \$25.00.
- Recording fee of \$46.00, if abstract or Torrens. It is \$92.00 if it is both abstract and Torrens.
- State deed tax:
 - 1) A \$1.65 minimum due for the purchase of properties up to \$500.00.
 - 2) For properties over \$500.00 state deed tax is .33% of the purchase price.

PRIOR OWNERS: If the prior owner is the successful bidder of the property, the purchase price must be the greater of 1) the amount of delinquent taxes and assessments, or 2) the successful bid price. [MN Statute 282.01, Subd. 7]

TAXES: Forfeited property that is sold at a public or private sale, on or before December 31st of an assessment year shall be placed on the assessment rolls for that year's assessment. [MN Statute 272.02, subd. 38(c)] For example, property sold in 2019 will be assessed in 2019 for taxes payable in 2020.

ASSESSMENTS: Assessments at the time of forfeiture and after forfeiture have been listed and may be subject to re-assessment by each respective municipality. Any pending assessments not certified to the State at the time of sale could be passed on to the new owner(s).

TITLE: The purchaser will receive a deed from the State of Minnesota, Commissioner of Revenue. If the property was purchased by contract for deed, the purchaser will receive a deed from the State of Minnesota, Commissioner of Revenue once the contract is finalized. The law provides that this conveyance shall have the force and effect of a patent from the state. However, tax forfeiture creates a break in the chain of title, and services of an attorney may be necessary to make the title marketable.

LIENS: Most mortgages and liens, except federal and state tax liens, are canceled at forfeiture. It is the responsibility of each potential bidder to thoroughly research this information.

CONDITIONS:

- Sales are subject to existing leases, to building restrictions appearing of record at the time of forfeiture, and to easements in effect at the time of forfeiture.
- **The county makes no warranty that the land is buildable. All property is sold "as is" and may not conform to local building and zoning ordinances.** It is your responsibility to contact the Isanti County Zoning department for details of building codes or zoning laws.
- Isanti County is not responsible for locating or determining property lines or boundaries.
- All sales are final and no refunds or exchanges are permitted.
- The seller, its employees or agents, have no further responsibility or liability with respect to the condition or management of the property after it has been sold.
- The appraised value does not represent a basis for future taxes.
- For parcels containing an on-site sewer system, you may be required at the discretion of the Isanti County Auditor-Treasurer to sign an agreement obligating you to complete an inspection of that onsite sewer system performed by an inspector licensed by the Minnesota Pollution Control Agency. You then must provide proof the on-site sewer system has been brought into compliance with all applicable codes and regulations.

CONDITION OF PROPERTY: The real property being purchased by the buyer, including the dwelling, other improvements, and fixtures, is sold "as is". The buyer understands and agrees that no representation has been made regarding the real property, the dwelling, the physical condition, and other improvements and fixtures by the seller, Isanti County, on behalf of the State of Minnesota, or the seller's employees or agents. The buyer understands and agrees that no representations have been made regarding the real property's soil conditions, including but not limited to load bearing, compaction, any type of contamination, build ability or any other conditions, by the seller, Isanti County, on behalf of the State of Minnesota, or the seller's employees or agents. A potential buyer must obtain authorization from Isanti County to perform soil testing, at their own expense, before purchasing a parcel by completing a Hold Harmless Agreement with the Isanti County Auditor-Treasurer. Once the buyer has purchased an interest in the property, the sale will not be rescinded if soil problems are discovered after the sale.

RADON WARNING STATEMENT: The Minnesota Department of Health strongly recommends that ALL homebuyers have an indoor radon test performed prior to purchase or taking occupancy and recommends having the radon levels mitigated if elevated radon concentrations are found. Elevated radon concentrations can easily be reduced by a qualified, certified, or licensed, if applicable, radon mitigator. Every buyer of any interest in residential real property is notified that the property may present exposure to dangerous levels of indoor gas that may place the occupants at risk of developing radon-induced lung cancer. Radon, a Class A human carcinogen, is the leading cause of lung cancer in

nonsmokers and the second leading cause overall. The seller of any interest in residential real property is required to provide the buyer with any information on radon testing.

Isanti County is not aware of any radon testing conducted on any of these properties. Radon records are not available. Radon concentration levels are unknown. There is not a radon mitigation system in place on any of the properties.

ADDITIONAL TERMS FOR CONTRACT FOR DEED:

- **INTEREST:** Interest is charged and becomes due with the monthly payment. The rate of interest, as prescribed by MN Statute 279.03, subd. 1a, is charged at the adjusted prime rate, but will not be less than 10% or more than 14%. Any or all installments may be paid in advance. There is no penalty for paying off the contract early.
- **INSURANCE:** The purchaser of a property with a building must carry fire and windstorm insurance in an amount equal to the purchase price as a condition of a sale on contract. Isanti County must be listed as loss payee on the insurance policy. A copy of the insurance policy is to be provided to the Isanti County Auditor-Treasurer within **60 days** after the date of purchase from the county.
- **FURNISHING OF LABOR OR MATERIALS:** The buyer shall not, during the terms of any contract, cause any material to be delivered or labor to be performed without written notice to Isanti County and lien waivers obtained. The buyer further agrees to indemnify and hold harmless Isanti County against all claims for labor and materials or services made against the property covered by any contract and for the cost of enforcing this indemnification including reasonable attorney's fees.
 - Any lien will constitute a default and shall result in cancellation of the CONTRACT FOR PURCHASE OF FORFEITED LANDS contract.
 - The purchaser will indemnify Isanti County and/or the State of Minnesota for environmental contamination as a result of purchaser's use and occupancy of the property.
- **DEFAULT:** Contracts may be canceled if the purchaser defaults for any one of the following reasons or combination of reasons:
 - Failure to pay a payment including interest when due,
 - Failure to pay property taxes before they become delinquent,
 - Failure to insure a property containing a structure during the term of the contract, or
 - Failure to provide a certificate of code compliance for a substandard structure as required by the city or township in which the property is located.

ADDITIONAL INFORMATION: If you have additional questions regarding the sale or the terms and conditions of the sale, you may contact the Isanti County Auditor-Treasurer at:

In Person: 555 18th Ave SW, St. Cambridge, MN

Phone: (763) 689-1644

Email: auditor@co.isanti.mn.us

- Failure to follow any of the terms or conditions stated could result in voiding the sale and the parcel being re-offered for auction. No exceptions will be made.
- All parcels of land have been viewed and none of the parcels physically pertain to the provisions of MN Statute 85.012, 92.461, 282.01, subd. 8, and 282.018.
- The Isanti County Auditor-Treasurer has the authority to remove any parcel prior to auction. Any additional requests to remove the same parcel from a subsequent auction must be approved by the Isanti County Board of Commissioners.