

**TERMS FOR THE SALE OF TAX FORFEITED PROPERTY  
IN FARIBAULT COUNTY, MINNESOTA**

**CONDITIONS AND TERMS** of the public sale shall be described herein:

The Auditor's Office makes no warranty that the land is buildable and may not conform to local building and zoning ordinances. It is your responsibility to contact the municipality where the land is located for details of building codes or zoning laws.

**PAYMENT TERMS: CASH OR APPROVED CHECK**

All sales will be for cash or approved check only. All sales are final, and no provision is made for refund or exchange, unless there is an error on the part of the selling entity.

All parcels are offered in the order that the parcels appear in the notice of public sale that was published in the official county newspaper. The minimum bid acceptable is the basic sale price shown on the list of tax-forfeited land. The basic sale price may include extra charges for special assessments levied after forfeiture or for hazardous waste control. Parcels will be sold to the highest bidder.

**EXTRA FEES AND COSTS**

In addition to the Basic Sale Price the following extra fees will be collected at the time of sale:

Assurance Fee: 3% of the basic sale price (This is a surcharge for the state assurance account)

State Deed Fee: \$25.00

State Deed Tax: 0.33% of the net consideration when the purchase price exceeds \$3,000 or  
\$1.65 when the purchase price is \$3,000 or less

Recording Fee: \$46.00

Full payment must be received at the time of sale.

**SPECIAL ASSESSMENTS: LEVIED BEFORE AND AFTER FORFEITURE**

Reassessments of cancelled improvements/assessments will be in accordance with Minnesota statutes, reading in part, as follows:

M.S. 429.071, Subd. 4 Reassessment, tax-forfeited land. When a parcel of tax-forfeited land is returned to private ownership and the parcel is benefited by an improvement for which special assessments were canceled because of the forfeiture, the municipality that made the improvement may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to the parcel in an amount equal to the amount remaining unpaid on the original assessment.

M.S. 435.23 Reassess tax-forfeited land back in private ownership. Any municipality, political subdivision, or other public authority may make a reassessment or new assessment pursuant to M.S. 429.071, Subd. 4, notwithstanding that the original assessment may have been made pursuant to other general or special laws.

Any special assessments certified after forfeiture will be added to the basic sale price. Local improvements constructed but not yet assessed must be assumed by the purchaser.

Please check with the municipality for special assessment status.

**OVER THE COUNTER SALES**

Parcels offered and not sold at the public auction may be purchased at the Faribault County Auditor's Office for the basic sale price plus additional charges the following business day after the public sale. These parcels cannot be sold for less than the basic sale price. The basic sale price cannot be changed until the parcel is reappraised, republished, and offered again at a later public sale.

**TITLE: PROOF OF OWNERSHIP**

The buyer will receive a receipt at the time of the sale. The Department of Revenue will issue a state quit claim deed after full payment is made.

Purchaser(s) must pay applicable deed fees at the time of purchase. The law provides that this conveyance shall have the force and effect of a patent from the State of Minnesota. Tax forfeiture creates a break in the chain of title and services of an attorney may be necessary to make the title marketable.

**BOUNDARIES**

Faribault County is NOT responsible for locating property lines or boundaries on tax forfeited parcels. For all land not in a platted subdivision, there are restrictive covenants for marginal lands and wetlands.

**ABSTRACT OF TITLE**

The State or Faribault County does not provide an abstract of title.

**CONDITIONS: RESTRICTIONS ON THE USE OF THE PROPERTIES**

Sales are subject to the following restrictions on the use of the properties:

- (1) existing leases,
- (2) easements obtained by a governmental subdivision or state agency for a public purpose,
- (3) building codes and zoning laws, and
- (4) dedications, declarations, covenants, and restrictions.

It is the responsibility of each potential bidder to research property records for information.

**MARGINAL LAND OR WETLANDS**

The state deed that is issued for any parcel classified as "Marginal Land or Wetlands" will contain a restrictive covenant stating that the parcel is prohibited from enrolling in any state program of compensation for conservation of marginal land or wetlands. Minnesota law prohibits filling or draining of wetlands, and marginal lands must have a conservation plan to minimize soil erosion. Further questions should be directed to the Faribault County Soil and Water Conservation Office.

**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 an interest in residential real property is notified that the property may present exposure to a dangerous level of indoor radon 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 test results of the dwelling.

Faribault 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.

### **RESUMPTION OF TAXATION**

Tax Forfeited property purchased by a taxable party that is sold on or before December 31<sup>st</sup> of an assessment year shall be placed on the assessment rolls for that year's assessment and tax will be payable in the following calendar year. (M.S. 272.02, Subd. 38(c))

### **MORTGAGES AND OTHER LIENS**

Regarding unsatisfied recorded mortgages and other liens: It is advised that all buyers consult a real estate attorney prior to purchasing tax forfeited properties with unsatisfied mortgages and/or other liens held against them.

### **EFFECT ON FUTURE VALUATION**

Appraised value for purposes of the sale does not represent a valuation to determine future taxes which may be owed on the property.

### **PROHIBITED PURCHASERS OR BIDDERS**

The following individuals (either personally or as an agent or attorney for any other person) are prohibited from bidding on and purchasing a parcel of tax-forfeited land unless the parcel was owned by the individual before forfeiture: county auditor, county treasurer, county attorney, court administrator of the district court, assessor or supervisor of assessments, land commissioner or assistant land commissioner for tax-forfeited lands, or any deputies or employees of any of the above individuals. 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.

Prohibited purchasers or bidders also include any person or entity, or entity controlled by such person, that is an owner or taxpayer of real property situated in Faribault County that has delinquent property taxes.

After a winning bid, a search will be performed to determine if the winning bidder is a prohibited purchaser or bidder and closing of the sale will not take place until the search verifies the winning bidder is not a prohibited purchaser or bidder. If a winning bid has been awarded to a prohibited bidder or purchaser, the sale will be nullified as invalid. The property cannot be sold on the over-the-counter list and may be re-offered at a future auction at the sole discretion of Faribault County.

**NON-PAYING WINNING BIDDERS**

If the winning bidder does not pay for the property at the time of sale, they will be banned from Faribault County Tax Forfeited Property Sales for a period of three years. After three years the non-paying bidder will be required to pay a \$100 cash down payment before being allowed to bid.

**PRIOR OWNERS**

If the prior owner is the successful bidder of the property, that person may not purchase that same parcel of property at the sale for a purchase price less than a) the sum of all taxes, special assessments, penalties, interest, and costs due at the time of repurchase, as computed under M.S. 282.251, plus b) any special assessments for improvements certified as of the date of sale (M.S. 282.01, Subd. 7)

**DISCLAIMER**

Faribault County, nor any political subdivision therein, is in no way warranting title, nor is there any intention to guarantee either expressly or through implication, that there are no easements, restrictions or covenants on any property which has forfeited to the State of Minnesota for non-payment of real estate taxes. All purchasers of tax forfeited property should seek the advice of a competent real estate attorney to determine the validity of title received via a state deed. Faribault County or any political subdivisions do not accept responsibility for errors contained in legal descriptions of tax forfeited properties. These descriptions are for tax purposes only and are not meant to fully describe actual boundaries of properties. Title is taken as is with no warranty as to marketability or condition. The County, as agent for the State of Minnesota as the "Seller", its employees, or agents, has no further responsibility or liability with respect to the condition or management of the property after it has been sold to the purchaser.

Please contact the Faribault County Auditor's Office with any questions regarding the sale process at 507-526-6211. The office is located at 415 North Main Street, Blue Earth, MN.