

BENTON COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
BENTON COUNTY BOARDROOM
SEPTEMBER 23, 2024

The Benton County Board of Commissioners met in special session on September 23, 2024, in the Benton County Board Room in Foley, MN. Call to order by Chair Jared Gapinski was at 9:00 AM followed by the Pledge of Allegiance to the flag. A roll call showed Commissioners Beth Schlangen, Steve Heinen, Jared Gapinski, Scott Johnson, and Ed Popp present.

Under Open Forum, Dennis Schmit of 9035 25th St NE, Sauk Rapids, MN, urged the County Board to pave County Road 50. Gapinski shared that County Road 50 is on the 5-Year Plan to be paved in 2027. Also at the Open Forum was Michael Willemsen of 915 7th Street South, St. Cloud, who gave positive feedback of the County Parks and suggested to add maps of the parks for people to use.

Motion by Johnson and seconded by Popp to approve Consent Agenda items 1 - 9: 1) approve the Regular Meeting Minutes of September 3, 2024 and authorize the Chair to sign; 2) approve the Committee of the Whole Meeting Minutes of September 10, 2024 and authorize the Chair to sign; 3) appoint a Public Health Staff Member to the Benton County Park Commission; 4) approve the Management Representation Letter related to the audit of Benton County Financial Statements for the year ending December 31, 2023 and authorize the Chair to sign; 5) approve the Application for Local Option Disaster Abatement for 2024 for Parcel M 09.50291.00; approve the Joint Powers Agreements with Local Government Units for the enforcement and regulation of cannabis and authorize the Chair to sign; 7) approve the Special Road Use Permit for the Hello Fall Festival for the City of Rice and authorize the Chair to sign; 8) approve contract amendment to MN DOC Work Release contract and authorize the Chair to sign; 9) accept and file the Veteran Services Officer Quarterly Report. Motion carried unanimously.

County Administrator Montgomery Headley requested the County Board to adopt a proposed 2025 property tax levy and County budget. Headley summarized the major factors in the proposed 2025 Budget and Levy which include:

The proposed 2025 levy increases 4.98%, or \$1,183,381 from 2024, to a total property levy of \$24,931,859

With this proposed change for 2025, the 10-year average levy change for Benton County is a 2.7% increase

Due to increases in the homestead market value exclusion and other valuation reductions tied to sales data, the County's tax capacity is expected to contract by 0.7% in payable 2025, resulting in the County tax rate increasing from 44% to 46.5% (but down from a peak of 77.6% in 2014)

Based on a median house value of \$276,124 (up 1.18% from payable 2024's median value of \$272,910), a homeowner's County property taxes would increase \$38.61 in 2025, or \$3.22 per month

The proposed 2025 operating budget totals \$69,886,758, an increase of \$15,250,439, or a 27.9% increase from 2024; most of the increase is due to a substantially larger 2025 road construction program

The proposed levy increase is comprised of the following major elements:

Table with 2 columns: Element, Amount. Includes Employee compensation and benefits (\$1,079,199), Use full certified 2025 County Program Aid for levy reduction (\$583,115), New positions (175,204), Expected increase in out-of-home placements (Human Services) (171,664), Additional contracted Probation agent/DOC cost allocation (150,457), Add fully ensured comprehensive dental coverage for employees (120,000), Increased usage of East Central Regional Juvenile Detention Center (55,000), Increase for contracted University of MN Extension Educator positions (43,714), All other operating and revenue account adjustments (net) (28,742), Total Levy Change for 2025 (\$1,183,381)

The proposed budget includes the following "Policy Issues" from County Board action:

Two full-time Detention Officer positions to address Minnesota Department of Corrections staffing requirements for "five-post" Jail operations; this action includes eliminating two part-time Detention Officer positions and the County Board's intention that the Sentence to Service (STS) program will be suspended, allowing the STS Crew Leader to work full-time in the Jail

An Environmental Technician/Ditch Inspector in Highway to manage state and federal environmental permitting associated with road projects, and to assume primary responsibilities for inspections and management of the County public drainage system

In Human Services, an Eligibility Specialist for the resumption of medical assistance eligibility redeterminations (offset by one-time state funding and based on the assumption that the position will be eliminated through attrition once state funding is exhausted); two Social Workers for MNCHOICE assessments, fully offset by state/federal funding, two Home and Community Based Waiver Services Social Workers, also fully offset by state/federal funding (all four Social Worker positions added to address growing caseloads), and a half-time Fiscal Staff position which is fully offset by state/federal funding

Adding a fully-insured, comprehensive dental plan for employees (no cost to employees); current dental plan covers preventative services only

The County's General Revenue fund balance at the end of 2023 stood at 6.1 months of expenditure coverage, versus a goal standard of 5 months expenditure coverage; the Human Services fund balance equaled 5.7 months of expenditure coverage at December 2023; the proposed budget uses \$623,060 in fund balance from these funds to support the County's five-year capital improvement plan for major building maintenance and technology projects.

Motion by Popp and seconded by Heinen to approve a Resolution setting the proposed 2025 levy at \$24,931,859. Motion carried unanimously.

Next, motion by Johnson and seconded by Gapinski to approve a Resolution establishing the proposed 2025 Benton County budget as presented. Motion carried unanimously.

Next, pursuant to the Truth in Taxation statute, the date, time, and place of the County's Truth in Taxation public meeting must be announced at the same meeting where the proposed 2025 levy is adopted. Also, the Truth in Taxation meeting may be combined with a regular County Board meeting held between November 25th and December 30th, but the Truth in Taxation portion may not occur until after 6:00 PM. Chair Gapinski announced that the Benton County Board of Commissioners will conduct a Truth in Taxation public meeting on Tuesday, December 3, 2024 at 6:00 PM in the Benton County Boardroom.

Next, Headley requested the County Board to consider the final DDA recommendations for the Class and Comp Maintenance Program for 2025. The County Board authorized the establishment of an annual Class and Comp Maintenance program, administered by David Drown and Associates (DDA). Each year the DDA consultant reviews one-third of the County's job classifications for potential grade changes based on either job changes or labor market (or both). Tessia Melvin of DDA reviewed the final recommendations. Headley shared the County Personnel Policies showing how Maintenance Program changes can be implemented, including career ladder recommendations (called "Career Advancement Promotions" in the Personnel Policies). Headley noted that it would cost approximately \$155,000 to implement the Class and Comp Maintenance Program in 2025, which was included in the proposed budget and levy. Motion by Heinen and seconded by Popp to approve the DDA Maintenance Program recommendations for 2025, with implementation to follow County Personnel Policies. Motion carried unanimously.

Next, Headley requested the County Board to consider the replacement of the fuel control system at the Highway fuel station. The fuel monitoring and control system in the Highway fuel station is now 18 years old. The vendor has indicated it has reached end of life. Obtaining replacement parts has become difficult. Recent failures of the system have prevented fuel dispensing from the station. The system monitors fuel levels in the tanks, manages user access (through a card system) and tracks fuel dispensed to each vehicle. The vendor has quoted a replacement cost of \$22,496. Funding can be provided by CIP fund balance. Motion by Johnson and seconded by Popp to authorize the replacement of the Highway Department fuel control system as per the quote, and funding from the CIP fund balance. Motion carried unanimously.

Next, Headley requested the County Board to allocate the remaining unobligated ARPA funds. Headley reminded the County Board of the December 2024 deadline to obligate any unspent ARPA funds and reviewed the previous city allocations. There was a consensus of the County Board to obligate the remaining ARPA funds to the city of Rice to support the installation of a new City well; to the city of Sauk Rapids to support the installation of water and sewer infrastructure; and to the City of Foley to support the creation of residential lots. Headley will bring the agreements back to the County Board for adoption at a future Board Meeting.

Next, County Engineer Chris Byrd requested approval for direct negotiations for right-of-way for CSAH 1 and CSAH 29 project. As part of the construction project at CSAH 1 and CSAH 29, the County needs additional highway easement to be able to construct a roundabout that increases safety at this intersection. The Department has hired Rinke Noonan to perform negation services in good faith with landowners to acquire necessary permanent easements. The timeline on this project is crucial due to the Federal grants the County received that partially fund construction. The resolution authorizes Rinke Noonan to acquire the necessary easements by direct negation and if necessary, authorizes the County Attorney's Office to exercise the power of eminent domain. Motion by Heinen and seconded by Popp to adopt the Resolution to acquire additional road right-of-way for CSAH 1 and CSAH 29 project. Motion carried unanimously.

Next, Byrd requested the County Board to consider awarding a Construction Contract for project CP 005-053-001. This project is a full-depth reclamation project of County Road 53 in the town of Oak Park. Bids were opened on September 13, 2024 at 10:00 AM. They received 3 bids from Knife River, Helmin Construction and Minnesota Paving and Materials. Knife River was the lowest responsible bidder. Their bid is \$245,861.35, which is 11% below the Engineer's estimate of \$275,805.00. Byrd recommended approval of the Construction Contract with Knife River. Motion by Johnson and seconded by Gapinski to award a Construction Contract to Knife River Corporation - North Central in the amount of \$245,861.35 for project No. CP 005-053-001. Motion carried unanimously.

The County Board Meeting recessed at 10:04 AM to conduct a Ditch Authority Meeting.

The County Board reconvened at 10:35 AM.

Next, Board members reported on recent meetings they attended on behalf of Benton County. There were no additional comments under Comments by Commissioners.

Johnson/Gapinski to set the Committee of the Whole Meetings: Monday, October 14, 2024 AMC District 5 Fall Meeting, Crow Wing County Land Services Building, 322 Laurel St., Brainerd, MN 56401, 8:00 AM; Monday, October 21, 2024 Human Services and Public Health Quarterly Meeting, Human Services 3rd Floor Conference Room, Foley, 9:00 AM; Monday, October 21, 2024 River Heights Facility and Lincoln Center Tour, River Heights Facility address: 1307 Lincoln Ave SE, St. Cloud, MN 56304; Lincoln Center address: 630 Lincoln Ave SE, St. Cloud, MN 56304, ending at River Heights Facility at 11:00 AM and touring at Lincoln Center. Motion carried unanimously.

Chair Gapinski adjourned the Regular Board Meeting at 10:53 AM.

Jared Gapinski, Chair
Benton County Board of Commissioners

ATTEST:
Montgomery Headley
Benton County Administrator

CERTIFICATE OF ASSUMED NAME
Minnesota Statutes
Chapter 333

ASSUMED NAME: MR POTATO.
PRINCIPAL PLACE OF BUSINESS IS: 9805 SHARON PL
NW, RICE, MN 56367 USA.
APPLICANT(S): Anna Marie's, LLC, 9805 SHARON PL
NW, RICE, MN 56367 USA.

By typing my name, I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

/s/ Claudia M. Revermann
09/13/2024

PROBATE NOTICE

STATE OF MINNESOTA
COUNTY OF BENTON
DISTRICT COURT
SEVENTH JUDICIAL
DISTRICT
Case Type: Probate
Court File No: 05-PR-24-1673

ORDER AND NOTICE OF HEARING ON PETITION FOR FORMAL PROBATE OF WILL AND APPOINTMENT OF PERSONAL REPRESENTATIVE AND NOTICE TO CREDITORS

In Re: Estate of
DeLaine M. Moriarty,

Decedent.

TO ALL INTERESTED PERSONS AND CREDITORS:

It is Ordered and Notice is hereby given that on the 4th day of November, 2024, at 8:00 a.m., a hearing will be held in the above-name Court at 615 Highway 23, Foley, Minnesota, for the formal probate of an instrument purporting to be the will of the above-named decedent, dated November 24, 1997, and for the appointment of Patrick J. Moriarty, whose mailing address is 30275 Co Rd 50, St. Joseph, Minnesota 56374, as personal representa-

tive of the estate of the above-named decedent in unsupervised administration, and that any objections thereto must be filed with the Court. That, if proper, and no objections are filed, a personal representative will be appointed to administer the estate, to collect all assets, pay all legal debts, claims, taxes and expenses, and sell real and personal property, and do all necessary acts for the estate. This hearing will be held administratively and you are not required to appear.

Notice is further given that ALL CREDITORS having claims against said estate are

required to present the same to said personal representative or to the Court Administrator within four months after the date of this notice or said claims will be barred.

Dated: September 23, 2024
/s/ Ole Tvedten
Judge
/s/ Megan Bergman
Court Administrator
Attorney for Petitioner:
Willenbring, Dahl, Wocken & Zimmermann, PLLC
Daniel T. Zimmermann
(141835) (bak)
318 Main Street - PO Box 417
Cold Spring, MN 56320
Telephone: (320) 685-3678

F-41-1B

PROBATE NOTICE

STATE OF MINNESOTA
COUNTY OF BENTON
SEVENTH JUDICIAL
DISTRICT
DISTRICT COURT
PROBATE DIVISION
Court File No: 05-PR-24-1434

NOTICE AND ORDER OF HEARING ON PETITION FOR PROBATE OF WILL AND APPOINTMENT OF PERSONAL REPRESENTATIVE AND NOTICE TO CREDITORS

Estate of
Susan M. Johnson,

Decedent.

It is Ordered and Notice is given that on November 18, 2024, at 8:00 AM, a hearing will be held in this Court at 615 MN-23, Foley, MN 56329, Minnesota, for the formal probate of an instrument purporting to be the Will of the Decedent dated, February 6, 2023, ("Will"), and for the appointment of Barbara Kroll, whose address is 32499 Co Rd 1, St. Cloud, MN, 56303 as Personal Representative of the Estate of the Decedent in an UNSUPERVISED administration. Any objections to the petition must be filed with the Court prior to or raised at the hearing. If proper and if no ob-

jections are filed or raised, the Personal Representative will be appointed with full power to administer the Estate including the power to collect all assets, to pay all legal debts, claims, taxes and expenses, to sell real and personal property, and to do all necessary acts for the Estate.

Notice is also given that (subject to Minnesota Statutes section 524.3-801) all creditors having claims against the Estate are required to present the claims to the Personal Representative or to the Court Administrator within four months after the date of this Notice or the claims will be barred.

BY THE COURT
Dated: October 1, 2024
/s/ Robert J. Raupp
Judge of District Court
Dated: October 1, 2024
/s/ Megan Bergman
Court Administrator
Attorney for Petitioner
John H. Wenker
Quinlivan & Hughes, PA
1740 West St. Germain St.
St. Cloud, MN 56301
Attorney License No: 232385
Telephone: (320) 251-1414
FAX: (320) 251-1415
Email: JWenker@Quinlivan.com

F-41-2B

PROBATE NOTICE

STATE OF MINNESOTA
COUNTY OF BENTON
SEVENTH JUDICIAL
DISTRICT
DISTRICT COURT
PROBATE DIVISION
Court File No: 05-PR-24-1682

NOTICE AND ORDER OF HEARING ON PETITION FOR FORMAL ADJUDICATION OF

INTESTACY, DETERMINATION OF HEIRSHIP, APPOINTMENT OF PERSONAL REPRESENTATIVE AND NOTICE TO CREDITORS

Estate of
Ruth Lynn Moeller, aka Ruth L. Moeller and Ruth Moeller,
Decedent.

It is Ordered and Notice is given that on November 18,

2024, at 8:00 a.m., a hearing will be held in this Court, remotely by zoom at 615 Highway 23, Foley, Minnesota, for the adjudication of intestacy and determination of heirship of the Decedent, and for the appointment of Tomiah J. Moeller, whose address is 19827 County 38, Long Prairie, MN 56347 as Personal Representative of the Estate of the Decedent in an unsupervised administration. Any objections to the petition must be filed with the Court prior to or raised at the hearing. If proper and if no objections are filed or raised, the Personal Representative will be appointed with full power to administer the Estate, including the power to collect all assets, to pay all legal debts, claims, taxes and expenses, to sell real and personal property, and to do all necessary acts for the Estate. This hearing will be held administratively and you

are not required to appear. Notice is also given that (subject to Minn. Statutes section 524.3-801) all creditors having claims against the Estate are required to present the claims to the Personal Representative or to the Court Administrator within four months after the date of this Notice or the claims will be barred.

BY THE COURT
Dated: September 26, 2024
/s/ Robert J. Raupp
Judge of District Court
/s/ Megan Bergman
Court Administrator
Attorneys for Petitioner
Michael Metherd
Johnson/Turner
56 East Broadway Avenue
Forest Lake, MN 55025
Attorney License No: 396314
Telephone: (651) 464-7292
FAX: (651) 464-7348
Email: michael@johnsonturner.com

F-40-2B

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA
ORDINANCE NO. 487
AN ORDINANCE
AMENDING SECTION 610
OF THE CITY CODE
REGULATING SEWER
RATES AND CHARGES

The Sewer Rates and Charges were amended to allow for the consideration of actual usage for the months of May, June, July, and August

when calculating the sewer rate schedule. A copy of the ordinance is available at City Hall during regular business hours.

Passed and adopted by the Foley City Council on October 1, 2024.

Jack Brosh
Mayor

ATTEST:
Sarah A. Brunn
City Administrator

F-41-1B

PUBLIC NOTICES

24-117858
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: July 25, 2006
 ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$4,000.00
 MORTGAGOR(S): Douglas J. Kutz and Judy M. Kutz, husband and wife
 MORTGAGEE: Washington Mutual Bank
 LENDER OR BROKER AND MORTGAGE ORIGINATOR STATED ON THE MORTGAGE: Washington Mutual Bank
 SERVICER: JPMorgan Chase Bank, N.A.
 DATE AND PLACE OF FILING: Filed August 16, 2006, Benton County Recorder, as Document Number A 340987
 ASSIGNMENTS OF MORTGAGE: Assigned

NOTICE OF MORTGAGE FORECLOSURE SALE
 to: JPMorgan Chase Bank, National Association
 LEGAL DESCRIPTION OF PROPERTY: THE EAST 525 FEET OF THE NORTH 416 FEET OF THE SOUTH 680 FEET OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE 1/2 OF NE 1/4) OF SECTION TWENTY-SIX (26), TOWNSHIP THIRTY-SIX (36) NORTH, RANGE THIRTY (30) WEST, FOURTH PRINCIPAL MERIDIAN, BENTON COUNTY, MINNESOTA.
 PROPERTY ADDRESS: 1083 65th Avenue Northeast, Sauk Rapids, MN 56379
 IDENTIFICATION NUMBER: 090038100
 COUNTY IN WHICH PROPERTY IS LOCATED: Benton
 THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE: \$29,358.18
 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 follows:
 DATE AND TIME OF SALE: October 29, 2024, 10:00AM
 PLACE OF SALE: Sheriff's Main Office, Lobby of Law Enforcement Center, 581 Hwy 23, Foley, MN 56329
 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 April 29, 2025, or the next business day if April 29, 2025 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: August 28, 2024
 JPMorgan Chase Bank, National Association
 Assignee of Mortgagee
 LOGS Legal Group LLP
 Tracy J. Halliday - 034610X
 LOGS Legal Group LLP
 Attorneys for Mortgagee
 1715 Yankee Doodle Road, Suite 210
 Eagan, MN 55121
 (952) 831-4060
 THIS IS A COMMUNICATION FROM A DEBT COLLECTOR
 F-36-6B

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: September 9, 2011
 ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$161,658.00
 MORTGAGOR(S): Thomas Kolbo, a single adult
 MORTGAGEE: Mortgage Electronic Registration Systems, Inc., as nominee for Liberty Savings Bank
 DATE AND PLACE OF FILING: Recorded on September 21, 2011 as Document Number 383861 in the Office of the County Recorder of Benton County, Minnesota.
 ASSIGNMENTS OF MORTGAGE: Assigned to: JPMorgan Chase Bank, N.A. by assignment recorded on December 23, 2015 as Document Number A413639 in the Office of the County Recorder of Benton County, Minnesota.
 LEGAL DESCRIPTION OF PROPERTY: Lot 16, Block 2, Fox Meadows, Benton County, Minnesota.
 STREET ADDRESS OF PROPERTY: 909 7TH ST NE, RICE, MN 56367
 COUNTY IN WHICH PROPERTY IS LOCATED: Benton County, Minnesota.
 THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE: \$121,172.41
 TRANSACTION AGENT: Mortgage Electronic Registration Systems, Inc.
 NAME OF MORTGAGE ORIGINATOR: Liberty Savings Bank
 RESIDENTIAL TAX IDENTIFICATION NUMBER: R15.006666.00
 TRANSACTION AGENT'S MORTGAGE IDENTIFICATION NUMBER: 1003624-1045299240-8
 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: December 10, 2024 at 10:00 AM.
 PLACE OF SALE: Benton County Sheriff's Office, 581 Highway 23, Foley, MN 56329.
 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 June 10, 2025.
 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: October 02, 2024
 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
 (22-0501-FC03)
THIS IS A COMMUNICATION FROM A DEBT COLLECTOR.
 F-41-6B

NOTICE IS HEREBY GIVEN that default has occurred in the conditions of the following described mortgage:
 DATE OF MORTGAGE: April 11, 2022
 ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$319,088.00
 MORTGAGOR(S): Brian James Fisher and Nikole Renee Fisher, married to each other
 MORTGAGEE: Mortgage Electronic Registration Systems, Inc., as mortgagee, as nominee for Homeowners Financial Group USA, LLC, its successors and assigns
 DATE AND PLACE OF RECORDING: Recorded: April 13, 2022 Benton County Recorder
 Document Number: 459956
 ASSIGNMENTS OF MORTGAGE: And assigned to: Planet Home Lending, LLC
 Dated: August 31, 2024
 Recorded: September 3, 2024
 Benton County Recorder
 Document Number: 473370
 Transaction Agent: Mortgage Electronic Registration Systems, Inc.
 Transaction Agent Mortgage Identification Number: 1003775-1300254728-4

NOTICE OF MORTGAGE FORECLOSURE SALE
 Lender/Broker/Mortgage Originator: Homeowners Financial Group USA, LLC
 Residential Mortgage Servicer: Planet Home Lending, LLC
 COUNTY IN WHICH PROPERTY IS LOCATED: Benton
 Property Address: 1734 Maple Court, Saint Cloud, MN 56304
 Tax Parcel ID Number: 17.01546.00
 LEGAL DESCRIPTION OF PROPERTY: Lot 9, Block 1, Oakwood Heights Plat Six, according to the plat and survey thereof on file and of record in the Office of the County Recorder in and for Benton County, Minnesota
 AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE: \$322,106.38
 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 follows:
 DATE AND TIME OF SALE:

November 21, 2024 at 10:00 AM
 PLACE OF SALE: County Sheriff's office, 581 Highway 23, Foley, Minnesota
 to pay the debt secured by said mortgage and taxes, if any, on said premises and the costs and disbursements, including attorney fees allowed by law, subject to redemption within six (6) months from the date of said sale by the mortgagor(s), their personal representatives or assigns.
 If the Mortgage is not reinstated under Minn. Stat. §580.30 or the property is not redeemed under Minn. Stat. §580.23, the Mortgagor must vacate the property on or before 11:59 p.m. on May 21, 2025, or the next business day if May 21, 2025 falls on a Saturday, Sunday or legal holiday.
 Mortgagor(s) released from financial obligation: NONE
 THIS COMMUNICATION IS FROM A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
 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.
 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.
 DATED: September 30, 2024
 MORTGAGEE: Planet Home Lending, LLC
 Wilford, Geske & Cook, P.A.
 Attorneys for Mortgagee
 7616 Currell Boulevard, Suite 200
 Woodbury, MN 55125
 (651) 209-3300
 File Number: 055221-F1
 F-41-6B

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
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LAKEVIEW LOAN SERVICING, LLC
 Mortgagee
 TROTT LAW, P.C.
 By: _____/s/
 N. Kibongni Fondungallah, Esq.
 Samuel R. Coleman, Esq.
 Sung Woo Hong, Esq.
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