

# **TERMS & CONDITIONS FOR THE SALE OF TAX FORFEITED LAND**

(Revised 10/6/17)

## **PUBLIC SALE:**

All tax forfeited land will be offered at a public sale and sold to the highest bidder. The minimum bid acceptable is the appraised value.

## **TERMS:**

All sales shall be for “**Cash or Credit Card** (2.49% consumer fee), **Day of Sale**”. All sales are final and no provisions will be made for a refund or exchange. Checks will be made payable to “**Redwood County**”.

## **OTHER CHARGES (PAYMENT MADE AT TIME OF SALE):**

1. State Deed charge of \$25 per deed.
2. State Assurance Fund – 3% of the purchase price.
3. State Deed Tax. The tax is based on the amount of the sale at the rate of \$3.30 for each \$1,000, with a minimum of \$1.65.
4. \$46 Recording Fee per deed.
5. \$50 Well Certificate Fee if property has a well located on the property.

## **CONDITIONS:**

Sales are subject to existing leases, if any, to building restrictions appearing on record at the time of forfeiture; to easement obtained by any governmental subdivisions or agency thereof for any public purpose; to all applicable laws and ordinances, and to the condition that the appraised value does not represent as a basis for future taxes. Buyer is purchasing property “**AS IS**”.

Local improvement constructed, but not yet assessed, must be assumed by the purchaser.

Reassessment of cancelled improvement assessments may be made in accordance with M.S. 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 section [429.071, subdivision 4](#), notwithstanding that the original assessment may have been made pursuant to other general law or a special law.

**M.S. 444.076 TAX-FORFEITED LAND RETURNED TO PRIVATE OWNERSHIP; CHARGES.**

When tax-forfeited land is returned to private ownership and the land is benefited by a public improvement for which special assessments were canceled because of the forfeiture, the municipality or other public authority that made the improvement may impose fees or charges for the use or availability of the improvement or for connections therewith in an amount not to exceed the amount remaining unpaid on the canceled assessment. The municipality may make the fees or charges a charge against the owner, lessee, occupant, or all of them and may certify unpaid fees or charges to the county auditor with taxes against the property for collection as other taxes are collected.

**IMPORTANT:** To find out if a particular tax forfeited parcel may be assessed or re-assessed please contact the local municipality the parcel is located in.

**PROHIBITED PURCHASERS:**

The County Auditor per MN Statute 282.016 has the authority to prohibit a person or entity from purchasing a tax forfeited property if that person or entity owns property within the county for which there are delinquent taxes owing. A person prohibited from purchasing property must not directly or indirectly have another person purchase it on behalf of the prohibited purchaser for the prohibited purchaser's benefit or gain.

**STRAW BUYERS:**

Straw buyers are prohibited from purchasing a tax forfeited property for the previous owner for an amount less than the delinquent amount that is due at the time of sale.

**RESTRICTIVE COVENANT:**

Per MN Statute, Secs. 103F.535 and 282.018, Subd. 2.; parcels containing a restrictive covenant means the parcel has been determined to be a nonforested marginal land or wetland. The deed will include this restrictive covenant language and will preclude enrollment of the land in a state-funded program providing compensation for conservation of marginal land or wetlands.

**TITLE:**

The purchaser will receive a "receipt" at the time of purchase and will receive a deed from the State of Minnesota through the Commissioner of Revenue at a later date. The law provides that this conveyance shall have the force and effect of a patent from the State. Any further legal work is the responsibility of the purchaser.

**BOUNDARIES:**

Redwood County is not responsible for locating boundaries on Tax Forfeited Lands.

Information regarding Tax Forfeited Lands may be obtained in the office of the Redwood County Auditor/Treasurer, 403 S Mill St, Redwood Falls, MN 56283. Telephone (507)637-4013.