

Public Notices

Public Notice

STATE OF MINNESOTA
COUNTY OF KOOCHICHING

DISTRICT COURT
NINTH JUDICIAL DISTRICT
Court File No.: 36-PR-14-426

NOTICE OF RESCHEDULED HEARING
ON PETITION FOR FORMAL PROBATE
OF WILL AND APPOINTMENT OF CO-
PERSONAL REPRESENTATIVES

In Re: Estate of

Arden Erickson Barnes,
a/k/a Arden E. Barnes
Decedent

Notice is given that the hearing originally set in this matter for August 14, 2014, at 2:00 p.m. in this Court at 715 Fourth Street, International Falls, Minnesota, on a petition for the formal probate of an instrument purporting to be the decedent's Will dated May 22, 2013, and for the appointment of Randy Carmody, whose address is 1548 Kings Highway, Ft. Frances, Ontario, Canada P9A 2X6, and Kristin Helleloid , whose address is 1918 County Road 138, International Falls, Minnesota 56649, as co-personal representatives of the decedent's estate in an unsupervised administration, has been rescheduled for September 22, 2014 at 8:59 a.m. *No formal hearing will be held unless written objections have been filed with the Court Administrator. If no objections have been filed the requests made in the Petition will be granted by default.

BY THE COURT

Dated: 7-28-14

/s/ Jon A. Maturi
Judge of District Court,
Jon A. Maturi

Dated: 7-29-14

/s/ Sharen Bowman, Deputy
Court Administrator

STEVEN M. SHERMOEN
LAW OFFICE
Steven M. Shermoen
MN# 100304
501 Fourth Street
International Falls, MN 56649
Telephone: 218-285-2972
Facsimile: 218-285-9117

The Journal
August 2nd & 9th, 2014

Public Notice

Advertisement for Bids

**2013 WATER SYSTEM IMPROVEMENTS
CONTRACT 3 - WATER DISTRIBUTION**

CITY OF BIG FALLS, MN

City of Big Falls
Owner

PO Box 196, Big Falls, MN 56627-0196
Address

Separate sealed Bids for the construction of Contract 3-Water Distribution will be received by the City of Big Falls at the Big Falls City Hall until 11:00 AM, (Local Time) August 26, 2014, and then at said office publicly opened and read aloud.

The proposed work includes, but is not limited to, the following major items:

Bituminous Surface Restoration
3171 l.f.

Concrete Surface Restoration
79 l.f.

Concrete Curb and Gutter
Restoration
58 l.f.

4" Watermain
568 l.f.

4" Watermain
(Directionally Drilled)
1470 l.f.

6" Watermain
3029 l.f.

6" Watermain
(Directionally Drilled)
1490 l.f.

4" Watermain Carrier Pipe
210 l.f.

6" Watermain Carrier Pipe
210 l.f.

1" Water Service Pipe
1009 l.f.

20" Casing Pipe
(Directionally Drilled)
200 l.f.

Hydrants
11 each

The contractor must comply with the minimum rates for wages for laborers and mechanics as determined by the Secretary of Labor in accordance with the provisions of the Davis-Bacon and Related Acts.

Women and Minority owned enterprises are encouraged to submit bids.

Complete digital project bidding documents are available at www.wsn.us.com by clicking on Bidding Documents in the upper right hand corner or at www.questcdn.com by inputting **Quest project**

#3476644 on the website's Project Search page. Please contact QuestCDN.com at (952) 233-1632 or info@questcdn.com for assistance in free membership registration, downloading and working with this digital project information. You may download the digital plan documents electronically for \$60. An optional paper set of project documents is also available from Cadd/Engineering Supply (CES) for a nonrefundable price of \$60 plus printing costs. If you choose a paper copy you will get all addenda as paper copies and will be charged for the printing costs. Please make your check payable to Cadd/Engineering Supply and send it to 1701 James Circle N, Brooklyn Center, MN 55430. Please contact CES's Repro Dept at (763) 560-9098 or (800) 831-8587 for pricing and if you have any questions.

The Contract Documents may also be examined at the following locations: City of Big Falls, Minneapolis Builders Exchange, and Fargo/Moorhead Builders Exchange.

Joan Nelson, Clerk

August 6, 2014
Date

The Journal
August 9th, 16th, & 23rd, 2014

Public Notice

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 conditions of the following described mortgage: DATE OF MORTGAGE: November 5, 2007 MORTGAGOR: Amber C Custer, a single person. MORTGAGEE: Border State Bank. DATE AND PLACE OF RECORDING: Recorded November 6, 2007 Koochiching County Recorder, Document No. A000260969. ASSIGNMENTS OF MORTGAGE: Assigned to: Merchants Bank, National Association. Dated November 5, 2007 Recorded November 6, 2007, as Document No. A000260970.

TRANSACTION AGENT: NONE
TRANSACTION AGENT'S MORTGAGE IDENTIFICATION NUMBER ON MORTGAGE: NONE
LENDER OR BROKER AND MORTGAGE ORIGINATOR STATED ON MORTGAGE: Border State Bank
RESIDENTIAL MORTGAGE SERVICER: Merchants Bank, N.A.
MORTGAGED PROPERTY ADDRESS: 821 5th Street, International Falls, MN 56649
TAX PARCEL I.D. #: 92.006.41010
LEGAL DESCRIPTION OF PROPERTY: Lot 1 and The W 1/2 of Lot 2, Block 41, plat of International Falls.
COUNTY IN WHICH PROPERTY IS LOCATED: Koochiching
ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$53,200.00
AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE, INCLUDING TAXES, IF ANY, PAID BY MORTGAGEE: \$52,111.34
That prior to the commencement of this mortgage foreclosure proceeding Mortgagee/Assignee of Mortgagee complied with all notice requirements as required by statute; 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: August 28, 2014 at 10:00 AM
PLACE OF SALE: Sheriff's Office, Law Enforcement Center, International Falls, MN
to pay the debt then 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 six (6) months from the date of said sale by the mortgagor(s), their personal representatives or assigns unless reduced to Five (5) weeks under MN Stat. §580.07.

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 March 2, 2015, unless that date falls on a weekend or legal holiday, in which case it is the next weekday, and unless the redemption period is reduced to 5 weeks under MN Stat. Secs. 580.07 or 582.032.

MORTGAGOR(S) RELEASED FROM FINANCIAL OBLIGATION ON MORTGAGE: None
"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: July 1, 2014

Merchants Bank, National Association
Mortgagee/Assignee of Mortgagee

USSET, WEINGARDEN AND LIEBO, P.L.L.P.
Attorneys for Mortgagee/Assignee of Mortgagee
4500 Park Glen Road #300
Minneapolis, MN 55416
(952) 925-6888
94 - 14-003736 FC

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR.

The Journal
July 12th, 19th, 26th, & August 2nd, 9th, 16th, 2014

Public Notice

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 28, 2010

MORTGAGOR: Margaret O. Julson, a single person

MORTGAGEE: Affinity Plus Federal Credit Union, a credit union organized under the laws of the United States of America

DATE AND PLACE OF RECORDING: Recorded October 7, 2010, in the office of the County Recorder, as Document No. A000269966, Koochiching County, Minnesota

MODIFIED: Recorded June 11, 2013, in the office of the County Recorder, as Document No. A000277937, Koochiching County, Minnesota

MORTGAGED PROPERTY ADDRESS: 7849 County Road 30, Big Falls, Minnesota 56627
TAX PARCEL I.D. NOS. 46-034-00900

LEGAL DESCRIPTION OF PROPERTY: Lot Nine (9), of Section Thirty-Four (34), Township One Hundred Fifty-five (155) North, Range Twenty-five (25), West of the Fifth Principal Meridian, Koochiching County, Minnesota

COUNTY IN WHICH PROPERTY IS LOCATED: Koochiching

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$160,000.00

AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE, INCLUDING TAXES, IF ANY, PAID BY MORTGAGEE: \$157,838.06

INTEREST RATE AND PER DIEM: Current interest rate is 4.875%, with a daily per diem of \$20.13.

That prior to commencement of this mortgage foreclosure proceeding Mortgagee complied with all notice requirements by statute; 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: September 2, 2014, at 10:00 am.

PLACE OF SALE: Koochiching County Sheriff's Office, Law Enforcement Center, Courthouse Annex, 715 Fourth Street, International Falls, Minnesota 56649, to pay the debt then secured by said mortgage, taxes, if any, on said premises, and the costs and disbursements, including attorney' fees allowed by law subject to redemption within twelve (12) months from the date of said sale by the mortgagor(s), their personal representatives or assigns.

DATE AND TIME MORTGAGOR MUST VACATE THE PREMISES: September 2, 2015, at 11:59 p.m.

"THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR'S PERSONAL REPRESENTATIVES OR ASSIGNS, MAY BE REDUCED TO FIVE (5) 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: July 8, 2014

MESSERLI & KRAMER P.A.

By: /s/Jonathan Sepler
Jonathan Sepler (Lic. #0390506)
1400 Fifth Street Towers
100 South Fifth Street
Minneapolis, MN 55402-1217
(612) 672-3600

Attorney in Fact for Affinity Plus Federal Credit Union

IMPORTANT NOTICE

This communication is from a debt collector and is an attempt to collect a debt. Any information obtained will be used for that purpose.

The Journal
July 19th, 26th, & August 2nd, 9th, 16th, 23rd, 2014

Public Notice

July 21, 2014 City Council Minutes 4:30 P.M.

A regular meeting of the City Council of International Falls, Minnesota was held in the Council Chambers of the Municipal Building on the 21st day of July 2014 at the hour of 4:30 P.M.

MEMBERS PRESENT: Councilors Ek-lund, Jaksa, Kalar, and Rognerud
MEMBERS ABSENT: Mayor Anderson

MOTION by Councilor Kalar to approve minutes of the regular City Council meeting of July 7, 2014. Motion seconded by Councilor Jaksa and carried unanimously.

MOTION by Councilor Rognerud to approve transfer from Water and Sewer fund 601 for administrative costs to General fund 101 in the amount of \$16,492.00. Motion seconded by Councilor Jaksa and carried unanimously.

MOTION by Councilor Kalar to approve transfer from Water and Sewer fund 601 for capital outlay projects to Reserve for Capital Outlay fund 403 in the amount of \$15,958.50. Motion seconded by Councilor Jaksa and carried unanimously.

MOTION by Councilor Rognerud to approve payment of the claims from various funds of the City and an additional Airport Commission claim to Brokaw Janitorial Services in the amount of \$2,288.79 per the July 16, 2014 letter from the Chairman including checks 53634-53736. Motion seconded by Councilor Kalar and carried unanimously.

Checks 97954-97973 were issued under blanket authorization in the amount of \$92,157.23.

Doug Skrief presented information on being a Dementia-Friendly Community and distributed an informational handout. He explained that 1 in 9 Minnesotans over age 65 and over 1/3 of people over the age of 85 have Alzheimer's disease. The four phase process to make our community more dementia capable are Convene, Assess, Analyze, and Act Together. He said the Koochiching Aging Options personnel/volunteers will be going out into the community to survey between 70 to 120 people over the next three months to find out the needs here in the greater International Falls area.

Councilor Jaksa reported two Dragon Boat teams of 16 persons for each boat will be needed for the races scheduled on Saturday, August 9, 2014, roughly between the hours of 10:00 a.m. and 3:00 p.m. The town/city council and staff of Fort Frances and International Falls will be racing each other. Councilor Jaksa was encouraged to contact the Ranier City Council, the County Board members, and City staff to seek volunteers for one boat and other civic or charitable organizations to create a team for the second Dragon Boat.

MOTION by Councilor Jaksa to approve the consent agenda as presented:

1. License approval:
a. Voyageur Restaurant LLC, Restaurant License at 1200 3rd Ave. Motion seconded by Councilor Rognerud and carried unanimously.
Mayor Anderson submitted a letter in his absence to report that the Ambulance Medical Director position is currently filled by Dr. Rekiyatu Lawal. She will not be leaving her contracted position as was mistakenly stated in a letter from Wapiti Corp., therefore no action is required. He further explained that the Health Officer position is being considered by a local physician and he will hopefully have an appointment to consider at the August 4th meeting. Finally, since he has not met with the two Library Board appointees, he requested the appointments also be held for action later at the August 4, 2014 meeting.

MOTION by Councilor Jaksa to accept the letter of resignation submitted by Rich Christie, Water Commissioner, effective September 30, 2014. She said he was easy to work with and will be missed. Motion seconded by Councilor Rognerud and carried unanimously.

MOTION by Councilor Kalar to accept the letter of resignation from Shawna Bolstad, our first appointed Paramedic, effective August 13, 2014. Motion seconded by Councilor Jaksa and carried unanimously.

MOTION by Councilor Rognerud to authorize advertising for a Paramedic to fill the pending vacancy. Motion seconded by Councilor Jaksa. Fire Chief Mannassau indicated it would be essential to fill the position to have 6 staff available for crew scheduling purposes. Motion carried unanimously.

MOTION by Councilor Jaksa to authorize the expenditure of \$300 for a 4 by 8 size advertisement to support Bronco Football, 2014. Motion seconded by Councilor Kalar and passed unanimously.

MOTION by Councilor Rognerud to approve the use of City Beach for the Backus Rainy Lake Triathlon event on August 9th and to allow an alternate route in town to the High School pool if City Beach will not be available, said route contingent upon Police Chief approval. Motion seconded by Councilor

Kalar. Police Chief Musich stated he needs advance notice to insure he has sufficient staff for traffic control. He indicated there would not be sufficient time to get the necessary MnDOT permits if the route used includes a state highway. Motion carried unanimously.

MOTION by Councilor Jaksa to adopt Resolution #32-14, Approving application and permit for a 1 day to 4 day temporary on-sale liquor license for International Falls Elks Lodge 1599 for August 15, 2014. Motion seconded by Councilor Rognerud and carried unanimously.
Councilor Rognerud asked City Attorney Shermoen to report on the progress of negotiations to alter the existing agreement between MJD Enterprises and the City. Attorney Shermoen stated he has met or discussed changing the contract terms with Matt Donahue on three occasions. Mr. Donahue had stated he uses the \$15,000 annual payment to help offset his expenses for the care of his Mother. Mr. Donahue's position was that he had a valid contract with the City and he did not want to make any changes to the agreement. Attorney Shermoen further said the payment due was normally made on July 15th of each year and was put on hold at the last Council meeting. He did not believe Mr. Donahue had a lot of "heartache" over the trail and sign at this time. He said Mr. Donahue was not pushing for immediate action on the trail and sign at this time, but did expect the City to perform and meet the terms of the contract eventually.

Councilor Kalar said he thought it was important for the City to honor the terms of the agreement if we expected other people to do business with the City in the future. MOTION by Councilor Kalar to approve and authorize the July 2014 brokerage fee payment of \$15,000 to MJD Enterprises. Motion seconded by Councilor Rognerud. In discussion, Councilor Jaksa brought a point of order in that this item was not on the agenda. Attorney Shermoen read from the meeting minutes that said the payment was to be held until negotiations were concluded and they have, in fact, concluded. Motion carried unanimously.

City Administrator Anderson reported that 20th Avenue and 18th Street have been paved by the contractor and 19th Street was scheduled for construction start today. Councilor Kalar confirmed the work had started. Attorney Shermoen stated the Police were doing a good job with enforcing the drinking and driving laws.

Police Chief Musich needed to clarify that there were serious safety issues with events such as the Triathlon. He said it requires planning and subjects the City to liability if an accident occurs. He also needs to arrange for assistance from the Border Patrol and Sheriff's Department because he does not have sufficient manpower. More advance notice is needed.

Councilor Jaksa reported that Bradley Peterson will be presenting information from the last legislative session to the Council on August 4, 2014. She said there will also be a demonstration of the Mondo Board presentation technology at the meeting. The Minnesota Rural Water Association will be conducting a workshop presentation on August 4th tentatively from 10:00 A.M. to 2:00 P.M. She said a Budget and Finance Committee meeting will be held at 4:00 P.M. on July 28, 2014 to discuss airport funding options and the EDA will meet at 5:00 P.M.

Next regular Council meeting is Monday, August 4, 2014 at 4:30 P.M.

President ProTem Eklund adjourned the meeting at 5:32 P.M.

Robert W. Anderson, Mayor

ATTEST:

Kenneth R. Anderson,
City Administrator

The Journal
August 9th, 2014

Public Notice

STATE OF MINNESOTA
COUNTY OF KOOCHICHING

DISTRICT COURT
NINTH JUDICIAL DISTRICT
Court File No.: 36-PR-14-497

NOTICE OF AND ORDER FOR HEARING ON PETITION FOR DETERMINATION OF DESCENT, MULTIPLE DECEDENTS

In RE: Estate of

Audrey Johanne Robertson, a/k/a Audrey J. Robertson, Audrey Strandl Robertson and Audrey S. Robertson,

And

Liv Irene Strandl

Decedents

Donald W. Robertson and Aase Karine Dane have filed Petitions for Determination of Descent, Multiple Decedents. It is Ordered that on September 11, 2014, at 2:00 p.m., a hearing will be held in this Court at 715 Fourth Street, International Falls, Minnesota, on these petitions.

The petitions represent that each of the decedents died more than three (3) years ago leaving property in Minnesota. The petitions request the Court determine the descent of

such property and assign the property to the persons entitled in a consolidated proceeding.

Any objections to the petitions must be raised at the hearing or filed with the Court prior to the hearing. If the petitions are proper and no objections are filed or raised, the petitions will be granted.

Notice shall be given by publishing this Notice and Order as provided by law and by:

Mailing a copy of this Notice and Order to each interested person by United States mail at least 14 days before the time set for the hearing.

Court File No. 36-PR-14-497

BY THE COURT

Dated: 7/24/14

/s/ Charles H. LeDuc
Judge of District Court

Dated: 7/24/14

/s/ Sharen Bowman, Deputy
Court Administrator

Steven M. Shermoen Law Office
Steven M. Shermoen
MN# 100304
501 Fourth Street
P.O. Box 1152
International Falls, MN 56649
Telephone: 218-285-2972
Facsimile: 218-285-9117

The Journal
August 2nd & 9th, 2014

Public Notice

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF KOOCHICHING

NINTH JUDICIAL DISTRICT
Case Type: Consumer Credit Contract/Replevin

Green Tree Servicing LLC, fka Green Tree Financial Servicing Corporation,

Plaintiff,

v.

The Estate of Bryce B. Clinton and Amy L. Mann,

Defendants.

Case No.: 36-CV-14-516

SUMMONS

THIS SUMMONS IS DIRECTED TO The Estate of Bryce B. Clinton, 2026 4th Avenue W., South International Falls, MN 56679 and Amy L. Mann, 2113 3rd Avenue E. #210, International Falls, MN 56649.

1. YOU ARE BEING SUED. The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this summons.

2. YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS. You must give or mail to the person who signed this summons a written response called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this summons located at:

Foley & Mansfield, PLLP, 250 Marquette Avenue, Suite 1200, Minneapolis, MN 55401.

3. YOU MUST RESPOND TO EACH CLAIM. The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

4. YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS. If you do not Answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the complaint. If you do not want to contest the claims stated in the complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the complaint.

5. LEGAL ASSISTANCE. You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.

6. ALTERNATIVE DISPUTE RESOLUTION. The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

FOLEY & MANSFIELD PLLP

Dated: June 26, 2014
By: /s/ Thomas J. Lallier
Thomas J. Lallier (#163041)
250 Marquette Avenue, Suite 1200
Minneapolis, MN 55401
Telephone: (612) 338-8788
Fax: (612) 338-8690
tlallier@foleymansfield.com

Attorneys for Green Tree Servicing LLC

The Journal
August 9th, 13th, & 16th, 2014