

Public Notices

NOTICE OF MORTGAGE FORECLOSURE SALE **THE RIGHT TO VERIFICATION OF THE DEBTAND IDENTIFY 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: February 13, 2007

ORIGINAL PRINCIPAL AMOUNT OF MORTGAGE: \$163,000.00

MORTGAGOR(S): Darwood Oachs and Dianne Oachs, husband and wife

MORTGAGEE: Wells Fargo Bank, N.A.

DATE AND PLACE OF FILING: Recorded on February 23, 2007 as Document Number 346355 in the Office of the County Recorder of Le Sueur County, Minnesota.

ASSIGNMENTS OF MORTGAGE: Assigned to: HSBC Bank USA, National Association as Trustee for Wells Fargo Home Equity Asset-Backed Securities 2007-2 Trust, Home Equity Asset-Backed Certificates, Series 2007-2 by assignment

recorded on October 21, 2014 as Document Number 395459 in the Office of the County Recorder of Le Sueur County, Minnesota.

LEGAL DESCRIPTION OF PROPERTY: Lot 5, Block 1, Holiday Park Subdivision, German Lake.

And

All that part of the undeveloped Lot A of Holiday Park Subdivision, Le Sueur County, Minnesota, described as follows:

Commencing at the northwest corner of undeveloped Lot A; a distance of 405.2 feet to a point on the west line of undeveloped Lot A, a distance of 877.3 feet north of the southwest corner of undeveloped Lot A; thence east along a line parallel with the south line of undeveloped Lot A, a distance of 165 feet; thence north to a point on the north line of undeveloped Lot A, 165 feet east to the northwest corner of undeveloped Lot A; thence west a distance of 165 feet to the northwest corner of undeveloped Lot A, said tracts containing 1.58 acres more or less.

STREET ADDRESS OF PROPERTY: 23070 HOLIDAY PARK LANE, ELYSIAN, MN 56028-4530

COUNTY IN WHICH PROP-

ERTY IS LOCATED: Le Sueur County, Minnesota.

THE AMOUNT CLAIMED TO BE DUE ON THE MORTGAGE ON THE DATE OF THE NOTICE: \$148,397.19

TRANSACTION AGENT: None

NAME OF MORTGAGE ORIGINATOR: Wells Fargo Bank, N.A.

RESIDENTIAL SERVICER: Wells Fargo Bank, N.A.

TAX PARCEL IDENTIFICATION NUMBER: 04.620.0080

TRANSACTION AGENT'S MORTGAGE IDENTIFICATION NUMBER: None

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: August 15, 2018 at 1:00 PM.

PLACE OF SALE: Le Sueur County Sheriff's Office, 88 South Park Avenue, Le Center,

Minnesota.

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 mortgageor(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 February 15, 2019.

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: June 12, 2018

HSBC BANK USA, NATIONAL ASSOCIATION AS TRUSTEE FOR WELLS FARGO HOME EQUITY ASSET-BACKED SECURITIES 2007-2 TRUST, HOME EQUITY ASSET-BACKED CERTIFICATES, SERIES 2007-2

Mortgagee THE ACADEMY LAW GROUP, P.A.

By: /s/

Rebecca F. Schiller, Esq. N. Kibongni Fondungallah, Esq.

Samuel R. Coleman, Esq. *Corbin C. Smith, Esq.* Attorneys for Mortgagee The Academy Professional Building 25 Dale Street North St. Paul, MN 55102 (651) 209-9760 (18-0071-FC01)

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR

(Published in The New Prague Times, Thursdays, June 21, 28, July 5, 12, 19 and 26 2018; No. T034-7-26)

PUBLIC NOTICE

Filing Notice

Notice is hereby given that a Township Election in the Town of Helena, County of Scott, State of Minnesota, will be held on General Election Day, Tuesday, November 6, 2018, at the New Prague Ambulance & Fire Building, 505 5th Avenue Northwest, New Prague, MN, to elect two (2) Supervisors consisting of Seat One (1) and Seat Two (2) for the term of four (4) years each; and one (1) Treasurer for the term of four (4) years. The first day of filing Affidavits of Candidacy is Tuesday, July 31, 2018. The last day of filing for said election is Tuesday, August 14, 2018 at 5:00 p.m. Township Clerk, at 27466 Delmar Avenue, New Prague, MN, will accept filings: phone 952-758-4505 to arrange a time.

/s/ DeAnn Croatt
Clerk
(Published in The New Prague Times, Thursdays, July 5 and 12, 2018; No. T043-7-12)

Official Proceedings . . .

City of New Prague

CITY COUNCIL PROCEEDINGS **STATE OF MINNESOTA** **COUNTIES OF SCOTT AND LE SUEUR** **CITY COUNCIL MEETING** **MONDAY, JUNE 18, 2018**

Mayor Nickolay called the meeting to order at 6:00 P.M. with the following members present: Nickolay, Bass, Bruzek, and Ryan Absent: Jirik

Staff Present: Mike Johnson, Jim Gareis, Ken Ondich, Glen Sticha and Barb Ulschmid

Mayor Nickolay began the meeting with a correction to the evening's Agenda Item #1, noting the addition of Jeremy Biermaier to the judges listing for RESOLUTION #18-06-18-01 Appointing Election Judges for the 2018 General Election and #18-06-18-02 Appointing Election Judges for the Primary Election.

It was moved by Councilmember Bruzek and seconded by Councilmember Ryan to approve the Agenda with changes to the two Resolutions. All voted in favor of the motion. Motion carried. (4-0)

Planning/Community Development Director Ondich presented two Resolutions to the City Council in the appointing of the 2018 Election Judges and setting their rate of pay by resolution as required by M.S. 204B.21 Subd. 2. The hourly pay had been \$9.50/hr. for the 2016 election judges which was minimum wage at the time. Currently, the minimum wage is \$9.65/hr. and staff is requesting the Council to set the Election Judges pay at \$10.00/hr. The first Resolution (#18-06-18-01) is for appointing judges for the State Primary Election and the second Resolution (#18-06-18-02) is for appointing judges for the General Election.

The Primary Election is on Tuesday, August 14th and the General Election is on Tuesday, November 6th. Also, as general information, filing for the offices include Mayor (2 years); 2 Regular Council seats (4 years), and 1 Council seat to fill out the balance of a 4-year term (2+ years remaining) opens on Tuesday, July 31st and closes on Tuesday, August 14th at 5 p.m.

It was moved by Mayor Nickolay and seconded by Councilmember Bass to approve RESOLUTION #18-06-18-01 APPOINTING ELECTION JUDGES AND SETTING PAY FOR THE 2018 STATE PRIMARY ELECTION. All voted in favor of the motion. Motion carried. (4-0)

It was moved by Mayor Nickolay and seconded by Councilmember Ryan to approve RESOLUTION #18-06-18-02 A RESOLUTION APPROVING ELECTION JUDGES AND SETTING PAY FOR THE 2018 GENERAL ELECTION. All voted in favor of the motion. Motion carried. (4-0)

Planning/Community Development Director Ondich explained that he received a letter from the Habitat for Humanity requesting the City Council's approval to waive 50% of the following fees for the new Habitat for Humanity home to be constructed at 909 Wencel Avenue N.E.

The permit fees were calculated as follows for this current new home permit:

Building Permit - \$877.48
Plan Review - \$570.36
Park Dedication - \$246.09
Water Connection - \$1,800.00
Sewer Connection - \$7,150.00

A 50% reduction in these fees would be a savings of \$5,321.96 to the Habitat for Humanity.

This is the seventh Habitat Home to be constructed in New Prague. Previously, two were built on Praha Street S.E. (in 2005 and 2007), another on 3rd Street NW (in 2010), one on 1st Ave. SE (in 2012), one on Village Street SE (in 2014) and lastly, one on Wencel Ave. NE (in 2016).

After discussion, it was moved by Councilmember Bruzek and seconded by Councilmember Bass to approve and waive 50% of the building permit fee, plan review fee, park fee, water connection fee and sewer connection fee in the amount of \$5,321.96 for the new Habitat for Humanity home to be constructed at 909 Wencel Avenue NE. All voted in favor of the motion. Motion carried. (4-0)

Planning/Community Development Director Ondich shared with the Council the April 1, 2017 population estimates received by the City from both the Minnesota State Demographer (for the Le Sueur County side of the City) and from the Metropolitan Council (for the Scott County side of the City).

As of April 1, 2017 (over one year ago), the City's Population Estimates were:

Population: 7,725 (+140)
Households: 2,825 (+36)

A new population estimate will be provided again in July 2019

(and will be for April 1, 2018). Ondich indicated he expects to see greater jumps in our population estimates as late 2016 through 2017 the permit numbers had been well above the earlier years of the decade. For comparison purposes, the City's Comprehensive Plan had noted in the Demographic Chapter that the City would be at approximately 8,600 residents in 2017 and 3,200 households.

Staff (Ken Ondich) has also completed the 2020 Census LUCIA process in April by ensuring that all homes built since the 2010 Census have been accounted for on the City's official address listing.

No action was needed on this item and provided for informational purposes only.

Public Works Director Glen Sticha asked the Council for their approval of Change Order #1 with Healy Construction Company, Inc. on the Memorial Park Baseball Field Project which required additional concrete for the Czeck Deck being constructed by volunteers.

Sticha explained that this Change Order (requested by the Owner) increased the cost of the project by \$4,111.00 with a new contract sum of \$364,911.00. Additional concrete would be added to the east of what was originally planned so that a larger deck could be constructed and improve the sight lines from the deck.

After discussion, it was moved by Councilmember Bruzek and seconded by Councilmember Ryan to approve Change Order #1 with Healy Construction Company, Inc. in the amount of \$4,111.00 on the Memorial Park Baseball Field Project for additional concrete for the Czeck Deck. All voted in favor of the motion. Motion carried. (4-0)

It was moved by Councilmember Bruzek and seconded by Councilmember Bass to approve the following consent agenda items:

- June 4, 2018 Meeting Minutes
- Claims for Payment
- Request to Hold Fireworks Display in the City of New Prague on July 3, 2018 by American Legion Post 45
- Call for Public Hearing on the Issuance of On-Sale Intoxicating Liquor License, Sunday Liquor License, Off-Sale Intoxicating Liquor License, and Dance Permit for 'Czech'ers Sports Bar, LLC at 125 Main Street East, New Prague
- Approve 1-Day Temporary On-Sale Liquor License for St. Wenceslaus Catholic Church Festival for August 12, 2018

All voted in favor of the motion. Motion carried. (4-0)

Miscellaneous:

- Joel Renneke - homeowner at 501 2nd Avenue N.W. appeared before the Council and expressed his frustration with the damage caused to his fence (from many years ago) that he believed to be from the City's snow plows. Mr. Renneke suggested it was the City's responsibility to fix his fence. Picture images were shared with the City Council on the damage done to his fence that he installed on the property line along 4th Street.

Glen Sticha mentioned that when Mr. Renneke installed his fence 14 years ago, the City warned him (by letter dated May 10, 2004) it could likely get damaged being so close to the street. Sticha mentioned that if a pay loader catches the end of a fence it's not going to bend it, it's going to tear it.

The damage to the fence is old, not recent. As soon as the permit was issued, this homeowner was notified of its location and the likelihood of it getting damaged. Mr. Renneke also mentioned his neighbor's shed doesn't meet the City's setback ordinance of the 30 feet setback. However, Director Ondich mentioned there's a letter in the file from the former City Administrator Jerry Bohnsack about this shed. At that time it was a non-conforming shed which meant it was in place before the 30 foot set back conformance was in place. Mr. Renneke said he won't allow the City to replace his water meter until the City repairs his fence. Upon leaving, Mr. Renneke threatened the City Council if he doesn't get his fence fixed, he will sue the City. The Council kindly thanked him for his time.

- Councilmember Ryan suggested City Staff get in touch with the City Attorney's Office and provide a copy of the ordinance to this homeowner. City Administrator Johnson mentioned he's the only resident that hasn't had his water meter changed out. There have been several times the City has reached out to this homeowner to resolve this problem. The resident refused to meet with the City on this matter and threatened the City to stay off his property. The latest being an offer to move the fence 4 feet back and have the City cover 2/3 of the replacement costs and he wanted nothing to do with this offer.

Motion by Mayor Nickolay seconded by Commissioner Bruzek to adjourn the meeting at approximately 6:35 p.m. Motion carried. (4-0)

Charles L. Nickolay, Mayor

ATTEST:

Michael J. Johnson, City Administrator

(Published in The New Prague Times, Thursday, July 12, 2018; No. T046-7-12)

PUBLIC NOTICE

City of Elko New Market **Notice of Candidate Filing** **For City Election**

NOTICE IS HEREBY GIVEN that the time for filing affidavits for candidacy for City offices to be elected on November 6, 2018, will open on Tuesday, July 31, 2018 and will close at 5:00 p.m. on Tuesday, August 14, 2018. Offices to be filled are:

- Mayor - 2 year term, commencing January 1, 2019
- Councilmember - 4 year term, commencing January 1, 2019
- Councilmember - 4 year term, commencing January 1, 2019

To file for one of the above positions, please stop at Elko New Market City Hall, 601 Main Street (office hours are 8:00 a.m. - 4:30 p.m. Monday through Friday) or call (952) 461-2777 to set up a time for filing.

CITY OF ELKO NEW MARKET
Sandra Green, City Clerk

(Published in The New Prague Times, Thursdays, July 12 and 26, 2018; No. T045-7-26)

PUBLIC NOTICE

NOTICE OF FILING DATES FOR ELECTION **TO THE SCHOOL BOARD** **INDEPENDENT SCHOOL DISTRICT NO. 721** **NEW PRAGUE AREA SCHOOLS** **STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the period for filing affidavits of candidacy for the office of school board member of Independent School District No. 721 shall begin on July 31, 2018, and shall close at 5:00 o'clock p.m. on August 14, 2018.

The general election shall be held on Tuesday, November 6, 2018. At that election, three (3) members will be elected to the School Board for terms of four (4) years each.

Affidavits of Candidacy are available from the school district clerk, 410 Central Ave N., New Prague. The filing fee for this office is \$2. A candidate for this office must be an eligible voter, must be 21 years of age or more on assuming office, must have been a resident of the school district from which the candidate seeks election for thirty (30) days before the general election, and must have no other affidavit on file for any other office at the same primary or next ensuing general election.

The affidavits of candidacy must be filed in the office of the school district clerk and the filing fee paid prior to 5:00 o'clock p.m. on August 14, 2018.

Dated: June 25, 2018

BY ORDER OF THE SCHOOL BOARD

/s/ Dennis Havlicek, School District Clerk

(Published in The New Prague Times, Thursday, July 12, 2018; No. T044-7-12)

PUBLIC NOTICE

"NOTICE OF FILING"

for

NEW PRAGUE CITY ELECTIONS

Filing for the New Prague City "elective offices" will open on Tuesday, July 31, 2018 and will run through Tuesday, August 14, 2018. The "elective offices" that will be open for filing include the following:

REGULAR CITY ELECTION

Mayor (2 year term 2019-2020)

City Councilmember (4 year term 2019-2022)

City Councilmember (4 year term 2019-2022)

SPECIAL CITY ELECTION

City Councilmember (to fill out the balance of a 4 year term from November 2018-2020)

Filing "Affidavits of Candidacy" for elective offices shall be made in person at the office of the New Prague City Administrator at 118 Central Avenue N., New Prague, MN 56071 from 8:00am to 4:30pm, Monday through Friday; with the last date of filing on Tuesday, August 14, 2018 being open until 5:00pm. A \$5.00 filing fee for "elective office" is due and payable at the time of filing.

Any questions concerning filing for "elective office" can be directed to the office of the New Prague City Administrator at 952-758-4401 or by email to mjohanson@ci.new-prague.mn.us.

Michael J. Johnson, City Administrator

(Published in The New Prague Times, Thursdays, July 12, 19, 26, August 2 and 9, 2018; No. T047-8-9)