

STATE OF MINNESOTA
COUNTY OF RAMSEY

DISTRICT COURT
SECOND JUDICIAL DISTRICT
PROBATE COURT DIVISION

Court File No. 62-PR-21-49

In Re: Guardianship/Conservatorship of

Gordon John Anderson,
Person Subject to Guardianship/Conservatorship.

ORDER FOR AUTHORIZATION TO
ABANDON REAL PROPERTY

This matter came before the Court on June 29, 2021, on the Petition of Lutheran Social Service of Minnesota, the Guardian and Conservator of Gordon John Anderson, the Person Subject to Guardianship/Conservatorship herein, for an Order Authorizing the Guardian and Conservator to abandon interest in real property owned by the Person Subject to Guardianship/Conservatorship. The Petitioner appeared by and through its attorney, Robin D. Tomney. The hearing occurred remotely via the Zoom platform. The Court, having duly considered the matter, and being fully advised in the premises, now makes the following,

FINDINGS OF FACT

1. Lutheran Social Service of Minnesota was appointed Guardian and Conservator of Gordon John Anderson, the Person Subject to Guardianship/Conservatorship herein, pursuant to an Order of this Court dated March 5, 2021.

2. The Person Subject to Guardianship/Conservatorship currently resides at Maplewood Care Center, 1900 Sherren Avenue, Maplewood, MN. The Person Subject to Guardianship/Conservatorship is unable to return to an independent living situation at this time because of his care needs. The Person Subject to Guardianship/Conservatorship has been diagnosed with Bipolar Disorder and Dementia. He requires 24-hour care and supervision. The Person Subject to Guardianship/Conservatorship is 83 years of age with a date of birth of January 21, 1938.

3. The Person Subject to Guardianship/Conservatorship owns real estate located at 134 Case Avenue, St. Paul, Minnesota, (the "Property" herein) which is legally described as follows:

Lot 4, Block 2, Edmund Rice's Third Addition, Ramsey County, Minnesota

4. That pursuant to Ramsey County Property Department records, the 2021 Estimated Market Value of the "Property" is \$175,700.00.

5. That the Guardian/Conservator has had the Person Subject to Guardianship/Conservatorship "Property" evaluated by a Realtor and a Comparative Market Analysis was completed on May 24, 2021. The average sale price of comparable listings is \$162,081.00.

6. That there is a Reverse Mortgage on the "Property" in the approximate amount of \$136,995.90. The Reverse Mortgage is in default.

7. That the "Property" is vacant and is not generating income. There are outstanding utility bills and property taxes.

8. That the "Property" has been condemned as unfit for human habitation by the City of St. Paul. The City of St. Paul is considering demolishing the "Property."

9. That the "Property" is in extreme disrepair.

10. That the Person Subject to Guardianship/Conservatorship does not have assets available to maintain the "Property" or continue to pay the mortgage. The Person Subject to Guardianship/Conservatorship's income consists of Social Security Benefits. Maplewood Care Center is the Representative Payee for the Social Security Benefits. All of his income, less his personal needs is used to pay for his cost of care at Maplewood Care Center.

11. That the Person Subject to Guardianship/Conservatorship's Medical Assistance application is pending. He has an outstanding bill with Maplewood Care Center for over \$120,000.00.

12. That the pay-off of the outstanding Reverse Mortgage on the "Property" and the cost of the required repairs to bring the "Property" to code compliance exceed the value of the "Property."

13. That Notice of the hearing was proper and no Objections to the Petition were filed

CONCLUSIONS OF LAW

1. That it would not be in the Person Subject to Guardianship/Conservatorship's best interests to maintain his ownership of the "Property."

ORDER

IT IS HEREBY ORDERED:

1. That the Guardian and Conservator is authorized to abandon any interest that the Person Subject to Guardianship/Conservatorship has in property located at 134 Case Avenue, St. Paul, Minnesota, and legally described as "Lot 4, Block 2, Edmund Rice's Third Addition, Ramsey County, Minnesota."

2. That the Guardian/Conservator is further authorized to take no additional action relating to Gordon John Anderson's interest in the property located at 134 Case Avenue, St. Paul, Minnesota, and legally described as "Lot 4, Block 2, Edmund Rice's Third Addition, Ramsey County, Minnesota" including, but not limited to, any mortgage foreclosure action, payment of taxes, payment of insurance and utilities, and payment of assessments.

Order Recommended By:

BY THE COURT:

Referee of District Court Date

Judge of District Court Date