

## Vang, Mai (CI-StPaul)

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**From:** Laura L. Krenz <lkrenz@lindquist.com>  
**Sent:** Monday, March 21, 2016 3:00 PM  
**To:** Vang, Mai (CI-StPaul)  
**Cc:** 'Greg Finzell'; 'Summer Smith'  
**Subject:** Update - 870 Fuller / Juanita Oliver Probate

Mai:

To the extent appropriate, please advise the Legislative Hearing officers and staff of the following:

Earlier this month, we filed a probate petition on behalf of Dianne Smith to probate the estate of her mother Juanita Oliver. Late last week we discovered that a probate proceeding had already been started in 2006. There was also a Will of Juanita Oliver filed in that proceeding. It appoints Dianne Smith as the personal representative. The probate court issued an Order to determine Juanita Oliver's heirs. We have determined that there was a fourth sibling, Oscar T. Oliver, Jr., who died in 1997, but was survived by three children (Juanita's grandchildren). Oscar's three children are also heirs of the estate. Pursuant to the Court Order the heirs to Juanita Oliver's 50% interest in 870 Fuller Avenue are as follows:

- E. Dianne Smith (daughter) 1/3
- James T. Oliver (son) 1/3
- Oscar T. Oliver III (grandson) 1/9
- Oshanna Oliver (granddaughter) 1/9
- Renee Oliver (granddaughter) 1/9

As I reported last time, Dianne Smith and James Oliver have indicated that they will transfer their interest to Summer Smith as soon as it is allowed. We will now need to see if the three additional heirs are also willing to convey the property to Mr. Smith.

Additionally, a Demand for Bond was submitted by Ramsey County to protect their Medical Assistance claim of \$10,648.17 for benefits received from June 1, 1991 thru August 11, 1991. The Court issued an order requiring a bond of \$11,000, but it does not appear that it was posted. Nothing further is included in the prior probate file.

If we can resolve the probate issues, would the City allow us to transfer the property from the heirs to Summer Smith prior to completing the code compliance work? Mr. Smith has a number of lenders available to provide the financing for the repair work, but they will require that the house be used as collateral. In other words, the house will need to be in Mr. Smith's name before the renovations can be started.

Please let me know if you have any questions or comments.

Best regards,

**LINDQUIST**

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