

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF CARVER

FIRST JUDICIAL DISTRICT
PROBATE DIVISION
Case Type: Special Administration

In the Matter of:

Court File No. 10-PR-16-46

Estate of Prince Rogers Nelson,

Decedent,

**ORDER REGARDING LISTING AND
SALE OF REAL PROPERTY**

and

Tyka Nelson,

Petitioner.

Before the Court is the July 29, 2016 motion of the Special Administrator for authorization to list and sell various real estate holdings owned by the Decedent and entities of the Decedent. The Special Administrator possesses statutory authority to liquidate assets owned by the Decedent and entities of the Decedent. This Court's order appointing the Special Administrator dated April 27, 2016 specifically authorizes the Special Administrator to "manage and supervise" the Decedent's assets. Accordingly, the Special Administrator seeks advance approval from the Court as to its plan for listing and potentially selling various real estate parcels.

As to the parcels currently poised for listing, it is in the best interest of the Estate to initiate the sale process given the costs of maintaining those properties and the Estate's need to secure funds necessary to meet the Estate's ongoing and expected financial obligations. Accordingly, for those parcels for which appraisals have been completed, the Court finds that an order granting advance approval for the Special Administrator to list that real property for an

amount not less than ninety percent (90%) of the appraised fair market value, as determined by one or more qualified appraiser(s), is a reasonable action for the benefit of the interested persons in that it will allow for a more efficient process for necessary liquidation of the real property holdings of the Estate while ensuring a reasonable return of value for the Estate. Such action is fully consistent with the authority extended to the Special Administrator by operation of Minn. Stat. § 524.3-617 and this Court's Letters of Special Administration.

By objection of August 8, 2016, interested person Omarr Baker objects to the marketing of the property at 115 King Creek Road, claiming a life estate in that residence. Although the record before the Court does allow for that claim to be adjudicated, the Special Administrator has agreed to defer the matter given Mr. Baker's recent position.

As to the timing of the sale of the properties ready to be listed, interested person Alfred Jackson seeks, by objection of August 8, 2016, additional time to tour the properties. Again, the Special Administrator, through Bremer Trust's affiant Alison Hauck, is willing to accommodate by deferring its request for the Court's sale authorization until August 26, 2016 or thereafter.

To the extent any interested person identifies any further concerns as to the real estate parcels poised for sale, the Court will entertain further objections lodged before August 19, 2016. However, the Court encourages any such interested person to "meet and confer" with the Special Administrator to attempt to resolve the matter in good faith before turning to the Court for relief.

The Special Administrator advised the Court on July 29, 2016 of its intention to market 16 properties. See Exhibit A Schedule to Hauck Affidavit of July 29, 2016. Eight of those parcels are not ready to be listed as appraisals as of the date of death have yet to be completed. The Special Administrator seeks direction as to how to proceed once appraisals have been performed.

Accordingly, based upon the record, review of the two affidavits of Alison A. Hauck, and the two objections lodged by two of the interested persons, the Court HEREBY ORDERS that:

1. The Special Administrator is authorized to proceed to engage a realtor and list for sale the following seven parcels of the 16 parcels identified in Exhibit A to the Hauck Affidavit:

- a. 8016 Dakota Avenue, Chanhassen, MN 55317
- b. 9401 Kiowa Trail, Chanhassen, MN 55317
- c. 9411 Kiowa Trail, Chanhassen, MN 55317
- d. 2178 Red Fox Circle, Chanhassen, MN 55317
- e. 2179 Red Fox Circle, Chanhassen, MN 55317
- f. 2169 Red Fox Circle, Chanhassen, MN 55317
- g. Turks and Caicos

2. The Court's authorization of the sale of the seven parcels identified in Paragraph 1, for amounts not less than ninety percent (90%) of the appraised values identified in the portion of Hauck Affidavit Exhibit A filed under seal, will be deferred until on or after August 26, 2016 so as to allow for interested person Alfred Jackson to tour these Minnesota properties, and for any party not excluded as an heir, to file any further objection prior to August 19, 2016;

3. Before lodging any further objections to the sale of the above-defined seven parcels, counsel must meet and confer with counsel to the Special Administrator to resolve any concerns in good faith;

4. Given that the Special Administrator has withdrawn its request to list and sell the 115 King Creek Road property, the objection of Omarr Baker is denied as moot;

5. As to the remaining eight parcels identified in Exhibit A to the Hauck Affidavit, to wit:

- a. Tract B RLS 89 (156 acres on Galpin Blvd.)
- b. Tract C RLS 89 (vacant lot off Galpin Blvd.)
- c. 8020 Park Place, Chanhassen, MN 55317
- d. 7141 Galpin Blvd., Chanhassen, MN 55317
- e. 7021 Galpin Blvd., Chanhassen, MN 55317
- f. 6921 Galpin Blvd., Excelsior, MN 55331
- g. 99 Lake Drive E., Chanhassen, MN 55317
- h. Lot 1, Block 2, Aztec Drive Addn

the Special Administrator may submit, when it deems appropriate, a supplemental affidavit proposing the listing and sale of these parcels, with the appraised value submitted under seal, and interested persons not excluded as heirs afforded five days within which to object before the Court rules on the Special Administrator's request.

6. Due to the potential harm to the interests of the Estate that could result from public disclosure, now and in the future, the July 29, 2016 Affidavit of Alison A. Hauck shall remain under seal, as a redacted version of the Hauck Affidavit is of record which limits the sealed material to the identity of the realtors under consideration and the appraised values of the real estate parcels ready for sale.

Dated: August ____, 2016.

Kevin W. Eide
Judge of District Court