

FILED

FEB 26 2025

Don / May
Sangamon County Clerk

RESOLUTION 9-1

WHEREAS, the Illinois Probate Code provides that if a landowner dies and has no surviving spouse and no known kindred, the landowner's intestate Sangamon County real estate escheats to Sangamon County if all requirements of the Illinois Escheats Act are satisfied; and

WHEREAS, a certain John J. Brown, Deceased, owned a 1/20th undivided interest in certain farm land located in Sangamon County and legally described in Paragraph 2, page 2 of the Judgment on Complaint Pursuant to the Escheats Act and Order of Seizure attached hereto as Exhibit A; and

WHEREAS, the aforementioned John J. Brown died in 1971, and in Cause No. 2018-MR-709 (Sangamon County Circuit Court), it was determined in the Agreed Order Establishing Ownership Interests in Real Estate in said case that he owned an undivided 1/20 interest in the real estate in question and others owned the remaining undivided interests in said real estate; and

WHEREAS, having evidence establishing that John J. Brown, Deceased, had no surviving spouse and no known kindred, the Sangamon County State's Attorney's Office, on behalf of Sangamon County, and as required by the Illinois Escheats Act, filed a lawsuit, captioned under Cause No. 2024-MR-397, seeking a determination as to whether there were any reasons why the 1/20th undivided interest in the farmland real estate previously owned by the aforementioned John J. Brown, Deceased, should not vest in Sangamon County; and

WHEREAS, after all statutory notices were made, no one came forward in Cause No. 2024-MR-397 to challenge Sangamon County's right to the 1/20th undivided interest in the farmland real estate identified above, and, thus, the court vested title to same in Sangamon County, all as shown in the Judgment on Complaint Pursuant to the Escheats Act and Order of Seizure Exhibit A hereto; and

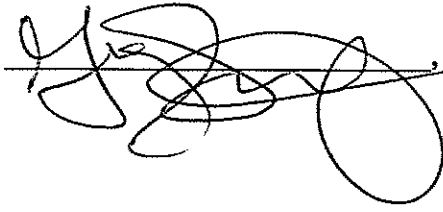
WHEREAS, the owners of the other 19/20th interests in the farmland real estate in question desire to sell the farmland to a buyer they located for a price of \$20,000 per acre, and they desire Sangamon County to join in the sale in regard to its 1/20th undivided interest; and

WHEREAS, as the farmland consists of a total of approximately 263.02 acres, the gross sales price will be \$5,260,400.00, resulting in Sangamon County's share of the gross proceeds being \$263,020; and

WHEREAS, it is possible that a person may (within five years of the entry of the Judgment on Complaint Pursuant to the Escheats Act and Order of Seizure marked as Exhibit A or, as to minors and persons under legal disability, within five years after their respective disabilities have been removed) appear and make a claim under Section 7 of the Escheats Act (755 ILCS 20/7) that they are entitled to the 1/20th undivided interest in the farm land real estate in question and vested in Sangamon County, and, if such a claim is successful, Sangamon County will have to turn over its interest in the real estate in question or, alternatively, its share of the sales proceeds if the real estate so vested has been sold by Sangamon County, to the successful challenger/claimant.

NOW, THEREFORE, BE IT RESOLVED by the Sangamon County Board on this 11th day of March, 2025, that the sale of its 1/20th undivided interest in the aforementioned farmland real estate for \$20,000 per acre is approved pursuant to its authority granted in Section 7 of the Escheats Act (755 ILCS 20/7) and that the County Administrator is hereby authorized to execute all documents he deems proper and necessary to consummate the sale, including documents that require normal and customary seller charges to be deducted from Sangamon County's share of the gross sales proceeds.

Approved by the Finance Committee February 25, 2025

, Chairman

Chairman, Sangamon County Board

ATTEST:

County Clerk

9-3

EFILED
1/16/2025 11:38 AM
Joseph B. Roesch
7th Judicial Circuit
Sangamon County, IL
2024MR000397

**IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL CIRCUIT
SANGAMON COUNTY, ILLINOIS**

SANGAMON COUNTY,

Plaintiff,

v.

NO. 2024-MR-397

MARGARET BROWN FARM, LLC,
PEGGY P. DAVIS, ROBERT SCOTT BROWN,
WILLIAM KENT BROWN, ROBERT BRENTON DANA,
AS SUCCESSOR TRUSTEE OF THE JAMES DWIGHT
DANA TRUST CREATED UNDER THE WILL OF
JAMES DWIGHT DANA, DATED SEPTEMBER 18, 2008,
CANORADO, INC., A COLORADO CORPORATION,
ELIZABETH H. GOLTRA, A TRUSTEE OF TRUST NO. 2
PURSUANT TO THE LAST WILL AND TESTAMENT
OF E. FIELD GOLTRA, DECEASED, ELIZABETH
GOLTRA WINTHROP, KATHERINE GOLTRA -
WOOD, JOHN J. BROWN OR HEIRS/LEGATEES OF
JOHN J. BROWN, DESCENDANTS/HEIRS OF ROBERT B.
HITT, ROBERT B. HITT JR., JOHN W. HITT, BRENT
BOARDMAN, MAURY SULLIVAN BOARDMAN,
ASHLEY LYNCH, DYLAN B. KLINKER, AND
UNKNOWN INTEREST HOLDERS,

Interested Parties.

**JUDGMENT ON COMPLAINT PURSUANT TO THE ESCHEATS ACT
AND ORDER OF SEIZURE**

This cause having come for hearing before the Court on the Plaintiff's Complaint Pursuant to the Escheats Act, and the Plaintiff Sangamon County being represented by and through its attorney, Special Assistant State's Attorney Brandon R. Clark, and the interested parties being present by and through their attorney, Andrew G. White, and the Court being duly apprised in the premises, hereby FINDS, ORDERS, ADJUDGES, and DECREES as follows:

1. Plaintiff Sangamon County filed a Complaint pursuant to the Escheats Act, 755 ILCS 20/0.01, *et seq.*, seeking the Court's determination that Sangamon County has a legal right

EXHIBIT

A

to a 1/20 undivided interest of John J. Brown, Deceased, in and to the Real Estate described in Paragraph 2 below, as the State's Attorney of Sangamon County had reason to believe said Real Estate had escheated to Sangamon County by reason of the death of John J. Brown who, upon information and belief, died leaving no heir or legatee capable of inheriting the same. More than five (5) years have elapsed since the death of the aforementioned John J. Brown.

2. An Agreed Order Establishing Ownership Interest in Real Estate (hereinafter the "Agreed Order") was entered by the Court in 2018-MR-709 on September 14, 2020, which established the respective undivided interests of various parties in and to the following described properties situated in Sangamon County, Illinois:

Parcel 1:

All that part of the North Half of Section 10 lying South of the Springfield and Jacksonville Road, except for the Estate 75.65 acres.

Sangamon County Parcel No. 19-10.0-100-006
Commonly known as: Farmland

Parcel 2:

The West 140 acres of the Southwest Quarter of Section 10.

Sangamon County Parcel Numbers 19-10.0-300-001 and 19-10.0-300-003
Commonly known as: Farmland

Parcel 3:

The North Half of the Northwest Quarter of Section 15, except for the East 10 acres.

Parcel No. 19-15.0-100-001
Commonly known as: Farmland

all parcels located in Township 15 North, Range 8 West of the Third Principal Meridian, Sangamon County, Illinois (hereinafter said parcels are collectively referred to as the "Real Estate").

3. Pursuant to the Agreed Order entered by the Court in 2018-MR-709, the Real Estate was adjudged and determined to be owned by the following individuals and/or entities in the following proportions:

- (a) Peggy P. Davis 4/80
- (b) Robert Scott Brown 2/80
- (c) William Kent Brown 2/80
- (d) Canorado, Inc. 2/20
- (e) James Dwight Dana 7/20
- (f) John J. Brown 1/20
- (g) Elizabeth Goltra Winthrop 7/40
- (h) Katherine Goltra Wood 7/40
- (i) Estate of Robert B. Hitt, Jr., Deceased 1/60
- (j) John W. Hitt 1/60
- (k) Brent Boardman 1/180
- (l) Maury Sullivan Boardman 1/180
- (m) Ashley Lynch 1/360
- (n) Dylan B. Klinker 1/360

4. In accordance with Section 3 of the Escheats Act (755 ILCS 20/3), the Plaintiff's Complaint in the above-captioned matter set forth the following:

- (a) Description of Estate: the Real Estate denoted in Paragraph [2] hereinabove.
- (b) Name of the Lawful Owner Thereof: as to the 1/20 undivided interest in the Real Estate at issue, John J. Brown, Deceased.
- (c) Names of the Parties in Possession: as to the remaining 19/20 undivided interests in the Real Estate at issue, the Owners denoted in Paragraph [3] hereinabove.
- (d) Persons Claiming Estate: as to the 1/20 undivided interest in the Real Estate at issue, none to the knowledge of Plaintiff. As to the remaining 19/20 undivided interests in the Real Estate at issue, the Owners denoted in Paragraph [3] hereinabove.

5. An Order on Complaint Pursuant to the Escheats Act was entered in the above-captioned matter by the Court on November 8, 2024. Said Order directed that all persons interested in the 1/20 undivided interest of John J. Brown, deceased, in the Real Estate shall appear at the Sangamon County Courthouse, located at 200 S. 9th Street in Springfield, Illinois 62701, on January 10, 2025, at 9:00 A.M., to show cause, if any, why the 1/20 undivided interest in the Real

Estate should not be vested in Sangamon County.

6. The Order on Complaint Pursuant to the Escheats Act further directed that a certified copy of the same was to be served upon interested parties at least ten (10) days before the January 10, 2025 return hearing date pursuant to Section 3 of the Escheats Act, to the extent that consents or waivers of notice from such interested parties are not on file. The interested parties are present by and through their counsel and consent to waiver of such notice on the record.

7. The Order on Complaint Pursuant to the Escheats Act was published for 6 successive weeks in the Illinois Times, a newspaper printed and published in Sangamon County, Illinois, as required by and in accordance with 755 ILCS 20/3. Proof of such publication has been filed in the above-captioned matter.

8. ~~All persons, bodies, politic, and corporate, named in the Complaint as having possession rights or claims to the Estate in question have appeared in this matter but have not contested any facts stated in the Complaint or the right of Sangamon County to title in and to the 1/20 undivided interest in the Real Estate at issue, at any time on or before the third day after the January 10, 2025 return day of the Order on Complaint Pursuant to the Escheats Act.~~

9. No other person claiming an interest in such Estate, including but not limited to unknown interest holders, has appeared and pled to the Complaint, whether by motion or by answer within the time allowed by applicable law for pleading.

10. As no person has appeared and pled in the above-captioned matter denying the title to the Real Estate claimed by Sangamon County or denying any material facts of the Complaint, the Court hereby enters judgment pursuant to Section 4 of the Escheats Act (755 ILCS 20/4), vesting title in Sangamon County as to the 1/20 undivided interest of John J. Brown, deceased, in and to the Real Estate legally described and identified in Paragraph 2 above.

11. This judgment shall be effectual for vesting title in Sangamon County as to the 1/20 undivided interest of John J. Brown, deceased, in and to the Real Estate pursuant to Section 5 of the Escheats Act (755 ILCS 20/5), and the Sheriff of Sangamon County is further ordered and commanded pursuant to 755 ILCS 20/5 to seize and take the 1/20 undivided interest in and to the Real Estate which is vested in Sangamon County into the Sheriff's possession.

12. Upon return of this signed Judgment on Complaint Pursuant to Escheats Act and Order of Seizure directed to the Sheriff of Sangamon County in favor of Sangamon County, the Sangamon County State's Attorney shall cause the record and process to be exemplified under the seal of this Court, and shall thereafter cause this Judgment on Complaint Pursuant to Escheats Act and Order of Seizure to be recorded in the Office of the Sangamon County Recorder against the Real Estate legally described and identified in Paragraph 2 above pursuant to Section 5 of the Escheats Act (755 ILCS 20/5).

Entered: 1/16/2025

/s/ 

JUDGE, Seventh Judicial Circuit

Prepared by:
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