

McKnight's widow fights exclusion from his will

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A court battle is developing over an attempt by the late Henry T. McKnight to prevent his widow, his stepson and his stepdaughter from sharing in his multi-million-dollar estate.

McKnight, a former state senator who died Dec. 30 at age 59, signed a second codicil (amendment) to his will Nov. 26, about the time he underwent surgery for a brain tumor.

It states that he and his wife, Grace Carter McKnight of Woodland, were separated and that he had discussed the possibility of a divorce with his lawyer and other business associates.

The amendment says that his will should be "read, construed and administered in all respects as though my wife and all of her issue, present or future, had predeceased me."

State law provides, however, that a widow in an estate where two or more children are involved is entitled to one-third of the estate, regardless of the provisions of the will.

McKnight is survived by two sons and a daughter by a previous marriage. Each is entitled under the will to a share in the estate.

Estimates of the value of the es-

tate vary, but one attorney connected with the case estimated that it will total about \$3.5 million.

The estate includes a \$1.2-million investment in Cedar-Riverside Associates, Inc., which is developing the West Bank area of Minneapolis, major interest in Jonathan Development Corp., developers of a "new town" in Carver County, an Angus farm in Carver County and other real estate and securities.

Mrs. McKnight is challenging the second amendment on grounds that

"at the time of purported execution thereof, decedent was not of sound mind, decedent did not have sufficient mental capacity to be able to validly execute a will or codicil and decedent was caused to purport to execute said codicil by the undue influence of various persons exercised upon him."

A hearing on the challenges has been scheduled for 10 a.m. April 16 in Carver County Court.

If the second amendment is upheld, Mrs. McKnight's share of the estate would drop from about half to approximately one-third.

Instead of the remainder of the estate being divided among five children, it would be divided only among three — McKnight's two sons and daughter. All five are over 21.

McKnight's children are listed in papers filed with the court as H. Turney McKnight, Baltimore, Md.; Sumner T. McKnight II, Santa Ana, Calif., and Christina A. McKnight, Woodstock, Vt.

The home addresses of Mrs. McKnight and her two children, Clarkson and Kristine Lindley, are listed as 2940 Gale Rd.

McKnight's original will was signed June 28, 1970.

In it, he omitted his wife's son, Clarkson Lindley, from a share in the estate, saying, "I am motivated by considerations of benefits I have already conferred on him and by the way of life and attitude he has adopted."

He gave his wife his personal effects and residential real estate, including a residence in Vail, Colo., and a partnership in Vail Associates in Colorado.

His wife also received a "marital trust," amounting to half of the "adjusted gross estate," as defined in the U.S. Internal Revenue Code.

The remainder of the estate was divided into shares, with one share going to each of McKnight's children and one share to Kristine Lindley, Mrs. McKnight's daughter.

A first codicil to the will was signed Jan. 25, 1972, and gave a share to Clarkson Lindley, who had been omitted from the original will.

The first codicil also amended the original will to provide that Mrs. McKnight's one-half share of the estate should not include McKnight's interests in "closely held" corporations such as Cedar-Riverside Associates or Jonathan Development Corp.