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Client Spotlight: Humble Heart Farms Goat Cheese



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Martinson & Beason, PC is proud to have Humble Heart Farms as a client. For many years, Humble Heart Farms has been producing some of the finest cheeses in the Tennessee Valley. Paul and Leslie Spell started Humble Hearts on about twenty acres of pasture where they produce some of the highest quality goat cheese in the region.

Humble Heart Farms is in Elkmont and consists of a herd of over 100 Saanen goats. Originating in Switzerland, this breed of goats is known as the most productive milking goat in the world. To ensure their herd produces the best milk, the Spells supplement their goats with a custom blend of feed and hay.

Humble Heart Farm's goat cheese is made with no hormones, steroids, or herbicides, and is offered in ten different flavors. It is available in multiple farmers' markets across Alabama and Tennessee and is used in many different restaurants in the area. Humble Heart Farms' famous goat cheese is also available at Ayers Farm Family Market, Star Market, and in Whole Foods Market in Huntsville and Birmingham.

Along with their famous cheese, Paul and Leslie offer tours of their family goat farm that can vary from age groups to create enjoyable and educational trips on the ins and out of the dairy business.

Humble Heart Farms also hosts many Family Fun Days. These events are open to the public and include activities such as petting and feeding the lambs and goats, taking tours of the barn and milking facilities, or learning the milking and cheese making process. People can also try the different flavors of the fresh Humble Heart Farms goat cheese for themselves. Family Fun Days are free, and all the farm asks is to bring a nice attitude.

As the only goat cheese farm in North Alabama, Humble Heart Farms has been a part of the farming and dairy community for many years and have always enjoyed new visitors who want to learn about the cheese making process, or just play with the goats. For more information on Humble Heart Farms, you can visit their website at **HumbleHeartFarms.com**.



Summer Strawberry Pie – A Taste of Home



Ingredients:

- 1 unbaked pie crust (9 inches)
- 3/4 cup sugar
- 2 tablespoons cornstarch
- 1 cup water
- 1 package (3 ounces) strawberry gelatin
- 4 cups sliced fresh strawberries
- Fresh mint, optional
- Whipped cream, optional

Directions:

1. Line un-pricked pie crust with a double thickness of heavy-duty foil. Bake at 450° for 8 minutes. Remove foil; bake 5 minutes longer. Cool on a wire rack.
2. In a small saucepan, combine the sugar, cornstarch and water until smooth. Bring to a boil; cook and stir for 2 minutes or until thickened. Remove from the heat; stir in gelatin until dissolved.
3. Refrigerate for 15-20 minutes or until slightly cooled.
4. Meanwhile, arrange strawberries in the crust.
5. Pour gelatin mixture over berries.
6. Refrigerate until set.
7. Garnish with mint if desired.

Tip: Use whole fresh strawberries and arrange them pointed side up in the pastry shell for a different presentation. It also is a time-saver because you don't have to slice the berries.

NUTRITIONAL FACTS: Yield: 8 servings.

1 slice: 264 calories, 7g fat (3g saturated fat), 5mg cholesterol, 125mg sodium, 49g carbohydrate (32g sugars, 2g fiber), 2g protein.

Pool & Water Safety

Summer is right around the corner and so is that awful heat. If you are thinking about ditching the crowds at the local pool and water park this year, and installing your own backyard pool, there are a number of issues, legal and practical, that you will want to consider before “diving” in to this kind of project.

LEGAL: Foremost, both the City of Huntsville and the unincorporated parts of Madison County require that the International Building Code (which includes the International Swimming Pool and Spa Code) be followed and that all construction comply with the requirements stated therein. The IBC can be found here, and the ISPSC can be found here, in case you just LOVE administrative construction regulations.

The City of Huntsville has an additional set of special requirements regarding the fencing and gates surrounding family pools, located at Chapter 7, Article 8, Sections 7-611 through 613. Importantly, violations of this fencing requirement for family pools is a criminal misdemeanor offense, so be sure that you are in compliance. The requirements change from jurisdiction to jurisdiction, so be sure to research the laws in your particular area.

SAFETY: The safety precautions and concerns that every parent needs to know when preparing for any pool trip, whether a community pool or a backyard family pool, may seem obvious, but they are important enough to restate:

- **DO NOT SWIM ALONE** – Many pool and water-related accidents can be avoided by practicing the “buddy system”.
- **SAFETY EQUIPMENT** – Make sure that all of your flotation devices and pool equipment is in good-working order. Rust and mold are signs that it may be time for a new lifejacket or pool hook.
- **CPR** – Having a family member (or the whole family) certified for CPR can literally save a life. Classes can be completed at Huntsville Hospital.
- **CAMERAS** – Outdoor cameras are a great way to keep an eye on kids outside if you have to run into the house for a quick moment, and can also serve as a deterrent to trespassers who are thinking of taking an unauthorized dip in the deep end.
- **CHEMICALS** – Be sure to educate yourself on the proper pH levels needed for your pool and the necessary chemicals to keep those levels safe. Improper pH balance can cause skin irritation and other health complications.
- **DOOR LOCKS** – Deadbolt locks now come with a “double deadbolt” feature that allows parents to keep small children inside the house, and away from a backyard pool without supervision.

INSURANCE: Immediately after deciding that a family pool is a project that your family wants to tackle, you should contact your home insurance agent to make sure that the pool and accidents related to the pool can be covered, and/or if a special rider or new policy is needed.

The average homeowner's policy limit is \$100,000.00 per claim, which would likely not come close to covering the full amount of medical damages in the event of a major disaster related to your pool. Families having their own pool installed should consider purchasing an “umbrella” policy, which is additional coverage above your policy's limits and is relatively inexpensive. However, many companies require that your standard policy limits be increased to the maximum before agreeing to provide umbrella coverage. Whatever the specific requirements for your insurance carrier, asking about this policy should be a priority.



Changes in Retirement Living: Location, Affordability, and Community

The housing needs of millennials are currently the focus of trend forecasters looking at the future of the housing market in the US, but according to Patrick Sisson, "... baby boomers shouldn't be written out of the story just yet." The population of people over the age of 65 is growing rapidly; "Between 2010 and 2040, we predict the nation's 65-plus population will grow by roughly 90 percent," says Hamilton Lombard. Lombard is a demographics researcher for the University of Virginia, and he goes on to say, "In some areas of the country, most of the population growth will come from retirees." This growth has the potential to impact several industries, including health care, technology, and particularly, real estate, "as changing expectations around retirement mean challenges and opportunities for developers", writes Sisson. Sisson also outlines three trends that are shaping how seniors will live after retirement: lifestyle living as a growth market, the rise of rural retirement, and downsizing and going downtown.

New retirement communities in places like Florida may be boasting interesting themes (such as Margaritaville), but these new developments are also offering what seniors are looking for in retirement living: active, engaging, and walkable neighborhoods. Many new communities have amenities such as clubhouses, fitness centers, pools, and walking trails. A senior housing marketing analysis by the real estate firm CBRE reports "40 percent of investors believe the independent living sector offers the greatest opportunity for investment." This trend stretches across the country to California and New York as well;

new upscale communities for seniors are offering clusters of neighborhood housing and a focus on communal space. Sisson points out this demand for this lifestyle is tapping into "the huge need for housing with better accessibility."

A 2016 Harvard report on senior housing shows one percent of the country's housing stock includes features such as step-free



entrances, single level floorplans, and wide hallways and doorways that are wheelchair accessible. Sisson writes, "with a greater number of seniors seeking to age in place, housing that follows universal design principles and allows for in home health care is in high demand."

The rise of rural retirement is contributing to one of the largest changes in senior demographics: the Halfback phenomenon. This term refers to "retirees from the east moving 'halfway back' from Florida to the Mid-Atlantic and Appalachia," writes Sisson. Hamilton Lombard collected data that shows migration to retirement-destination counties in Georgia, North Carolina, and Tennessee increased 169 percent between 2010 and 2017. Lombard

says this is the senior equivalent of Californians leaving their state for cheaper cities nearby. Since Florida's retirement living options have become so expensive, people are moving to places that offer a lower cost of living and tax breaks.

On downsizing and moving downtown, Sisson writes, "Many older Americans want to be downtown as much as their children and

grandchildren, leading them to downsize and focus increasingly on urban living." More and more seniors are renting now, with the number of renters over the age of 55 increasing by 28 percent between 2009 and 2015. Comparatively, there was only a three percent increase in renters under the age of 35. This shift is creating opportunities for luxury urban living, and a recent report from the real estate firm JLL shows more developers are concentrating on infill projects to "take advantage of this demand."

These trends only affect a small portion of the senior market. There is still a large group of seniors who are struggling to pay their rent; the US only provides approximately one third of people over the age of 62 who qualify for housing and rental assistance. According to Jennifer Molinsky, a senior research assistant at the Harvard Joint Center for Housing Studies, "there may be nearly 5 million eligible seniors who aren't receiving aid by 2035." Robyn Stone, senior vice president of research at LeadingAge Center for Applied Research also comments, "They are the new homeless if we don't start thinking about the building and expansion of affordable housing options in metro areas and rural communities."

Heirship Property and Sale for Division

When land is passed down to family members or even distant family members after the death of the owner, the heirs usually become joint owners, referred to as tenants in common. This means the estate has a shared ownership and each individual owner (or cotenant) owns a share of the property. The owners have

financial and legal stake, and a right to use and enjoy the property. If one or more joint owners wish to sell or cash out their interest in the land, it can be either equitably partitioned, or sold to have proceeds from the sale divided among the owners, pursuant to Ala. Code §35-6-20. The selling of land for the purpose of

dividing the profits is called "sale for division." So, why would a piece of land need to be sold instead of being divided into individual parcels? The reason is land is considered unique; improvements such as houses structures, improvements, drainage systems, etc. make the

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land difficult to divide without selling the entire property. In contrast, raw, flat, undeveloped land can be more easily surveyed and divided. A court may order the property be sold if it cannot be equitably divided. A common issue is land that is passed down through several generations and divided through inheritance; this is very prevalent in rural farming areas.

A sale for division proceeding begins with one or more joint owners filing suit requesting that the property be sold due to its inability to be equally divided. The owners must give notice to the other joint owners of the proceeding. Upon proper notice, the other owners may agree to the selling of the property, contest the selling of the property, or offer to buy the shares of the owners who requested the selling of the property. Other owners could find themselves owning land with a stranger, and any co-

tenant's potential creditor could try to get a lien against that land and foreclose on it.

For example, Jane Doe owns 40 acres of land with a farmhouse she planned to give to her children. The land was always meant to be in the Doe family. When Jane died, it passed to her four children. Now, the 40 acres is owned by 4 people. Let's say Jane's children all had four children as well. After all of Jane's children die, it is now owned by 16 people (Jane's grandchildren). As a result, each grandchild is a 1/16th owner of the Doe family land. In this situation, it can be difficult to decide what to do with the land: sell it, farm it, develop it, live on it? What if one of Jane's grandchildren wants to be bought out but no one can? They could sell their interest to an unrelated real estate investor.

Joint owners objecting to the sale can object by claiming that the property can be partitioned into separate parcels and therefore, the sale is not warranted. If an owner demands that the land should be physically divided, they must show that it is possible for each owner to receive an equal share of the land in size and value when divided.

To avoid future family disputes leading to a possible sale for division owners should consult their estate planning lawyer regarding a family trust or LLC. Some planning ahead of time can reduce headaches, heartaches, and arguments, and save the property for future generations. Tenants and co-tenants of land have rights to their land, including the potential to force a sale to receive a fair share.

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