




Heirs  
Property

Standing  
on a **LOT**  
of Love

*Presented by Mavis Gragg & Sam Cook  
on behalf of the NCSU Extension Forestry*

**ABOUT SAM COOK**

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## ABOUT MAVIS GRAGG

*Director of the Sustainable Forestry and African American Land Retention Project at American Forest Foundation*

*Nearly 12 years experience as an attorney working with clients on real estate, estate planning, and estate administration matters*

*Chair of the Board of Directors of Triangle Land Conservancy in North Carolina*

*Member of the North Carolina Parks and Recreation Authority*

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## Topics FOR TODAY

*Addressing Legal Challenges of Heirs Property*



*Initiatives Related to Heirs Property Preservation*



*Economic and Green Incentives to Address Legal Challenges*



*What Natural Resource Professionals Can Do For Heirs Property*



HEIRS PROPERTY

Land owned by multiple people, each of whom inherited their share



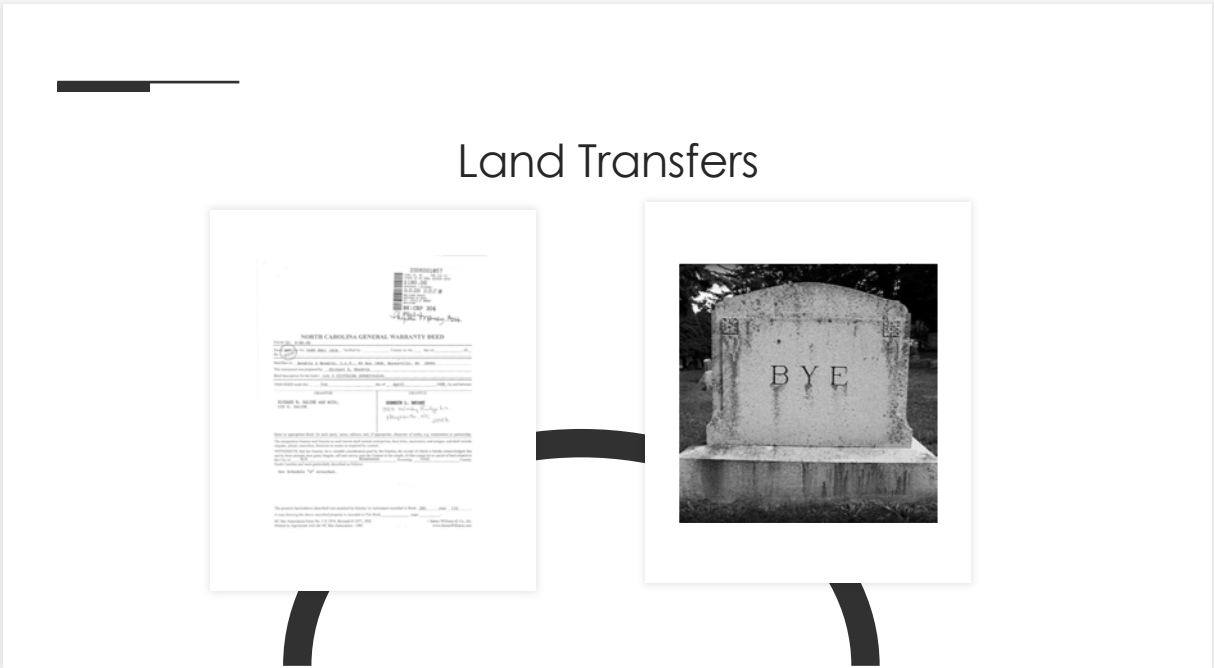
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## Land Transfers

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The slide displays two items side-by-side. On the left is a document titled 'NORTH CAROLINA GENERAL WARRANTY DEED'. The document includes a 'CONVEYOR' section with a name and address, a 'GRANTEE' section with a name and address, and a 'RECITAL' section. On the right is a photograph of a weathered, rectangular gravestone with the word 'BYE' engraved on its face.

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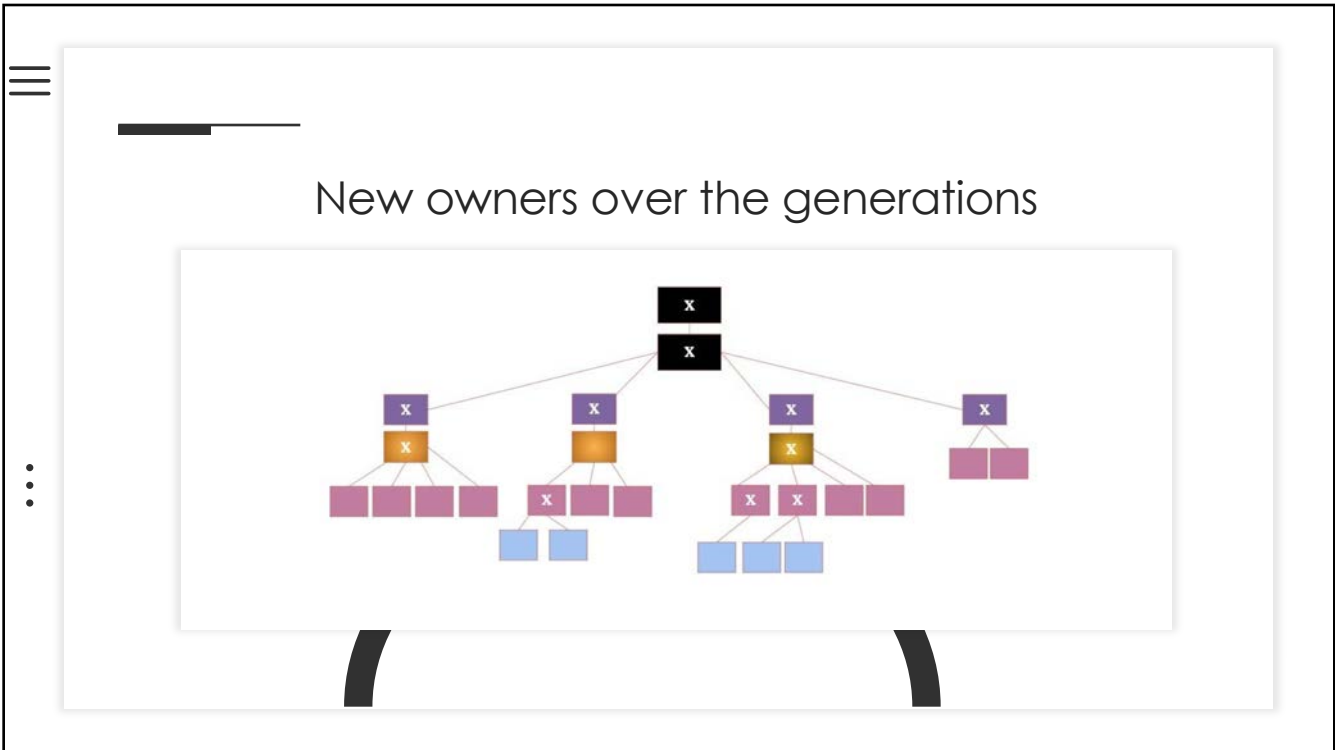
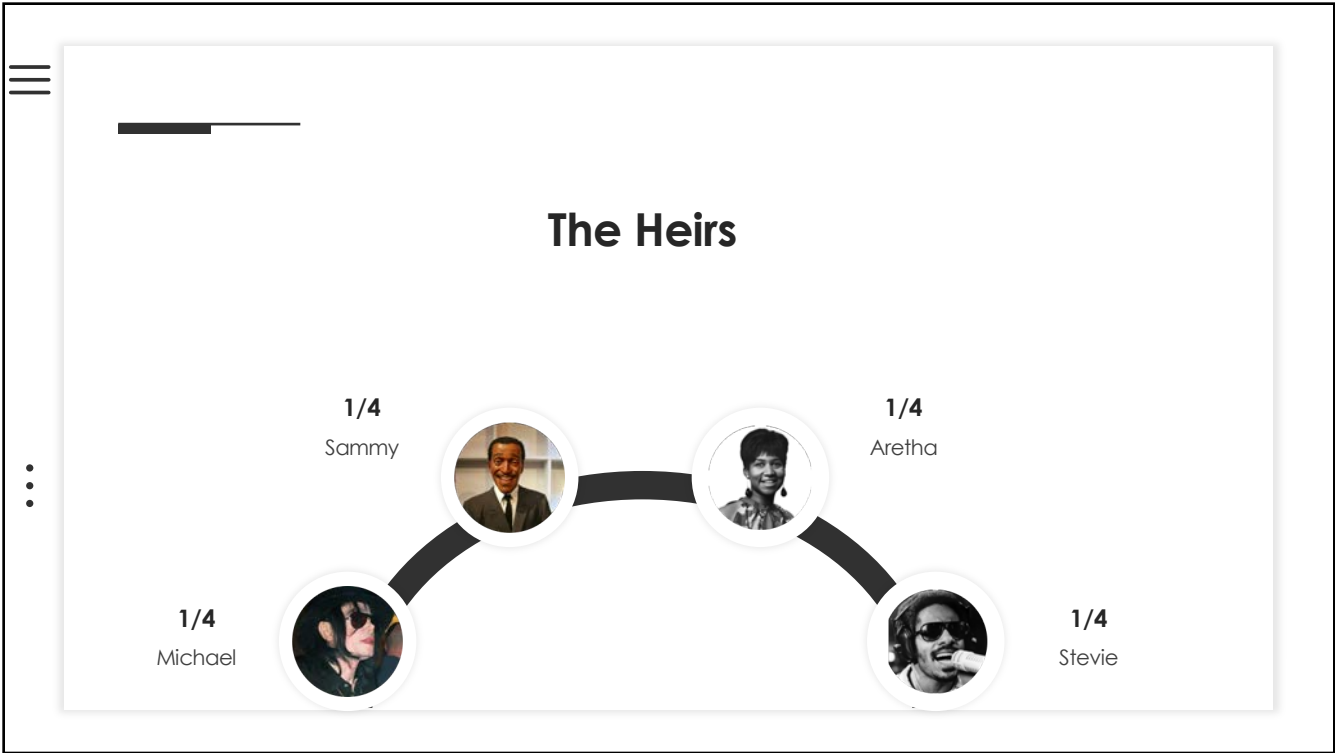
## The Beginning...

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The slide features a central photograph of a man and a woman sitting on a white balcony railing. They are both looking towards the camera. In the background, there is a large, ornate building with a red roof and several windows. The scene is set outdoors with some foliage visible.



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# Benefits of Heirs Property

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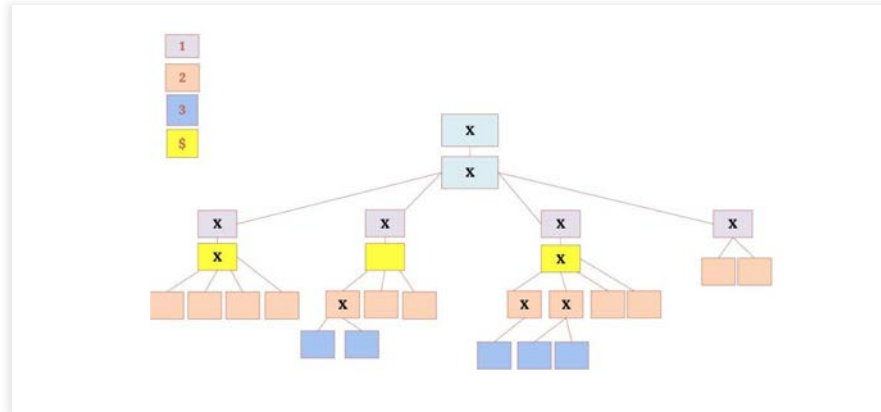
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## Family Land Around the World

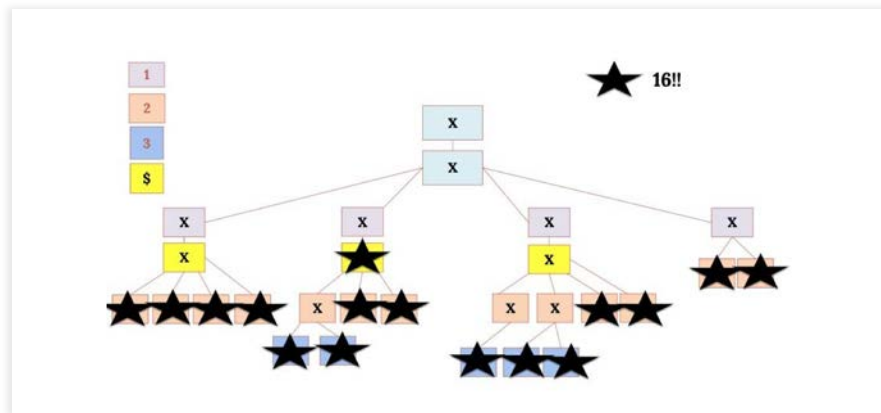
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### Creation of Multiple Owners Over Time



### Creation of multiple owners over time



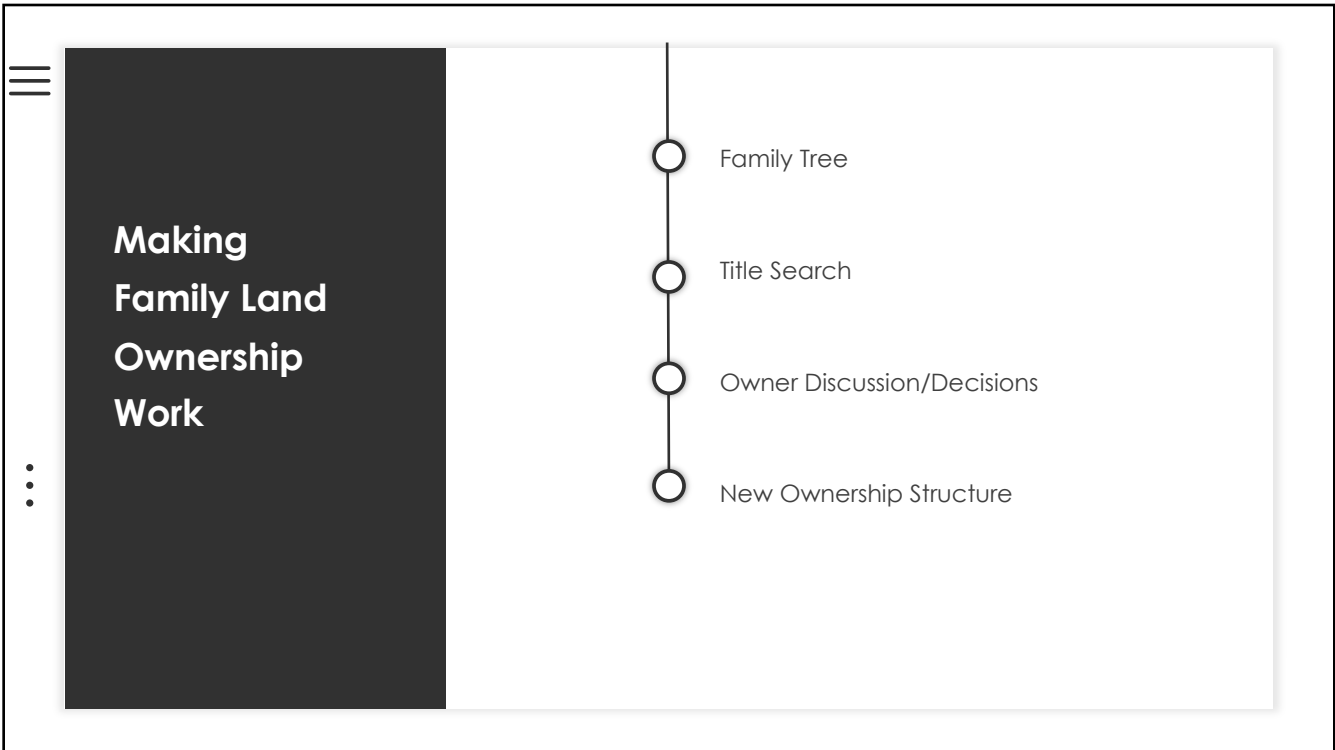
# Intestate Succession

If you die with:	here's what happens:
children but no spouse	children inherit everything
spouse but no descendants or parents	spouse inherits everything
spouse and one child or descendants of one child	spouse inherits 1/2 of your intestate real estate child or descendants inherit 1/2 of your intestate real estate
spouse and two+ children, or descendants of those children	spouse inherits 1/3 of your intestate real estate children or descendants inherit 2/3 of your intestate real estate
spouse and parents, no children or descendants	spouse inherits 1/2 of your intestate real estate parents inherit 1/2 of your intestate real estate
parents but no spouse or descendants	parents inherit everything
siblings but no spouse, descendants, or parents	siblings inherit everything



- Tenants in Common
- Seek Property Division or Transfer
- Unanimous Decision Making

Legal Structure of Heirs Property



## Alternatives to a Single Entity



- Maintain the current situation
- Tenants in Common Agreement
- Partition the land
- Sale in lieu of partition

## Initiatives & Policy that Support Heirs Property Preservation Include



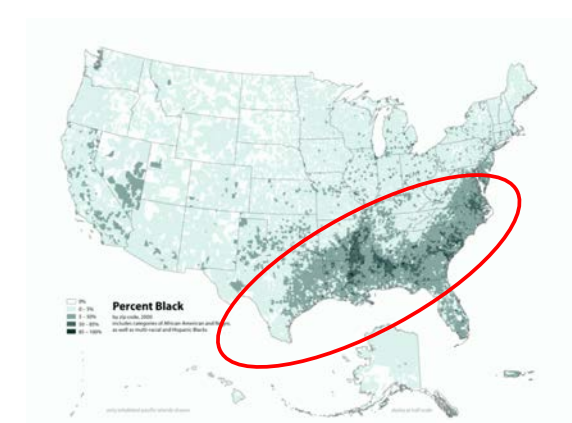
Land Loss Prevention Project, a non-profit law firm representing Black land owners

Uniform Partition of Heirs Property Act

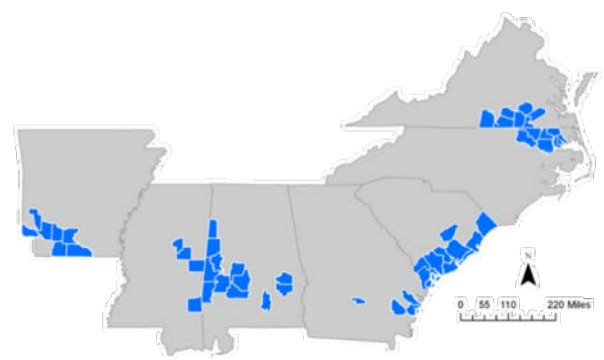
Farm Bill of 2018

Sustainable Forestry and African American Land Retention Project (SFLR)

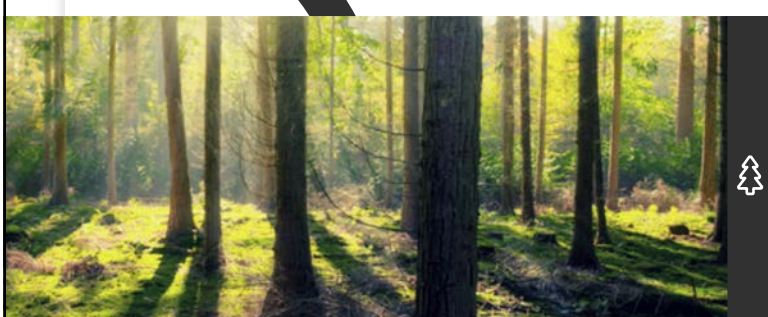




## Sustainable Forestry & African American Land Retention Project



- AR: UNIVERSITY OF ARKANSAS PINE BLUFF
- MS: WINSTON COUNTY SELF HELP COOPERATIVE
- AL: LIMITED RESOURCES LANDOWNER EDUCATION ASSISTANCE NETWORK
- GA: MCINTOSH SEED
- SC: CENTER FOR HEIRS' PROPERTY PRESERVATION
- NC: ROANOKE ELECTRIC COOPERATIVE
- VA: BLACK FAMILY LAND TRUST
- TX: NEW SITE LAUNCH IN SUMMER 2020




### Economic and Green Incentives To Address Legal Challenges

Forestry, Agriculture, and more

Conservation Opportunities including protecting water and species and carbon sequestration.

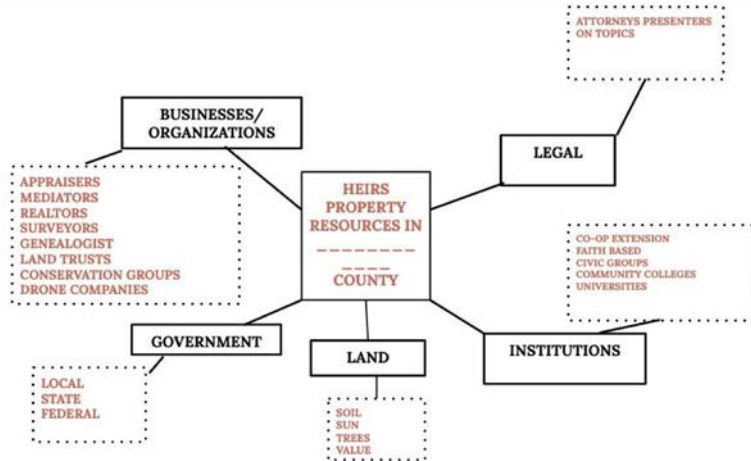
Create legal standing to address EJ and other issues



# What natural resource professionals can do for heirs property

- Appreciate the history and contributions of family land owned as heirs property
- Determine the potential conservation risks of land loss in your area by identifying hot spots
- Expand the scope of priority protection areas to include areas at risk for fragmentation due to family ownership challenges
- Get educated and educate about requirements for access to funds and services, particularly USDA resources under the Farm Bill
- Provide technical assistance to heirs property owners
- Partner with organizations addressing legal issues to develop data, best practices, etc.
- Create asset maps for heirs property
- Develop significant funding specifically for land owned as heirs property

# Asset Mapping




## Resources

States that have adopted the Uniform Partition of Heirs Property Act: [LINK](#)

SFLR-Measuring Success: [LINK](#)

SFLR on America's Forest with Chuck Leavell: [LINK](#)

*Heirs Property in the Southern United States*: [LINK](#)

American Forest Foundation: [LINK](#)