



Heirs
Property

Standing
on a **LOT**
of Love

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



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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

Topics FOR TODAY

HEIRS PROPERTY

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

Addressing Legal Challenges

Land Transfers

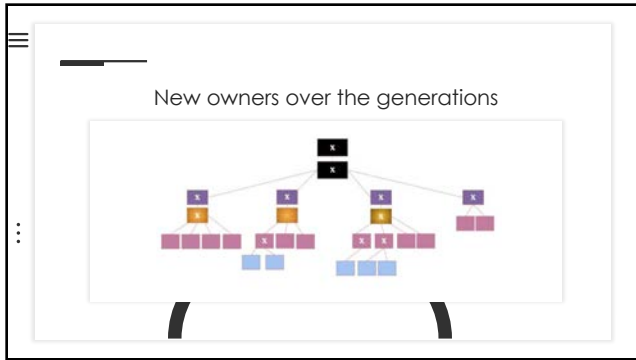
The diagram illustrates the process of land transfers. On the left is a document, likely a deed or contract. On the right is a tombstone with the word 'BYE' on it. A curved line connects the two, suggesting a transition or a final act.

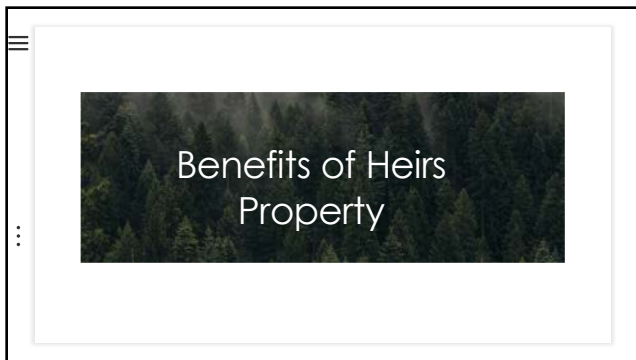
The Beginning...

The diagram is titled 'The Beginning...'. It features a central image of a painting depicting two people in a room. A curved line arches over the image, possibly representing a timeline or a narrative arc.

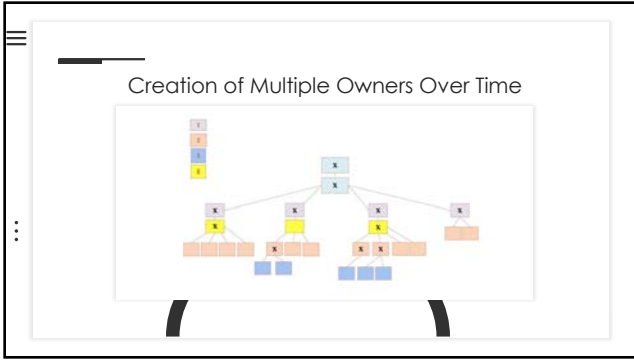
The Heirs

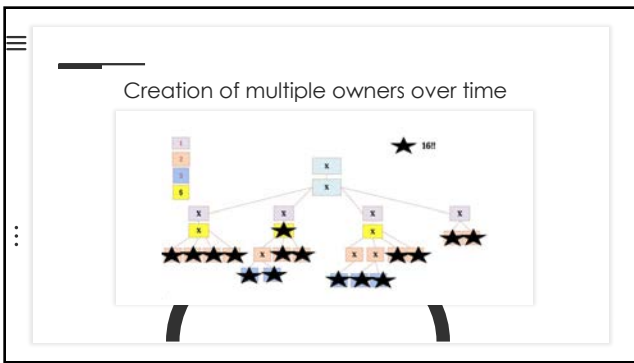
The diagram is titled 'The Heirs'. It shows four circular portraits of people arranged in a circle. The names and fractions are: Michael (1/4), Sammy (1/4), Aretha (1/4), and Stevie (1/4). A curved line connects the portraits, suggesting a shared inheritance or a common lineage.











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, siblings inherit everything or parents	

Legal Structure of Heirs Property

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

Challenges of Heirs Property

- Legal Structure
- Social
- Financial

Making Family Land Ownership Work


- Family Tree
- Title Search
- Owner Discussion/Decisions
- New Ownership Structure

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



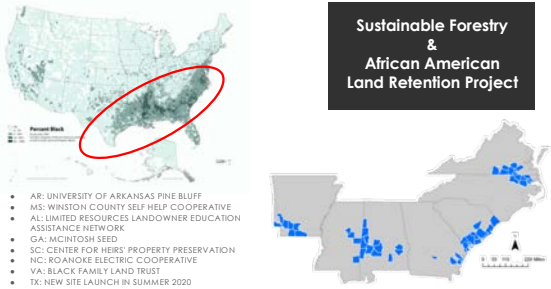
Land Loss Prevention Project, a non-profit law firm representing Black land owners

Uniform Partition of Heirs Property Act
Farm Bill of 2018


Sustainable Forestry and African American Land Retention Project (SFLR)

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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

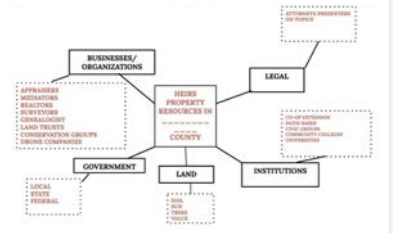
- Forestry, Agriculture, and more
- Conservation Opportunities including protecting water and species and carbon sequestration.
- Create legal standing to address EJ and other issues

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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



The diagram illustrates the components of heirs property resources in a county. At the center is a box labeled "HEIRS PROPERTY RESOURCES IN COUNTY". Five main categories are connected to this center: "BUSINESSES/ ORGANIZATIONS", "LEGAL", "INSTITUTIONS", "LAND", and "GOVERNMENT". Each category has a list of sub-items enclosed in a dashed box:

- BUSINESSES/ ORGANIZATIONS:** APPLICABLE REGULATIONS, REALTORS, BUYERS, CONSERVATION GROUPS, IRVING COMPANIES
- LEGAL:** PROBATE, ESTATE PLANNING, TRUSTS, EJECTMENT, EASEMENTS, EMINENT DOMAIN
- INSTITUTIONS:** BANKS, CREDIT UNIONS, INSURANCE COMPANIES, CHARITABLE FOUNDATIONS
- LAND:** LAND TRUSTS, CONSERVATION EASEMENTS, EMINENT DOMAIN, EJECTMENT, EASEMENTS
- GOVERNMENT:** LOCAL, STATE, FEDERAL

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Resources

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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](#)
