



HEIRS'
PROPERTY

MATTERS

Probate... don't leave anything out!

Probating an estate
is relatively straightforward...
or so Acie thought.

(See page 3 for full story)

WHAT IS HEIRS' PROPERTY?

Most heirs' property in the Lowcountry is land that was either purchased by or deeded to African Americans after emancipation. Much of this land has been passed down through

This unstable form of ownership puts heirs' property at high risk for loss because any heir can sell his/her percentage of ownership to another who can force a sale of the entire property.

the generations without the benefit of a will so that the land is owned in common by all of the heirs, regardless of whether they live on the land; pay the taxes or have ever set foot on the land.



A Note From Jennie

Your forested acres are not just the "woods out back."

A path to economic independence begins with legal education and resolving your heirs' property.

Clearing title and legal education on heirs' property ownership are the first step towards truly realizing the value of your family land. Many opportunities open up once title is cleared. Once you have figured out who you are as a family and recognized the meaning and value of your family land, the next step is determining how best to use your land to increase

the income and value for your family. With the Sustainable Forestry Program, we now have the tools and relationships to help you do that.

Don't underestimate the value of your family land. Growing up in rural Walterboro, I was surrounded by the "woods" but I didn't see its value or environmental importance. Your forested acres are not just the "woods out back." They are potentially your retirement fund or your children's college fund. It is worth every bit of work and time for you to clear title and find out how to make your land work for you.

Our Sustainable Forestry Program is only one way to realize the value of your land. There are several paths you can take but your first step must be obtaining clear title

Visit our NEW website at
www.heirsproperty.com

2013 Board of Directors

Nancy Bloodgood, Esq. — Chair
G. Hamlin O'Kellely, III, Esq. — Treasurer
Dana Adkins, Esq.
Amanda E. Compton
Susan K. Dunn, Esq.
Richard Habersham
Alex Singleton
Mary M. Wrihten

Staff

Jennie L. Stephens, Executive Director
Josh F. Walden, Supervising Attorney
Sam Cook, Director Sustainable Forestry Program
Pamela S. Pendergrass, Paralegal
Tish Lynn, Resource Development Coordinator
Jacqueline W. Wilson Administrative Assistant

Probate ... don't leave anything out!

Acie was living at home on nearly four acres of land on St. Helena Island that he thought he owned until he was told that he couldn't refinance his mortgage because it was heirs' property. The Beaufort County homestead on which he lived had been left out of his wife's probated estate.

As a result, when Acie applied for a lender program to refinance his mortgage, he found out that he didn't qualify because his property had become heirs' property—owned as tenants in common with his daughter and two granddaughters who lived in Georgia.

Acie now needed legal help to probate the property he lived on but he couldn't afford to hire a private attorney. That's when he attended a legal education seminar hosted by the Beaufort County Council where he met the Center's Attorney Josh Walden who got the legal ball rolling.

"I'm active in this area, in terms of helping people to preserve their land," Acie said with conviction.

Attorney Walden re-opened the Charleston Probate and filed copies of the completed probate in the Beaufort County Probate Court. After securing quitclaim deeds from Acie's daughter and two granddaughters, Walden filed them in Beaufort County.

In April of 2013, Acie's probate "house" was finally in order and he was able to refinance his loan and settle the future of his house in his will.

"I greatly appreciate the help of the Center," he said. "I am overjoyed that the property can now be willed back to my daughter and granddaughters through me."

BUCKET LIST: The Three Buckets of Center Work

- 1) PREVENTION – Helping prevent the growth of HP through legal education seminars, community presentations and outreach and the drafting of simple wills at Wills Clinics.
- 2) RESOLUTION – Helping resolve HP issues through comprehensive and direct legal services (e.g. Advice and Counsel, Family Presentations, full, legal representation and more.)
- 3) SUSTAINABLE LAND USE – Helping African American landowners with forested acres sustainably manage their land for increased economic benefit through education and technical assistance on new forest technologies and connections with traditional and emerging forest product markets.

WELCOME to Sam Cook! The Center's Director of the Sustainable Forestry Program



After a long, hot morning of helping to clean the grounds of the Brick Baptist Church on St. Helena Island, Acie stands ready to enjoy the 175th anniversary celebration of his church.

A Path Towards Economic Independence... One Step-at-a-Time

The Center proudly celebrates eight years of working to promote **JUSTICE** by leveling the playing field of land ownership for heirs' property owners through education and clear title; **CULTURAL PRESERVATION** by protecting these unique rural communities and the historic traditions and heritage rooted in them; **ENVIRONMENTAL PROTECTION** by promoting the sustainable use of these rural lands and preserving its diverse eco-systems and **ECONOMIC DEVELOPMENT** by providing the landowners with viable options for realizing income and value from their family land.

1st Step (2001-2004) "The Vision"

Funding from The Ford Foundation and SC Bar Foundation and the "home" at Coastal Community Foundation [CCF] provided the ideal environment [focus groups, community forums, CCF stakeholders, etc.] to do the work of defining the need and the response to that need.

2nd Step (2005) "Who Are We?"

The Center needed to function independently as its own non-profit organization to carry out the work. CCF served as the Center's fiscal sponsor until 2006.

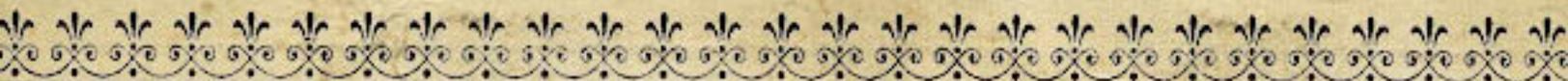
3rd Step (2005-2006) "What Do We Do Now?"

Heirs' Property Education Seminars [HP101] and community-wide presentations were fine-tuned to raise awareness about the issue, to engender trust and to clear up the confusion and misunderstanding about heirs' property shared by HP owners and the general public alike. The Center has conducted 385 seminars and presentations reaching 8,242 people.

4th Step (2007) "Legal Help Delivered"

The Center's outreach and education through trusted members of the heirs' property communities led to clients wanting our help to clear title to their family land. The legal process was taking anywhere from 6 months to 2 years. In 2007, the results of that work culminated in the clearing of 21 heirs' property titles. Since 2005, the Center has cleared 97 titles to family land which has a total, assessed value of \$5.4 million





*The work is hard.
The rewards are great.*

5th Step (2010) "Protecting that Legacy"

The Center recognized the need to promote the importance of minimal estate planning to prevent the growth of heirs' property through the drafting of simple Wills. Benefiting from the close relationship with the Charleston School of Law, the Center conducted its first community-wide Wills Clinic with the assistance of CSOL students and local volunteer attorneys. Since then, 353 simple Wills have been drafted at these clinics.

6th Step (2010) "Clear title...then what?"

With clear title, heirs' property owners could finally obtain loans, mortgages, access public and private funds to improve their homes and property — things they couldn't do without it. With clear title, the land had finally become a potential economic asset to the family. Now the question arose, "What do these families now need to realize that asset?" A second tier of education services was developed called Heirs' Property 101 [HP101] seminars which were conducted with local experts addressing land use options, financial literacy, tax and estate law and more. The families were learning the basics of how their land could be an asset and work for them.

7th Step (2011-2012) "How Much Heirs' Property Is Left?"

The Center had been asked that question for several years and finally received the funding to undertake the research for the "Mapping Project" to find out how much heirs' property remained and where it was concentrated across the Center's six-county service area. Once again, the Charleston School of Law students were a big help. A conservative estimate indicated that 41,000 acres of heirs' property remains. Our work is cut out for us.

8th Step (2013) "The Path to Economic Independence"

The Center realized that effective rural land preservation meant engaging the people living on it and providing them with the tools to own it in a stable way and to hold on to it. Key funders [Gaylord and Dorothy Donnelley Foundation and Mary Reynolds Babcock Foundation] encouraged partnerships with environmental and community economic development organizations to learn from one another...and then it happened. Other funders surfaced and we answered the call. The US Endowment for Forestry and Communities, USDA Natural Resources Conservation Service and USDA Forest Service selected the Center to launch the Sustainable Forestry Program to provide the necessary education, resources, expertise and programs for African American landowners to sustainably manage their forested acres to increase their income and value. Taking this step with these families provides a true pathway to achieving economic independence.

Point of Order

Thank You

Your many, generous gifts help us continue to protect heirs' property stretching across our rural landscape and promote its sustainable use for the increased economic benefit of family owners. That's good for ALL of us. THANK YOU!

The following donors made gifts to the Center between September 1, 2012 — August 31, 2013. If we have left anyone out, please let us know and accept our sincere apologies.

Individuals

Dana Adkins	Richard Hendry	Elizabeth Rosen	Black Family Land Trust
Jennet R. Alterman	Mary W. Hill	Cynthia Rosengren	Charleston County Bar Association
Clifton Andrews	Julius H. Hines	Everard O. Rutledge	Charlotte School of Law
Anonymous	Waring S. Howe, Jr.	Alexander Sanders, Jr.	Coastal Community Foundation of SC:
Tim and Pearl V. Ascue	Ladson F. Howell, Jr.	Michael A. Scardato	Open Grants
Margaret P. Blackmer	Richard Hricik	Robert Schofield	Pomerantz-Wilcox Family Fund
Sol E. Blatt, Jr.	Jim and Lee Hughes	Rita L. Scott	The Beaufort Fund
John M. Bleecker, Jr.	Richard Jerue	Terry Seabrook	Daniel Island Community Fund
J. Sidney Boone, Jr.	Wilbur E. Johnson	Luther Seabrook	DAR - Savannah Smith Elliott Chapter
Theodosia A. Boston	Sandra Jones	Alex Singleton	Design from Dixie
Mary Frances Brown	Virginia and Charles Lane	Starr and Phil Sneed	Frances P. Bunnelle Foundation
Leonard Brown	Beverly Layne	Vernetha Spell-Profit	Gaylord and Dorothy Donnelley Foundation
John E. Cary, III	Jack Little	Alison Standard	Henry & Sylvia Yaschik Foundation
David Cohen	Tish Lynn	Jennie Stephens	Mary Reynolds Babcock Foundation
College of Charleston	Ronald L. Martin	Robert and Laura Stiles	May and Stanley Smith Charitable Trust
Amanda Compton	David H. Maybank, Jr.	Steven Swanson	Maybank Law Firm
J. Joseph Condon, Jr.	David P. McCann	John and Julia Forster Thompson	Post and Courier Foundation
Martha Craft-Essig	Francis X. McCann	Marilyn Mitchell Varner	SCBT
Mr. and Mrs. Richard Doughton	Charles McKenzie	Everett Wilcox and Jan Pomerantz	Shady Grove Family Life Center
Robert Driesen	Stephen McLeod-Bryant	Mary M. Wrighten	South Carolina Bar Foundation
Barbara Kelley Duncan	Mr. and Mrs. Charles Middleton	Government	TD Bank Foundation
Susan Dunn	William and Barbara Middleton	City of North Charleston	The Joanna Foundation
Phyllis W. Ewing	Bishop Dr. Andrew Mole, Sr.	USDA Natural Resources Conservation Service - SC Office	Trident United Way
Julie Fitzharris	Joanne and Alan Moses	USDA Rural Business Cooperative Service	U.S. Endowment for Forestry and Communities
Elaine Fowler	Danny and Margaret Mullis In honor of Honorable C. Weston Houck's 80th birthday	Foundations/Corporation	
Gamma Zeta Chapter Zeta Phi Beta	D. Ashley Pennington	Anonymous	
Steve and Laura Gates	Chavis and Mildred Pinckney	A. Standard Enterprises, Inc.	
Charles S. Goldberg	Mr. and Mrs. John E. Powell	Ascue's Auto-Paint & Body Shop	
Richard Habersham	Edward K. Pritchard, Jr.		
Lynn Hanlin	Marjorie Rath		

Giving is made easy online at: www.heirsproperty.org or by sending us your gift in the donation envelope enclosed. Please include your e-mail address on the envelope. To keep up with all that we are doing, "friend" us on FACEBOOK too!



**2014 "Commitment to Justice" Award
Will Honor Retired Chief Justice
Ernest A. Finney, Jr.**

On March 10, 2014, the Center for Heirs' Property Preservation will host a reception at the Francis Marion Hotel from 5:30-8:00PM to honor Retired Chief Justice Finney.

Justice Finney was the first African-American Supreme Court Justice appointed in South Carolina since Reconstruction. But that is just one of many "firsts" that epitomize Finney's long and illustrious professional, political and personal life. He stood for what was right when the time was right. How fitting to stand for him now in celebration of his lifelong "Commitment to Justice."

Join our sponsors and guests and support the Center's work to protect heirs' property and promote its sustainable use.

Call Tish Lynn to become a sponsor and Jacqueline Wilson to reserve your individual tickets [\$100 each] at: [843]745-7055.

A Salute of Thanks

A Salute of Thanks to the generosity of the Host Committee and Sponsors of the 2013 "Commitment to Justice" event and to the family and friends who honored the great and good life of Dr. Theodore S. Stern.

Host Committee

Co-Chairs:
Honorable Lucille S. Whipper and William G. Medich
Charles J. Baker, III
Henry J. Blackford, III
Dr. Sue Sommer-Kresse
Greg and Tina Padgett
William Saunders
Maxine Smith Ed.D
Charles S. Way, Jr.
J. Rutledge Young, Jr.

Presenting Sponsors - \$5,000

Charleston County Bar Association
Honorable Robin C. Duke
MWV
SCBT

Event Sponsors - \$1,500

Charles S. Way, Jr.
Womble Carlyle Sandridge & Rice
Young Clement Rivers, LLP

Supporting Sponsors - \$1,000

Berkeley County Bar Association
Henry J. Blackford, III
Charleston County Missionary Baptist Church Association
Charleston School of Law
City of Charleston
College of Charleston
Dixon Hughes Goodman, LLP

Dorchester County Bar Association
Francis Marion Hotel
Mary E.S. Hanahan
Haynsworth Sinkler Boyd, P.A.
Richard H. Jenrette
John and Marie Land
Ted & Tricia Legasey
Leonard and Anne Long
Harriet P. McDougal
Bill and Julie Medich
Medical University of South Carolina

Greg & Tina Padgett
Maxine Smith, Ed.D.
Kerry and Cindi Solomon [Carolina Eyecare Physicians]
Dr. Sue Sommer-Kresse and Mr. John Kresse

Steve and Emily Swanson
Pratt-Thomas Walker, PA
Mark C. Tanenbaum, P.A.
TD Bank
The Bank of South Carolina
John and Pam Tiencken
Trident Technical College
Andrea L. Volpe
Tom and Janice Waring
Honorable Lucille S. Whipper
Whipper Law Firm
Mr. and Mrs. William Womble, Jr.
Stephen and Suzan Zoukis

Sponsors - \$500

Buist, Byars & Taylor, LLC
First [Scots] Presbyterian Church
Rich Haddad [State Farm]
Mariana and David Hay
Heritage Trust Federal Credit Union
Mr. and Mrs. John M. Jordan, Jr.
Lowcountry Housing Trust
Patricia B. Manigault
Joseph S. & Rhetta A. Mendelsohn
Richardson Patrick Westbrook & Brickman, LLC
Mr. and Mrs. W. Lucas Simons

Sponsors - \$150

Duffy & Young, LLC
Nancy Bloodgood
David Cohen
Fielding Home for Funerals
Stephen and Laura Gates
Dr. Andrew and Josephine Lewis
Wade H. Logan, III
Dr. Linda M. Plunkett
Henry B. Smythe, Jr.
J. Rutledge Young, Jr.



The antique scales of justice presented to the Stern family was given by Randell and Martha Stoney.

CENTER FOR HEIRS' PROPERTY PRESERVATION

1535 Sam Rittenberg Blvd., Suite D
Charleston, SC 29407

phone (843) 745-7055
toll free (866)657-2676
www.heirsproperty.org



NONPROFIT ORG.
US POSTAGE
PAID
CHARLESTON, SC
PERMIT NO.52

**Help us continue our work by giving TODAY
Here's what your gift CAN do!**

A gift of \$1,500

can help fund a Wills Clinic to help prevent the growth of heirs' property...OR enable 20 landowners to attend a Sustainable Forestry Program Workshop.

A gift of \$1,000

can help fund an HPPro Legal Education Seminar.

A gift of \$750.00

can help fund a "Family Presentation" to help a family reach agreement on the use of their land.

A gift of \$500.00

can help fund a client's court filings and publication costs.

A gift of \$350.00

can help fund a client's title search.

A gift of \$250.00

can help fund a 1-hour "Advice and Counsel" session for an HP owner with the Center's attorney.

A gift of \$150.00

can help fund a webinar on Land Ethics and Succession Planning for 100 African American families.

A gift of \$100

can help fund a Guardian Ad Litem for a client's case.

A gift of \$50

can help fund recording of deeds for a client.

A gift of \$25

can help fund a client's postage and mailing costs.

Gifts to the Center will be allocated as deemed necessary and appropriate by the Center to benefit its clients as a whole unless otherwise specified by the donor.

"When you learn, teach, when you get, give."

-Maya Angelou