

*“Don’t sign anything!”*

**L**ouis, Sr. did not join his family in the front room when Sam Cook, director of the Center’s Sustainable Forestry Program, first came to talk about their forested acres...but, from time to time, he would call out from the back of the house - “Don’t sign anything!”

[See page 3 for full story]

## WHAT IS HEIRS' PROPERTY?

**M**ost 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

*Stewardship in Action -  
Protecting land while generating income*

**I**ndividuals and organizations should strive to have impact. The definition I use for "impact" is: the force exerted by a new idea, concept, technology or ideology. In 2002, the executive directors of Coastal Community Foundation and SC Bar Foundation and community leaders desired to have impact by creating a project which used new ideas to address the challenges of heirs' property ownership. From the beginning, the vision was to go beyond educating landowners on their rights and helping them clear their title issues. The

ultimate goal was to have the land work for the landowners and their families.

As the Center begins its 10th year of operation as a nonprofit, my primary message remains the same - do not wait to "fix" your heirs' property situation or you may lose your land forever. In concert with that, the Center is taking significant steps to realize that ultimate goal by pulling additional tools out of our tool box to help landowners learn how to fully realize the economic asset of land ownership.

This force - the work of the Center and its partners - is having impact within our service area, our state, the southern region and, ultimately, the nation.

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# “Don’t sign anything!”

## *God’s not making any more land*



*Manigault Family [l to r] Rosaiah, Louis, II, Desma Manigault-McElveen, Renida, Christine, Hester [mom] and Louis, Sr. [dad] and Emily. Not pictured: Isaiah, Kendra, and Megan.*

**I**t’s understandable why Louis, Sr. was warning his family not to “sign” anything. Too many African American families have stories of land lost after signing documents they may not have fully understood. Louis’s caution about his land is why he still has it.

However, Louis, Sr. is now a believer in the Center’s Sustainable Forestry and African American Land Retention Program [SFP] and hopes that other small landowners in his community will learn what to do with their land so they don’t do “fly-by-night things.”

Louis, Sr. bought his own family home and 92 acres from his cousin and his father. His nine children all worked the land growing up. They kept cows, hogs and chickens; grew deer corn, soybeans, cane and sweet potatoes, and tended a family garden. Hard though it was, they all agree - “It gave us our work ethic... and teamwork ethic.”

In this family of eleven, Mom and Dad were both teachers as are two of their children; another works for Santee Cooper and one for Kapstone; three are registered nurses, and two are in the Air Force. Son Louis, II is now the primary caretaker of the property. “The land is ‘home’ for all of us. It’s our common bond. We always know we can come back.”

Before SFP, the family didn’t have a forest management plan. They focused on farming and leasing land for hunting to help pay the taxes. The trees fed their wood stove, but there was no re-planting.

Today, with the help of a consultant forester, this family has a long term forest management plan with 10-15 and 30-year goals and cost-share reimbursement through the USDA/Natural Resources Conservation Service [NRCS] EQIP

“The program wouldn’t be worth 2-cents without the education.”

☞ Sam Cook

*SFP Director*

[Environmental Quality Incentives Program] to re-plant loblolly pine.

“This program wouldn’t be worth 2-cents without the education,” said SFP Director Cook. Louis, II agrees. “At the SFP seminars we’ve learned what we should know. What our rights are. It’s given my family hope that we can develop an economic plan for the future to hold on to our land. Personally, I want our forest to look like the national forest,” he smiled. “It’s just a matter of execution.”

For the family, it feels good to get things in order for the next generation.

It's hard  
 work...  
 but it's  
 worth it.



*Photo: Barbara Manigault.*

**B**arbara's grandmother bought the 23.5 acre family farm in 1924 when land was \$2.00 an acre. Growing up with her four siblings, there were family reunions, picking cotton and tending the cows, hogs and other animals. When her grandmother died, the next generation of heirs - Barbara's mother and siblings - took over the land and made sure the taxes were paid, but the estate was not probated, so the land became heirs' property.

When Barbara's mother, aunt and uncle passed away, Barbara, her siblings and numerous cousins knew they had to take action to keep their land in the family. By chance, her sister Lois saw an ad for the Center when she opened her light bill and called to make an appointment to talk with the Center's Attorney Josh Walden.

Like most heirs' property owners, she and Barbara had no idea what a long and challenging road they would have to travel to complete their family tree, collect and confirm all documents

[wills, deed, titles, etc.] and to reach family agreement to divide the land along heir lines.

There were times when securing the agreed-upon deeds through mediation seemed unlikely.

"There is an ebb and flow to family negotiations," said Walden. "Ultimately, this family overcame disagreement and avoided the pitfalls that lead to a stalemate and inaction. To their credit, heirs from South Carolina, New York and Utah rallied and stayed the course. All the heirs involved were equally responsible for their successful resolution."

Through a Quiet Title Action, there are now four Masters Deeds recorded that divide up the property. More importantly, Lois has had her will drafted and shared the "story" of the land with her children so that they understand how important it is for them to keep it in the family.

## Be Prepared and Be Organized!

Prepare for success before meeting with Attorney Walden:

- Collect and bring all tax bills and copies of any related deeds to help identify the property.
- Collect and bring all contact information for all known heirs.
- Start to create your family tree using death certificates, birth certificates, family reunion booklets, notes in family Bibles, and obituaries.
- Talk with older heirs who can provide history and background information, to help create the family tree.
- Have a positive attitude. The work is hard but worth it.

# 10th Anniversary Milestone in 2015

## From Protecting Family Land to Producing “Working Landscapes”

*We own land we can't use. Our grandfather/great grandfather bought this land and now we struggle to pay the taxes and are always afraid we might lose it. We've all lost land but can't afford to pay for an attorney to help us keep it.*

In 2002, this was what Coastal Community Foundation heard from rural landowners struggling to hold on to their family land. CCF responded by developing the Heirs' Property Preservation Project funded by the Ford Foundation. In 2005, the Center became the only non-profit in SC providing comprehensive education and direct legal help to protect and prevent the further loss of heirs' property [HP]. It's still the only one.

### 10 Year Heirs' Property Results:

- Cleared 115 titles with a cumulative, tax-assessed value of \$5.94 million;
- Provided legal advice and counsel to 1,419 applicants;
- Provided the full array of legal services to 335 clients;
- Conducted 408 legal seminars and presentations to raise awareness among 8,982 persons, and
- Drafted 404 simple Wills since 2009 to prevent the growth of heirs' property.

### Land as an Asset — Not a Liability

Owning property as heirs is a liability instead of an asset. Owning land with clear title but without knowing its value is also a liability.

In 2013, the Center launched the 30-month Sustainable Forestry and African American Land Retention Pilot Program [SFP] to provide education, technical assistance and resources to 25 African American landowners to increase economic benefit through improved forest management.

### 1st Year SFP Results:

- 40 families are participating in the program with a total of 4,103 acres
  - ◆ 16 Heir's property owners
  - ◆ 16 Non-heirs' property owners
  - ◆ 6 LLCs
  - ◆ 2 Organizations
- 36 families have had their land assessed by a professional forester
- 27 families have developed a forest management plan with USDA/Natural Resources Conservation Service [NRCS] or USDA Forest Service Agency
- 25 families have applied for cost-share reimbursement through NRCS/EQIP [Environmental Quality Incentives Program] for work\* done on their land

\*Work includes: Site preparation, thinning, clear cutting, burning, cleaning up and planting.

### The Future

“Expansion is in our future,” says Executive Director Jennie Stephens. “Our USDA partners and funders understand that heirs' property issues must be resolved in order to preserve rural landownership. With their help, we will grow to meet the need.”

[SFP is funded by the U.S. Endowment for Forestry and Communities, and USDA agencies — Natural Resources Conservation Service and Forest Service.]



For our 10th Anniversary, the Center challenges YOU to help us reach our goal of 100 gifts of \$1,000 for our 2015 Annual Campaign.

*Won't You be the first?*

Giving is made easy online at: [www.heirsproperty.org](http://www.heirsproperty.org) or by sending us your gift in the donation envelope enclosed.

*The following donors made gifts to the Center between September 1, 2013 — August 31, 2014.  
If we have left anyone out, please let us know and accept our sincere apologies.*

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**2015 “Commitment to Justice” Awardee the  
Honorable Lucille S. Whipper**



**On** March 19th, 2015, the Center will salute the Honorable Lucille S. Whipper with its 2015 “Commitment to Justice” Award at a reception at the DoubleTree Hilton [181 Church St.] where her dear friend and mentor,

Reverend McKinley Washington, Jr. will present her with the award with remarks by Chief Justice Jean H. Toal.

Activist, academic administrator, community leader, founder of Operation Catch-Up and the Lowcountry Aid to Africa project, instrumental in organizing the Avery Research Center for African American History and Culture and the first African American Administrator at the College of Charleston, Ms. Whipper was also the first African American woman to serve as an elected state official from the Tri-County.

Join us to honor a great lady and a great friend of the Center. To be a sponsor, call Tish Lynn at 745-7055.

**Sincere thanks to the generous 2014 Sponsors and to the family and friends  
who honored Ret. Chief Justice Ernest A. Finney, Jr.**

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*USDA Under Secretary for Natural Resources and Environment, Robert Bonnie with Jennie who served on a panel in D.C. at the request of USDA Secretary Tom Vilsak to talk about the Center's work at the 5th Anniversary of the USDA's Longleaf Pine Restoration Initiative.*



*The Plum Creek Foundation awarded \$10,000 to the Center to fund the 2015 summer "Youth Natural Resources Camp" to be hosted by the Diocese of the Southeast Reformed Episcopal Church in Awenda. Student campers will learn leadership skills and the economic and conservation importance of sustainable forestry management.*

*Pictured from left to right are: Jarod Fryman [Plum Creek - Senior Resource Supervisor], Alex Singleton [Plum Creek - Senior Resource Forester and Center Board Member], Jennie Stephens and Graham Marsh [Plum Creek - Resource Supervisor].*