



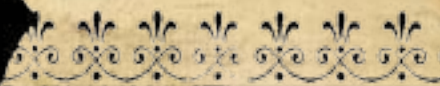
HEIRS' PROPERTY

MATTERS

# Saved by his Friends and his Trees...

**V**an owed money on his mortgage. He was afraid of foreclosure. He had already put his family land up for sale. He was going to have to sell 50% of it to make the payments. There didn't seem to be another way out...until his neighbor told him about the Center's Sustainable Forestry Program.

[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

*"Dollars and cents reason to take that first step..."*



**I**t has been proven that land which works for its owners is more likely not to be lost. Due to its particular type of ownership status, heirs' property owners have been traditionally restricted from using their land, which has often resulted in this land being lost.

How do we help landowners protect and hold onto this legacy? Since its inception, the Center has offered education and legal services to these families. Now, through its Sustainable Forestry Program and expert partners, the Center is able to go beyond the title clearing process and

offer landowners access to technical assistance, cost-share programs and markets to generate income from their forested land while using methods that make sure the land is not destroyed, but left intact to be passed down to future generations.

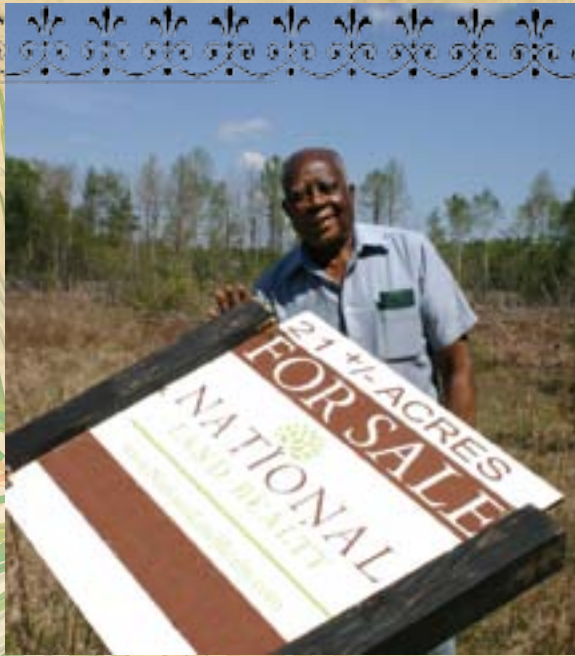
The Sustainable Forestry Program has given HP landowners a real "dollars and cents" reason to take that first step to clear title to finally be able to make their land work for them while preserving our beautiful, rural landscape.

The Center's staff has grown by TWO!

[Front row L to R] Jennie Stephens, Hope Watson, Jackie Wilson, [Back row L to R] Josh Walden, Tish Lynn, Pam Pendergrass and Sam Cook.

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Goodbye "For Sale" sign!

## Saved By His Friends and His Trees

**V**an has clear title to his land, but he was at his wit's end. His monthly income had changed and he owed money on the mortgage. His father had bought the 42 acres he was living on in the 1940's and now he was staring into the face of foreclosure.

Van figured he had to sell 21 acres to make enough money. His friends and neighbors saw the "For Sale" sign on the side of the road. Luckily, one of them was a participant in the Sustainable Forestry Program [SFP] and she invited Van to attend one of the Center's educational seminars. Then she asked SFP Director Sam Cook, to give Van a call to help him with other options.

"Van and I ended up walking his land together," Sam said. "Right away, I could see there was enough fiber [trees and tree products] on the land to give him some income so he wouldn't have to sell his land." Over the course of four months, Sam returned to the land with three different wood buying

professionals, who each gave Van quotes for purchasing the wood on 38 acres. He picked the best price and the logging began.

"That's when I knew he was for real," Van said. "Before that when people asked me about Sam and the program, I said - I know one thing, if he takes my land he'll be another Sam Cook gone on... 'cause I'll go after him." Van openly laughs.

After the harvest, Van took down the "For Sale" sign. He'd made enough money to meet his mortgage payments, to make a profit and to save every inch of his land. He is so proud of what he's done and has so many ideas about the future. "I'm number one in the forestry program now," he says with a wink. His enthusiasm has infected others.

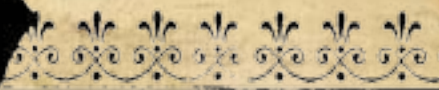
"I was the first in my community to get a USDA Farm and Tract number," he said. "The others were afraid but now they see." He was also the first to submit a conservation program

### USDA/NRCS

#### 4 Easy Steps for Farmers, Ranchers and Forest Landowners to Get Technical and Financial Help

- 1) Every county in SC has an NRCS (Natural Resources Conservation Service) agency. Visit your local field office to discuss your work plans and goals.
- 2) Find out if you are eligible for USDA/NRCS programs. Bring an official tax ID (SS/or employer ID), property deed or lease agreement, and farm tract number (refer to USDA Farm Service Agency).
- 3) Complete an application for financial assistance programs.
- 4) If selected, NRCS will work with you to complete your project.

application to the USDA/Natural Resources Conservation Service to apply for cost-share to re-forest the land that was cut. "Sam says that if I cut and clean it all the way, then I can apply for cost-share money to re-plant long leaf pine. I'm also thinking of putting in a fish farm and maybe leasing some of the land for hunting." Van's sharp eyes are ablaze with dreams, and now his daughter may come home to help him make his dreams come true.



## The Sustainable Forestry Program is FAST growing! Realizing the true value of the “woods out back.”

**T**he Center’s Sustainable Forestry Program [SFP] is one way for families to generate income and keep their family land for generations to come. See how SFP was seeded and how it has grown!

### 1st Cut: SFP begins with Special Funding

The US Endowment for Forestry and Communities [the Endowment] provides funding to promote the growth and protection of forestland in the US. In spring 2013, the Endowment, USDA Forest Service and USDA Natural Resources Conservation Service selected the Center as one of two programs to receive \$425,000 to launch a 30-month pilot project entitled the Sustainable Forestry Program [SFP] to provide sustainable forest management education and technical assistance to African American landowners - both heirs’ property [HP] and non-heirs’ property [non-HP] owners.

### 2nd Cut: Partners

Project success required great partners. Executive Director Jennie Stephens engaged the expert technical assistance and educational skills of many partners, including: SC Forestry Commission, USDA/Natural Resources Conservation Service [NRCS], Kapstone Corporation, SC Wildlife Federation, MWV, Black Family Land Trust, The Conservation Fund, The Community Loan Fund of SC, Clemson University Department of Forestry and Natural Resources and others.

### 3rd Cut : New Director - Getting the word out

In June 2013, Sam Cook was hired as Director of SFP [meet Sam on page 6]. Cook hit the ground running to spread the word and generate interest. He has criss-crossed the Center’s service area meeting with community organizations, church groups, ministerial alliances, timber companies, forestry organizations, land management consultants, heirs’ property clients with forested acres and the Center’s many partners. His large frame unfolding from his small, white Fiat has become a familiar and welcome sight to scores of eager applicants.

### 4th Cut : Early and Impressive Interest

Within six months, 130 families, owning more than 6,000 acres collectively, expressed interest in taking part in this program. Many of these landowners had viewed their forests as “the woods out back” with little or no idea of its value. Often, if their timber was cut, they received only a small percentage of what it was worth. Only two of these families had ever heard about the government cost-share programs to help launch an agricultural or timbering business.





## In South Carolina, forestry is a \$17 billion dollar industry ...and it's not just trees!



### 5th Cut – SFP Education Workshops

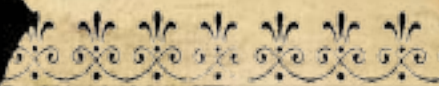
The key to the success of the participating SFP families is knowledge. Cook has conducted three educational workshops for them in Colleton, Beaufort and Dorchester counties covering topics related to “How to Manage Your Land to Make Money”, “Ties to the Land” and “Forestry, Agriculture, Taxes and Capital [Money!].” The more the landowners know, the more they want to know. A transforming power can be felt — the power of knowledge that gives rise to hope, promise and possibilities as families strive to make the best decisions for their land and themselves [more workshops to come].

### 6th Cut – Real Progress

According to the funding criteria, the Center is working with both HP landowners and non-HP owners through SFP. Fifteen HP owners, who own a total of 1,117 acres, are in the program with six of them already working with NRCS. Twenty-six, non-heirs' property families owning 2,112 acres are in the program. Fifteen of them already qualify for cost-share help through the USDA/Natural Resources Conservation Service [NRCS] with timber conservation plans ranging from “starting over” to site prep and planting to thinning, clear cutting and burning. That's 3,229 acres of rich, rural land preserved and put to use across our service area with four timber sales in place [one complete/3 underway] and three landowners pursuing conservation easements.

### 7th Cut – What's Next for SFP and the Center?

We are learning every day but one thing is clear - the combination of the Center's HP and SFP work is a formula that could have national repercussions. Providing under-served landowners with the incentive and legal help to secure their land and the technical assistance and tools to benefit economically from it could have broad applications across rural U.S. The Center's next step is to document the work - collect data; research each step of the process; conduct interviews with partners and participants, and analyze what is working and not working in order to determine best practices for delivering these services wherever they are needed.



## Beware and Be Aware...a few mistaken ideas cleared up!

### Not a Piece...a Percentage

*“Grandma said this was my piece...”*

*“My Daddy told me that my piece was down by the big tree that blew down a while back...”*

Many heirs’ property owners mistakenly think that they own a “piece” of the family property, because that is how their father, grandfather or great grandfather spoke about the land when they were passing it down.

Everyone respected that within the family, but the law does not. This can come as a shock to family members who have lived on a “piece” that they always assumed was theirs. In fact, heirs own “percentages” of the family property — as a whole. The family tree establishes what percentage each family member owns according to his/her relationship to the person whose name is on the deed.

### Know Your Boundaries

*“It ends at the creek bed but that washed out in the last storm...”*

The only way to accurately determine the boundaries of your land is to have a survey done on your property. You must know your boundaries and protect them. If not, you may suddenly see a building go up where it shouldn’t, or livestock grazing in your pasture or trees cut that you know were yours.

Get a survey so you know what’s yours, but *beware* — a survey is not a Deed. If you own heirs’ property and some family members “sign off” on a survey of the family land, that doesn’t mean that they have “signed off” on their ownership of the land. They still own their percentage.



Walk your land and know your boundaries

### Don’t sell to just anyone

*“I’d be happy to cut your trees for you...”*

You have clear title to your land, and a man has knocked on your door. Maybe you know him or maybe you don’t. He is pointing to the trees on your land and he says he’ll pay you to cut them and haul them away. You look over your shoulder at “the woods out back.” You wonder why he is in such a hurry to cut them. What are they worth? It sounds like a lot of money. You need a new truck. It’s always tempting to come into some money you didn’t expect... STOP! Don’t just sell to anyone. Get connected with a professional who will walk your land with you and help you manage your forestland for maximum short and long term benefit. Contact the SC Forestry Commission [[www.state.sc.us/forest/refserv.htm](http://www.state.sc.us/forest/refserv.htm)] at: 803-896-8800 or your local Clemson Extension office at: [www.clemson.edu/extension/county](http://www.clemson.edu/extension/county).

## Meet Sam Cook

Cook was hired as Director of the Center’s Sustainable Forestry Program [SFP] in June 2013. With an AAS from Tuskegee University and a BS from NC State University in Forest Management, Cook spent the lion’s share of his career working for the International Paper Company - Forest Resource Division. His home base is Pawleys Island.

“It’s great seeing so many landowners interested in learning how to make their forests work for them,” Sam says. “We’ve exposed them to information and they’re taking that information and sharing it with their friends, family and communities.”

Sam believes that this progression of learning and dialogue has helped these landowners to understand the value of what they have and the

*continued Page 7...*

## Officially on the Ground



L to R: Sam Cook, Dr. Leonard, Tony Geddis, Anne English with USDA/NRCS and Alex Singleton with Plum Creek.

USDA Assistant Secretary for Civil Rights, Dr. Joe Leonard visited the Lowcountry to learn more about SFP and discovered a lot about heirs' property.

Sam Cook and Alex Singleton, Center board member and Sr. Resource Forester with Plum Creek,

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**"I would hope that this program could be replicated throughout the country."**

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showed Leonard both managed and unmanaged forested acres in rural Ridgeville. The difference in value is significant. Managed forestland has an estimated value of \$2,700 per acre when timbered, while unmanaged forestland can be valued as low as \$600 per acre with no plan in place for regeneration for future income.

According to the Forest Service, about 229 million acres of Southern forest is owned privately with about 16 million owned by African Americans and other minorities. With 41,000 acres of mostly rural heirs' property left to protect across the Center's six-county service area, the combination of heirs' property [HP] and SFP services is one way to help families.

"I would hope that this could be replicated throughout the country," said Leonard. "The government shouldn't do everything and the nonprofit can't. This is where everyone chips in and gets a shovel and finds a way to achieve something."

**Remember...  
always consult a  
professional forester.**

## Reaching Out!

D. Hope Watson, is the Center's new Outreach Coordinator.

Hope was born and raised in McClellanville, SC and has a Bachelor's Degree in Biological Science from Clemson University, a Master of Arts in English Literature from the University of Charleston at the College of Charleston, and a Juris Doctor from the Charleston School of Law. She is also a proud veteran of the United States Army. Welcome aboard, Hope!



Newest staff: D. Hope Watson and Sam Cook.

## Meet Sam Cook Continued...

importance of getting a professional to help them manage their land. Consultants Sabine and Waters stepped in early to provide Forestry and Environmental services and have already helped a number of families.

"That's why I love my work," Sam confesses. "I get up every day and I'm helping a group of landowners that I have never helped before. It's my way of giving back with the training I have. It feels good."

**CENTER FOR HEIRS' PROPERTY PRESERVATION**

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Ret. Chief Justice Ernest A. Finney, Jr. was lauded and applauded for his exemplary pursuit of justice by his family and hundreds of friends and peers on the eve of his 83rd birthday at the 2014 "Commitment to Justice" reception at the Francis Marion Hotel. An inspired program of speakers evoked tears of laughter and deep sentiment.

*ALL who made it possible take a bow!*

Sponsors, Program Participants, Guests and Host Committee members: Ernest "Chip" Finney, III, Esq., Jerry Leo Finney, Esq., Donald L. Fowler, William Howard, Sr., Esq., Faith Rivers James, Esq., Wilbur E. Johnson, Esq., Sen. Marlon Kimpson, Esq., Judge Arthur C. McFarland and Judge Alex S. Sanders. With special thanks to Mrs. Frances Finney and Nikky Finney.

Clockwise from top: Three admiring and loving generations were there; We celebrated Judge Finney's 83rd birthday - 3 days early!; Shared history and honors, [2011 CTJ recipient] Judge Fields and his good friend, Justice Finney; Zoe Sanders [L], wife of Judge Sanders [2012 CTJ recipient] and Frances Finney.

