

BE AN ANGEL  
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a \$1000 gift and get your WINGS!

*The question  
of a “raised”  
child...*

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**J**erome and his sister wanted to share the land they inherited from their father with their “raised” sibling...even though she’s not an heir.

[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.

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## A Note From Jennie

*of Promise Kept*



*The Center for Heirs' Property Preservation Staff*

**T**he vision for the Center is that we will be the trusted source on heirs' property related issues and will serve as a model for working with historically underserved landowners to protect their land and facilitate their access to the resources needed to maximize the economic benefit of its preservation and use.

With this vision leading us, the Center has matured into the organization the community leaders and planning

committee envisioned in 2002. Families are being empowered to resolve their title issues and prepared to leave legacies for generations to come. These individuals' fore-parents always wanted the homestead to be a place to which all of the relatives could return. One generation plants the seedling and the next generation will harvest it and replant for generations to come—a legacy, a history, and a promise fulfilled.

## The question of a “raised” child...



**T**he question of the rights of “raised” children as heirs to inherit property within families comes up fairly often. The law is quite clear. A non-biological child, who has been raised within a family, but not legally adopted, is not an heir.

As the Center’s Supervising Attorney has often said, “Heirs are determined by the law — not by popularity.” That is the law, but as far as Jerome and his sister, Martha, were concerned, Carrie, their much younger, “raised” sister, deserved to own part of their father’s estate just like them.

“He was the only father she ever knew and she was grateful for him,” said Jerome. In the last years of their

father’s life, Carrie took him into her own home and cared for him. “That’s when I knew that she was going to have to be part of it,” said Jerome. “And my sister agreed to that.”

Jerome knew that he needed to change over the deed to the land from his father’s name, but it was a friend at the town of Bluffton’s water and sewer department who told him to call the Center for help. Luckily, there was still time to probate the estate, within the ten years required by law.

With funds granted by The Beaufort Fund of Coastal Community Foundation for direct legal services and associated legal costs [fees to open a probate, recording fees, etc.],

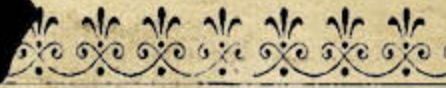
### Who is an heir and who is not?

- When there is no will, the heirs are determined by the applicable law at the time of the interest holder’s death, whether or not that person was the original landowner or not.
- A legally adopted child is an heir with a final adoption decree (court order) as proof.
- “Raised” — but not adopted — children are not heirs, according to SC law, and cannot legally share in the estate of a person who dies without a will.
- Children born out of wedlock (sometimes called “outside” children) can be legal heirs and may inherit from a mother or a father who died without a will.

the estate was probated in Beaufort County.

When Jerome grew up in Bluffton, it was nothing but country. He’s painfully aware of how much land has been lost in that area. “The land’s been eaten up!” So, he appreciates even more what Center Attorney Josh Walden did for him. “Like he said it was going to be, it came out just like that.”

With the estate settled, Jerome and his sister can now transfer an interest in the property to Carrie, who looks forward to living on it with her son.



## RURAL MATTERS:

### Fulfillment of a Legacy: The Power of Productive Land

*A promise kept...*



*A new crop of conservationists-in-the-making*

Rural America  
is where the  
solutions are

Whether your land was a gift from an ancestor or land you purchased, it is not enough just to hold on to it. You must know what it's worth and how to make it work for you.

What does that mean? It means letting go of what "working the land" used to mean and learning about 21st century farming. It means growing trees in a state where timber is an \$18.6 billion industry. Money may not grow on trees but "trees do pay," said Gene Kodama, State Forestry Commissioner.

It means learning all that you can about your land and how it can build wealth for your families. It means coming together and developing long term goals that overcome short term differences.

"Historic land loss disrupted our community and our culture and affected our health," said Center partner, Ebonie Alexander of the Black Family Land Trust. "We can't afford to lose another blade of grass, let alone an acre."

Speaking at the National Rural Assembly, USDA Secretary Tom Vilsak said - "Rural America is where the solutions are." Solutions to food production, clean air, water and energy options. Rural America is also where people have been historically under-served

and generationally poor. The Center's Sustainable Forestry is changing that.

"Trees not only regulate climate and water flow, they are the economic vibrancy of rural communities," said Carlton Owens, president of the U.S. Endowment of Forestry and Communities, who hopes to see — "more people of color active in forestry and understanding trees' importance for the next generation."

*Rev. John T. Wiggins...imagining the possibilities in the midst of a sea of pine seedlings*



**THANK YOU!** U.S. Endowment for Forestry and Communities, Inc. for funding the Center's land retention and forestry program for three more years. Its impact can be heard in the voices of those who now KNOW the value of what they have...



*Alex Goodwine and the cows that put his children through college. Now he's growing more trees.*



*Generations of Manigault*



*"Advocates" Rebecca Campbell, Mary W. Hill*



*"Advocates" Octavia Milligan and Antoinette Winston*



*SFP "Woodland Community Advocates" Incentee Lemon and Wilson Carn*



*We have wealth that we didn't know we had.  
Now is not the time to disagree and argue. Now is the time to work together.  
Reunions are not just a time to hoop and holler. It's a time to educate.  
It is my hope that we not only keep our land but start to buy more.  
I'm happy to finally do something more with my land-other than pay taxes.  
Every time a baby is born. Every time someone dies. Every time someone gets married  
or divorced heirs' property gets more complicated.  
What I have learned I am passing on, because I want others to share in the wealth.  
Land and learning equal wealth.  
Don't leave the re-growth of trees to God alone!  
I may not live to see all that is done on the land, but it's nice to think that I'll be  
remembered for what I tried to do on my family land.*

***ASK before you AXE!***

10th Anniversary ANGELS, Annual Campaign Donors and Dedicated Funders!

## THANK YOU!

YOUR GENEROSITY enables the Center to continue to help families honor their legacy of family land and use it to transform their lives and those of the next generation. The following donors made gifts to the Center between September 1, 2014 — August 31, 2015.

*If we have left anyone out, please let us know and accept our sincere apologies.*

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## 2016 "Commitment to Justice" Will Honor Chief Justice Jean H. Toal

On Thursday, March 31, 2016, the Center will honor Chief Justice Jean H. Toal at its "Commitment to Justice" Award Reception at the Francis Marion Hotel [387 King St.] from 5:30-8:00PM.

Described as a "doer, dreamer and driver," Toal became the first woman partner at Belser, Baker, Barwick, Ravenel, Toal and Bender, the first woman to chair a standing committee of the SC House of

Representatives, the first woman and first Roman Catholic to sit on the State Supreme Court [1988-2000] and then to serve as Chief Justice [2000-2015].

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Last spring, the USDA/Office of the Assistant Secretary of Civil Rights funded the Center to share its work with leaders in Georgia, Arkansas, Virginia and Mississippi to encourage similar efforts. The turnout and response was strong in every state and the need for heirs' property and land utilization services are undeniable.



*Arkansas at work at the Clinton School of Public Service*



*The Jackson, Mississippi contingent*