



## **Gifts of Land**

Because The Land Trust for Tennessee is a land conservation organization, we are specialized to handle donations of Tennessee land and real estate.

A gift of real estate may be for you if:

- you are concerned about the financial burden of owning property, including rising real estate taxes and the capital gains cost of selling the property;
- you hold undeveloped residential or commercial land that has appreciated in value and that you no longer wish to maintain;
- you feel strongly about wanting to see your undeveloped property protected in perpetuity.

### **Donation of Conservation Land:**

Because the protection of natural resources is our mission, The Land Trust for Tennessee considers proposed gifts of land by looking at the land's natural features and its need for protection, not just its value as a gift. You may consider placing a conservation easement on this land in life or as an additional part of your estate plan.

If your land has special long-term management needs, consider donating or bequeathing funds to help cover your recipient's future expenses associated with the gifted property.

### **Donation of Non-conservation Land:**

You can also donate land that does not have significant natural, scenic or recreational features (such as, building lots, second homes, apartments, retail and commercial property) to a us—with the understanding that this property can be sold and the proceeds used to protect conservation lands and further our mission. In most cases, your donation is fully tax deductible.

It's never too early to plan your land's future. Our staff is trained to help you review your options for donating your land. To arrange a free, confidential, no-obligation consultation, please contact us at 615-244-5263.

### **Financial benefits of donating land:**

- You will no longer pay property taxes or costs of management.
- You receive an income tax deduction for the fair market value (as determined by a qualified appraiser) of the real estate, no matter what you originally paid for it.
- Some landowners donate the land in installments or partial interests over a period of years to maximize their tax benefits.
- You may be able to reduce your federal estate tax and your heirs' state inheritance tax.

- You may be able to direct the proceeds from your gift to a specific conservation program (such as farmland protection).

**Other benefits of donating land for conservation:**

- Your gift allows you to have more control in choosing your land's future use and honoring the legacy of the land itself.
- You may have the opportunity for naming rights to the property—memorializing your family or someone/something else of your choice.
- You, in life, see the conservation project unfold.

**Important Considerations:**

- We must review and approve the proposed gift of land or real estate before it can be completed. This is a streamlined process that evaluates the conservation value of the land, the marketability, and the landowner wishes.
- It is your responsibility to procure an appraisal to establish the property's value for your charitable deduction purposes.

**Donating land via Will:**

If you wish to give your land to The Land Trust for TN in your will, we ask that you use the following language as a guide and that you notify us of your decision so we can properly recognize your gift. Please note that the tax benefits are different for donating land in life vs. in your will.

**Specific property:** "I give, bequeath and devise to The Land Trust for Tennessee, located in Nashville, TN, all of my right, title and interest in the following property (insert legal description of real property) OR (if the property is not real property, insert a description that specifically identifies the items being given) to be used by the organization (wherever the need is greatest) OR (for a specific purpose)."

**Next Step:**

The next step is for your or your legal council to either call the office to discuss your options in greater detail or fill out the following form and send it to us!

We look forward to speaking with you and we thank you for considering The Land Trust for Tennessee in your charitable giving plan.

Sharayah Winkler, [swinklerl@landtrusttn.org](mailto:swinklerl@landtrusttn.org), (615) 244-5263



## Questionnaire for Landowners

### Considering Gifts of Land

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

Property Address: \_\_\_\_\_  
\_\_\_\_\_

Property County: \_\_\_\_\_

Acreage: \_\_\_\_\_

---

#### A. Your Goals As a Donor

(1) What values are most important to you with regard to your property?

- |                                                       |                                                              |
|-------------------------------------------------------|--------------------------------------------------------------|
| <input type="checkbox"/> Place to live                | <input type="checkbox"/> Place to visit                      |
| <input type="checkbox"/> Financial asset              | <input type="checkbox"/> Preserve forestland                 |
| <input type="checkbox"/> Preserve historic structures | <input type="checkbox"/> Preserve working farm               |
| <input type="checkbox"/> Preserve open space          | <input type="checkbox"/> Preserve recreational opportunities |
| <input type="checkbox"/> Other: _____                 |                                                              |

(2) Preferred method of planned gift to The Land Trust for Tennessee (if known)

- Outright gift of land in fee     Bequest via will     Other: \_\_\_\_\_

(3) When would you like to complete the donation?

(4) Why are you considering donating your land to The Land Trust for Tennessee?

- Desire to keep as a working forest and farm
- Tax benefits
- Desire to give up management responsibilities
- Avoid family conflicts about future uses
- Desire to protect special land features or wildlife
- Desire to give meaningful gift to The Land Trust for Tennessee
- Estate planning
- Other: \_\_\_\_\_

(5) What actions are consistent with your goals for the property?

- Create conservation restrictions so that the existing wildlife, scenic, agricultural, and/or historic resources are maintained, and not allow additional development of the property
- Protect existing resources but allow room for some development
- Sale of the land without any restrictions regarding future use

(6) Is it acceptable to you for The Land Trust for Tennessee to sell the property with restrictions that permanently maintain the conservation values of the property? \_\_\_\_\_

If not, would you be willing to donate funds dedicated to the long-term management and stewardship of the property? \_\_\_\_\_

**B. Specific Property Information**

- (1) When did you or your family acquire the property?
- (2) Has a recent appraisal been completed for the property?

- (3) Has the property recently been for sale?
- (4) Are there any buildings on the property? If yes, please briefly describe:
- (5) Briefly describe your future building plans for the property, if any.
- (6) Are there any uses, or plans for, adjacent lands that especially concern you? (i.e. subdivisions, heavy commercial use, highway building, etc.)?
- (7) Do you have a metes and bounds survey of the property?

**C. Property Ownership**

- (1) Is the property owned jointly with other family members or non-family members? If yes, please name the co-owners:
- (2) How long have you and your family owned the property?
- (3) Has the owner of record changed during that period of time (i.e. from a couple to an individual, partnership or trust?)
- (4) Do you own your timber rights? If not, who owns these rights?
- (5) Do you own mineral rights? If not, who owns these rights?
- (6) Are there any of the following encumbrances on the property?

<input type="checkbox"/> Covenants	<input type="checkbox"/> Utility easements
<input type="checkbox"/> Deed restrictions	<input type="checkbox"/> Mortgage
<input type="checkbox"/> Road rights of way	<input type="checkbox"/> Other: _____

- (7) Has there been any recent title policy work done on the property? If yes, by whom?

(8) Do the owners contemplate the property being divided in the future? \_\_\_\_\_

---

Completed by: \_\_\_\_\_

Signature: \_\_\_\_\_

Please return to: **The Land Trust for Tennessee**

PO Box #23473  
901 Broadway  
Nashville, TN 37202

or email to [swinkler@landtrusttn.org](mailto:swinkler@landtrusttn.org)

or fax to: (615) 244-6948

**\*\* Thank you for your time and interest in completing this questionnaire\*\***