Protect your land and future by:

- creating a will to designate who should get your interest in your land,
- talking with your family about keeping the land in the family, and
- making sure the property taxes are paid on the family land.

For more information, contact

UNC Center for Civil Rights
100 Ridge Road
CB 3380
Chapel Hill, NC 27599
http://www.law.unc.edu/civilrights
(919) 962-0226

Land Loss Prevention Project, serving low-resource landowners
P.O. Box 179
Durham, NC 27702
http://www.landloss.org
1-800-672-5839

Sources

- The Land Loss Fund,
  http://hometown.aol.com/tillery/llf.html
- Federation of Southern Cooperatives,
  http://www.federationsoutherncoop.com

This brochure is not intended to provide legal advice on a specific legal problem nor does it substitute for the advice of an attorney. Contacting the organizations above does not create an agreement to provide legal representation.

Stop the Rapid Loss of Land Owned by African Americans

In 1910, African Americans owned 15 million acres of land throughout the South.

Today, Blacks own less than 1 percent of all privately-owned rural land in the U.S.

Low-resource landowners, regardless of race, face challenges to land retention.

UNC Center for Civil Rights and Land Loss Prevention Project
What is a Partition Action?

If two or more people own a piece of land as tenants in common and one decides to sell her portion, she can file a partition action with the court. In these actions, the land may be physically divided into portions. If the owners are not able to agree, any owner may ask the court to determine how the land should be divided.

Courts may also order a sale in which the entire property is sold and the proceeds are distributed to the owners. This sometimes results in a low sales price for the land.

What Does this Mean for You?

If you and your family members inherited land from a family member who died without a will, then you co-own the land as tenants in common. Each family member has a legally distinct interest. Within certain limits, each owner has a legal right to use and possess the entire property and the right to sell their individual interest.

When one co-owner dies, the remaining co-owners do not automatically get that interest. Rather, that person’s interest passes to the people named in his will or to his heirs if he has no will.