



Questions to Consider for Gifts of Real Estate to OAT

- Would you like to place a working land easement on your property? *You would give only the development rights to OAT, while you maintain ownership of the property.*
 - If so, would you like to donate and/or sell the easement to OAT?
- Would you like to donate fee title ownership of your property to OAT? If so:
 - Would you like to continue living on your property until you pass?
 - Would you prefer to donate your property to OAT now, or after you pass?
- How important is it that you receive a federal income tax or estate tax deduction for your gift?

Types of Gifts of Real Estate

OAT accepts gifts of real estate, including fee simple interests in both agricultural and non-agricultural land, and conservation easements on agricultural land. Gifts of real estate may be made in the following ways:

An Outright Gift

You can make an outright gift of real estate to OAT. When you make a gift of real estate you have owned longer than one year, you may qualify for a federal income tax charitable deduction equal to the property's full fair market value at the time of the gift. The transfer is not subject to the gift tax, and reduces your future taxable estate. It also eliminates possible capital gain on the sale of the property during your life.

Gift in Your Will or Living Trust

A gift of real estate through your will or living trust allows you the flexibility to change your mind and the potential to support our work with a larger gift than you may want to make during your lifetime. Adding a bequest to OAT in your will and/or trust ensures that your support for OAT continues as part of your legacy. It also provides a charitable deduction to reduce possible estate taxes on your estate. [LINK TO ANOTHER WEBPAGE WITH BEQUEST LANGUAGE](#)

A Retained Life Estate

Perhaps you like the income tax advantages that a gift of real estate to OAT would offer, but you want to continue living in your home for your lifetime. You can transfer your land to OAT but keep the right to occupy it (or rent it out) for the rest of your life. *You will continue to pay real*



estate taxes, maintenance fees and insurance during this time. Even though OAT will not actually take possession of the property until after your lifetime, since your gift cannot be revoked, you qualify for a federal income tax charitable deduction for a portion of your home's value.

A Charitable Remainder Trust

Gifts of real estate work especially well with certain types of charitable trusts. You can contribute to the trust any type of unmortgaged, appreciated real estate you've owned for more than one year, in exchange for an income stream for life or for a guaranteed term of up to 20 years. The donated property may be a vacant personal residence, undeveloped land, a farm, or commercial property. As with all of these options, your estate planning attorney can advise you on the best options and draft the necessary documents.

A Charitable Lead Trust

Creating a Charitable Lead Trust can be a wonderful way for you to benefit OAT and possibly transfer appreciated real estate to your family tax-free. The best real estate for funding charitable lead trusts that is income-producing and expected to increase in value over the term of the trust. A Charitable Lead Trust provides an income stream to OAT for a period of years and then ultimately distributes the remaining assets to your family the way you want. . Your attorney can provide you with details and determine whether this may be a good option to meet your goals of benefitting your family and protecting your farm.

First Steps for Bequests of Real Estate

If you wish to bequest a gift of real estate to OAT, please contact Farmland Program Director Alice Williamson: alice@oregonagtrust.org and Development Manager Michelle Wood: michelle@oregonagtrust.org Please be advised that land protection decisions will ultimately be made by OAT's board of directors at the time of donation.

Note: The Oregon Agricultural Trust can provide information about how your planned gift can support the organization but cannot provide legal or tax advice. We encourage all supporters to seek independent financial and/or estate planning assistance.