



Fact Sheet: Donating Private Land for Public Use

Many citizens have donated private land to the State for public use as parks, wildlife habitat, and public facilities. This fact sheet answers the most frequently asked questions about the process of donating land to the State.

What Are the Benefits of Donating Land?

Tax Benefits: The IRS may consider donating real property to the State or a non-profit organization a charitable donation. Check with a financial advisor about the tax advantages that apply to you. You must arrange and pay for any appraisal necessary for tax benefits. In addition to any IRS benefit, you will no longer be liable for any property taxes.

Personal Pleasure: Knowing that the property is being used for a worthwhile purpose can be a source of personal satisfaction and pleasure. Donated land may be used for a playground, view site along a highway, or for construction of a public building.

Civic Pride: You may want to give something back to a community or state that has benefited you.

Special Projects: You may want to support a project of special interest to you by providing the land necessary to its development, such as a campground, picnic site, or access to a fishing spot.

Memorial to a Relative or Friend: You may dedicate land for use as a scenic wayside, trail, or park in memory of a relative or friend.

What Kind of Land is Appropriate to Donate?

One person's swamp may be another person's waterfowl habitat. Considering the many ways public lands are used, there is a broad range of characteristics that are desirable in donated land.

Within or Adjacent to Public Land: Private lands within or adjacent to public areas that would, if donated, expand or allow for more comprehensive management of the area are high on the list for desirable donations. Examples include lands that may provide access to or within a park or refuge or allow for expansion of a school playground.

Recreational or Scenic Value: Land can be used for park and refuge access to land, rivers and coastal areas; it may offer a special view or protect a view by not allowing development; it may be right for neighborhood

playgrounds or parks; or it could be used for boating, clamming, public access, or fishing and hunting areas.

High Wildlife Habitat Value: Areas, including wetlands, that offer special protection to wildlife, such as grazing, breeding, or calving areas; migratory paths may be used as waterfowl sanctuaries or to protect valuable fisheries.

Financial Value: At the direction of the landowner, donated land may be sold by the State for immediate revenue or leased to provide income for a specific project.

Historic, Archaeological, or Geologic Value: Land on which a historic event took place, or people from an earlier culture lived, can be donated to commemorate that event or culture. Areas with significant geologic features, such as fossils or unique land formations, can be donated to protect them and make them accessible to the public.

Are There Restrictions on Land That Can be Donated to the State?

Yes. Land donated to the State must have:

- Clear title, with no liens or payments outstanding;
- No restrictions placed on it that the State cannot legally uphold or agree to;
- No hazardous waste or material (e.g. leaking oil tanks, pesticides, or PCBs); and
- No safety or health hazards (e.g. land in an avalanche zone or a building containing asbestos).

How Can I Donate My Land for Public Use?

First, you may want to consult a financial adviser or attorney to determine if a donation is in your best interest, and to discuss any restrictions that you may want to place on the land.

Next, if you decide to donate your land, consider whether the State is the appropriate public land manager for your property. You may find other agencies or organizations whose purposes or goals are more consistent with your own, for example:

- Public or private schools or universities;
- Hospitals, nursing homes, hospices;
- The National Park Service, Bureau of Land

- Management, or other federal agencies;
- Organizations such as Ducks Unlimited, the Nature Conservancy, or a land trust; or
- A municipality or borough.

What is the Process for Donating Land to the State?

1. Contact the State agency you think might be best to manage the land to see if they are interested in accepting the donation. For reference, Department of Fish & Game manages land in and adjacent to refuges and critical habitat areas, Department of Transportation and Public Facilities manages scenic waysides, and DNR Division of Parks and Outdoor Recreation manages state park and recreation areas. That agency will work with the Department of Natural Resources as necessary to accept title to the land. If no specific manager is obvious, contact the Department of Natural Resources.
2. Send an email to Tess Frenchik at tess.frenchik@alaska.gov. Your email should include:
 - A description of the land’s characteristics (include a photo if available);
 - The reason you want to donate the land;
 - A legal description of the land; a description of any covenants you may want in the deed (e.g. life estate, use restrictions);
 - A copy of your deed and title report or abstract, if available.
 - After your letter proposing the land donation has been received, either by the Department of Natural Resources or another appropriate agency, your proposal will be evaluated for compatibility with various state land management objectives of the Department of Natural Resources and/or the agency that will be responsible for managing the land.

The next steps are:

- Representatives from the Department of Natural Resources and other appropriate agencies will meet to review the proposed donation.
 - A decision will be made among the involved agencies regarding the proposed donation. If the decision is positive, the Department of Natural Resources’ staff will facilitate a site inspection.
 - If the site inspection shows the land to have the expected characteristics and is free of hazardous wastes or other threats, a letter tentatively accepting the donation will be sent to you.
3. Before the State can accept title to the land:
 - If you have a title report, and you have not already sent it the Department of Natural Resources, forward it to the Department of Natural Resources Realty Services Section for review. If a title report is not available, the Department of Natural Resources Realty Services Section will examine the chain of title. You will be informed of any missing information or other possible defects in the title so they can be cured.
 - If the land is not surveyed and platted, the Department of Natural Resources will determine whether the legal description is adequate to convey the title, or if additional platting and surveying is necessary. Each parcel is different, and negotiations regarding costs will be on a case-by-case basis.
 - Once the Department of Natural Resources determines that title is clear and the legal description or survey is adequate, the Realty Services Section will work with you to execute a deed giving title to the State.
 - While these seem like a lot of steps to complete, the State must be sure that the land can be properly managed as a state asset.

For Further Information:

Department of Natural Resources
 Public Information Center
 550 West 7th Avenue, Suite 1360
 Anchorage, AK 99501-3561
 Phone: 907-269-8400
 Fax: 907-269-8901
dnr.pic@alaska.gov

Department of Natural Resources
 Public Information Center
 3700 Airport Way
 Fairbanks, AK 99709-4699
 Phone: 907-451-2705
 Fax: 907-451-2706
fbx-pic@alaska.gov

Department of Natural Resources
 Southeast Regional Land Office
 P.O. Box 111020
 400 Willoughby Avenue, 4th floor
 Juneau, AK 99811-1020
 Telephone: 907-465-3400
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sero@alaska.gov

Statewide TTY – 711 for Alaska Relay or 1-800-770-8973