

Adams County Library System
140 Baltimore Street
Gettysburg, PA 17325

GIFT ACCEPTANCE POLICY

This document identifies the terms and conditions under which Adams County Library System (Library) shall accept gifts from sources (individual and corporate) and serves as a guideline for staff involved with accepting gifts, outside advisors who assist in the gift planning process, and donors wishing to make gifts to the Library. It covers potential gifts given during the donor's lifetime, gifts given during life but available only at the donor's death or after a period of years, and gifts coming through a donor's estate.

GENERAL GUIDELINES

Overlying all these guidelines is the Library's dedication to the highest ethical standards when soliciting and accepting gifts. In keeping with this commitment, the Library will adhere to the following specific principles:

1. The Library will accept gifts only for programs and purposes that serve its interests and enhance its mission. The Library may, in its sole discretion, decline any gift or pledge that in any way compromises its reputation, poses an undue risk, or does not serve its mission.

The Library will review with special care and, absent unusual circumstances, will not accept gifts with the following conditions:

- a gift that violates the law, including gifts that discriminate based upon race, color, sex, creed, sexual orientation, ethnic or national identity, disability, or age;
 - a gift that is subject to indebtedness for which the Library would have to assume a general obligation;
 - a gift that passes or could pass pre-existing liabilities to the Library;
 - a gift that generates Unrelated Business Taxable Income;
 - a gift that is owned in divided ownership interests without a clear partition agreement;
 - a gift that does not support the mission or priorities of the Library or is likely to cause embarrassment or would reflect negatively on the ACLS.
2. The Library will hold all agreements with donors and all information concerning donors and prospective donors in strict confidence, subject to legally authorized and enforceable requests for information by government agencies and courts. The Library will only release information concerning a donor if the donor agrees to the release of such information.

3. The Library will seek the advice of legal counsel when appropriate. All legal documents will be reviewed by legal counsel prior to execution.
4. The Library will not provide legal, financial, or other counsel for donors or prospective donors and all information about potential gifts provided by the Library or its agents is for informational purposes only.
5. Library staff will encourage each prospective donor to have the terms of all proposed agreements reviewed by his or her own legal and/or financial advisors.
6. Library staff will advise all donors that it is the donor's responsibility to obtain any necessary appraisals, file appropriate tax returns, and defend against any challenges to claims for tax benefits. Library staff and/or advisors may assist the donor's legal counsel or financial counsel by preparing illustrations of standard gift documents for their review and may provide financial illustrations readily available through gift planning software.
7. Library staff will advise all donors that fees for preparation of legal documents, appraisals, tax returns, etc. are not the responsibility of the Library. The Library will generally pay normal fees associated with brokerage services appropriate to the service provided.
8. The Library is prohibited to pay the following fees:
 - a. Finder's fees for current or planned gifts;
 - b. Investment or administrative fees that in any way could be construed as compensation for a gift being made to the Library or for its benefit.
9. Library staff will not knowingly be a party to inflating the value of a gift above the true fair market value in order to provide a tax advantage to the donor.
10. These Policies should be re-examined annually for needed updating and revision to assure the growth of all giving programs at the Adams County Library. Any changes or revisions must be approved by the Board of Trustees. Updated policies are kept on file in the Development office. Revisions necessitated by changes in local or federal law need to be made immediately without formal amendment to these Policies.

SECTION I: PRINCIPLES REGARDING GIFT ACCEPTANCE

The Board of Trustees of Adams County Library System holds the responsibility to adopt general development policies for the Library and to approve procedures to be followed by staff and others in implementing those policies. These policies provide both a process for gift acceptance and guidance to prospective donors and their advisors. The provisions will apply to all gifts received by the Library for any of its initiatives, programs, and services.

A: GIFT ACCEPTANCE COMMITTEE

Should any gift opportunities come to the Library that differ from the guidelines set forth below but which provide a unique or unusual potential for support, these gifts shall be vetted by a Gift Acceptance Committee, to consist of the Executive Director, Development Director, Finance Director, Board President, Planning & Development Chair, and third trustee appointed by the Board President. This Committee may also consult with other Board committees if it determines that further review of a gift plan is warranted and may, under special circumstances, bring a potential gift transaction to the full Board for approval. This committee is designed as an ad hoc committee, not a permanent committee of the Board, and will meet only to review gift possibilities that call for a detailed analysis, leaving most gift transactions in the hands of Development staff.

B: USE OF GIFTS AND DONOR INTENT

Unless subject to an agreement between the Library and the donor to use the gift for a specific purpose, all gifts are received unconditionally and may be used for such purposes as the organization determines to be most appropriate.

The Library may elect to decline a current or planned gift if the donor's intent or focus is beyond the scope of the Library's mission and/or is not consistent with the Library's funding priorities, as determined by the Library Gift Acceptance Committee.

Absent a formal agreement with the donor, the Library Board of Trustees reserves the right to reallocate funds to another purpose it deems necessary in support of the Library.

C: ENDOWMENT ESTABLISHMENT

Endowments are a vehicle to ensure a permanent source of financial support for The Library and serve as security against serious financial shortfalls due to unforeseen events. Endowment funds are invested separately from the library's general operating budget and only a prearranged draw agreed to by the Board on the accounts is expended. Oversight of all endowment funds remains with the Library Board of Trustees. The Library will not charge administrative fees for maintenance of invested endowment funds.

Any donor to The Library may create an endowment in their name to provide general support or endow a favorite program or resource from the library. The Library Board of Trustees recommends that interested donors speak with the Executive Director or Development Director regarding their interest in establishing a new endowment. The minimum balance required before the establishment of a named endowment is \$10,000 which may be reached over a five-year period. Contributions can be added to the fund at any time and in any amount.

D. GENERAL GUIDELINES AND POLICIES WITH RESPECT TO TYPES OF GIFTS

The Library will generally accept the following gifts directly without further deliberation:

- Outright Gifts of: 1) cash or marketable securities of any value; and 2) real, tangible, or intangible gifts in accordance with the policy set forth below;
- Deferred Gifts of: 1) bequests; 2) remainder interests in a charitable unitrust; 3) paid-up whole life insurance policies (that name the Library as the owner and beneficiary and do not require any additional premiums to keep in force); and 4) qualified retirement plan assets or payable on death designations.

Additional gift possibilities should undergo a rigorous vetting process to determine the appropriateness, risk, and potential benefit of the gift to the Library. The details of the vetting process for various kinds of gifts are set forth below.

Appraisal Requirements

- A. Gifts of property, other than publicly traded securities, must be accompanied by an appraisal if the estimated value exceeds \$5,000. A qualified independent appraiser, who cannot be associated with the Library or with any of its leadership or with the donor or donor's family or business, must provide the appraisal. When the gift funds a specific recognition opportunity, donors agree to make up any shortfalls upon conversion to cash to reach the level of recognition the donation requires.
- B. Donors of property must seek their own legal and tax counsel in regards to all property. The Library reserves the right to refuse gifts of property when it is determined that the donor has not complied with IRS appraisal requirements.
- C. Donors of personal property will receive acknowledgement of the gift only when complete transfer has occurred. The acknowledgement will not include any reference to the value of the gift unless the gift is immediately liquidated or donated with a current appraisal.
- D. All costs associated with obtaining a qualified appraisal will be borne by the donor.

SECTION 2: ACCEPTING A GIFT

All gifts will be acknowledged by the ACLS.

A. Current Gifts

1. Cash & Pledges

The Library will accept gifts in the form of cash, check, or credit card, or other electronic transfer mechanisms, regardless of the amount. Checks should be made payable to the Adams County Library System.

A pledge can be made to the Library by an individual, corporation, or foundation. Pledges may be made in single or multiple installments. Gifts intended to be made over several years should be evidenced in writing, together with a written timetable, not to exceed five years, acknowledging how and when the donor intends to make the gift.

The Library also recognizes that these commitments represent the donor's genuine intent but that circumstances may interfere with the ability to fulfill that intent according to the timetable initially proposed by the donor. Accordingly, unless the Library has undertaken an obligation or "advanced" its existing resources in direct anticipation of the fulfillment of the commitment, the Library recognizes that these commitments carry with them an implicit conditional clause based on the donor's ability to carry out his or her intent.

The Library encourages matching gifts made by the employer of the donor or his/her spouse/partner to match the donor's own contributions. Unless otherwise directed by the donor, income from matching gifts will be designated for the same purpose as the original gift of the individual donor, i.e. Capital Campaign to Capital Campaign, etc.

2. Qualified Charitable Distributions from IRAs

Current legislation permits a direct tax-free transfer from a qualified IRA to a qualified charity for up to \$105,000 each year (indexed for inflation) by anyone over age 70 ½. The Library encourages such gifts. If the donor is over 73, he or she also does not have to recognize the distribution as taxable income and is credited to the donor in lieu of a Required Minimum Distribution, according to current legislation.

3. Gifts from Donor Advised Funds

The Library encourages gifts from a Donor Advised Fund (DAF). Since the donor received an income tax deduction for the initial transfer to the DAF, he/she receives no further tax deduction for the transfer to the Library, but will receive Library "credit" in the Annual reports.

4. Stocks and Bonds

The Library encourages gifts of publicly traded stock. For acknowledgement and accounting purposes, the value of donated publicly traded securities is determined by the mean of the high and low value of the security on the date of the gift.

Closely held securities or other non-publicly traded securities may be accepted upon consultation with and the approval of the Library's Gift Acceptance Committee. Such gifts should be subject to due diligence, and a plan of liquidation should be carefully considered (although the Library refrains from obligating itself to liquidate the stock in a specific way) prior to acceptance.

In most instances, the Library will instruct its broker immediately to sell gifts of marketable securities. Exceptions may be made when the security in question is traded thinly and/or when an untimely sale of stock in bulk might adversely affect the price, or when the Gift Acceptance Committee determines that an alternative course of action is prudent, including but not limited to, holding the security for a period of time.

Non-publicly traded securities and other properties should be liquidated at the earliest possible time, keeping in mind market impact as well as other conditions and circumstances relating to such gift. The Library can also hold privately held securities for a period of time as an investment if the Library Board and the Library's investment counsel recommend.

The Library also recognizes that transferring mutual fund shares is a more complicated process than transferring publicly traded stock, and, therefore, will generally only accept gifts of mutual fund shares that exceed \$2,000 in value. Exceptions may be made for mutual funds of a lesser amount in consultation with the Gift Acceptance Committee.

5. Real Estate

The Library will consider gifts of real property, both improved and unimproved (e.g., detached single-family residences, vacation homes, condominiums, apartment buildings, rental property, commercial property, farms, acreage, etc.), only after a thorough review as set forth below. These guidelines apply only to gifts of real estate located in the United States. The Library may consider such gifts located abroad under special circumstances, recognizing that the legal parameters for transferring and owning real estate in countries other than the United States vary considerably.

Prior to accepting a gift of real estate, a representative of the Library will physically visit and inspect the property. This visit may also include consulting real estate professionals familiar with and knowledgeable about the property in question and the real estate market in the area in which the property is located.

Prior to accepting a gift of real estate, the Library will conduct an analysis of the gift transaction. The analysis should include the costs of insuring, maintaining, and liquidating the property, as well as the potential revenue stream or sale proceeds derived from the property. This analysis should also determine the maximum exposure the Library might incur and the level of risk that is associated with the receipt, ownership, and eventual sale of the property. See the Real Estate Checklist for specifics (See Appendix 1).

Under normal circumstances, the Library will not accept outright gifts of real property with a present fair market value of less than \$100,000.

6. Tangible Personal Property, including gifts of art

The Library will not accept tangible personal property unless its staff determines the property can be quickly disposed of or used by the Library in a way related to its mission.

The Library accepts gifts of books and other similar materials with the understanding that they become the property of the library and are evaluated in the same manner as purchased materials. Library staff will not establish the fair market value of a gift nor appraise gifts or potential gifts. Under no circumstances, will the Library accept tangible personal property with conditions that require the Library to hold it in perpetuity, display it in any manner that imposes a financial, legal, or logistical burden on the Library, or otherwise carries a burden.

Tangible property will not be loaned back to the donor or his/her designee. Before the Library accepts a gift valued in excess of \$5,000, the Library has the right to require the donor to provide proof of ownership or evidence of the provenance of the tangible property to be given.

Gifts of artwork are subject to a series of specific rules governing the tax deductibility for the donor. Thus, the Library will generally not accept gifts of art. Should the Library Gift Acceptance Committee agree to accept a work of art, it will reference the attached Checklist on Gifts of Art (see Appendix 2).

The Library does not accept donations of:

- Magazines
- Encyclopedias
- VHS tapes
- Audio Cassettes
- CDs
- Books that are musty, water/smoke damaged, dirty, or insect infested.
- Bibles and other religious texts
- Multiple copies of the same book
- Items of size or quantity not easily accommodated

Only monetary donations are accepted for materials that will be placed in memory or in honor of another individual. No physical materials will be accepted for honor or memory designations, with the exception of rare or special materials that are pre-approved by the Library Gift Acceptance Committee.

7. Intangible Property or Interests

The Library may accept gifts consisting of ownership of, rights in, or income derived from intangible assets, such as copyrighted works, trademarks, patents or other legal rights of exclusivity, mortgages, notes, royalties, easements, whether real or personal, so long as:

(a) The Library shall not become responsible for managing the underlying asset or liable for any associated obligation, and

(b) The Library determines the underlying asset to be consistent with the core values and mission of the organization.

8. Gifts of Oil and Gas Interests

The Library will only accept oil and gas properties which produce "passive income," such as royalties, overriding royalties, net profits interests, and severed mineral interests (e.g. productive or non-productive). The Library will not become the owner of a "working interest" in any oil and gas properties since that type of interest could generate Unrelated Business Taxable Income (UBTI) to the Library and could also result in a capital call at any point in the Library's ownership of the interest. A checklist related to potential gifts of oil, gas or mineral interests is appended to these policies. (See Appendix 3)

9. Cryptocurrencies

All cryptocurrency gifts will be reviewed and accepted upon approval from the Gift Acceptance Committee.

Gifts of cryptocurrency, including Bitcoin, Ethereum, Litecoin, and more, which can be highly volatile, will be converted to cash as quickly as administratively possible when the gift is received. If the gift is liquidated immediately, donors can claim tax deductions for less than \$5,000 by citing the price at which the gift was liquidated. Gifts of cryptocurrencies *of \$5,000 or more* will be reported based on the appraised value as of the date of the gift as determined by a qualified independent appraiser, at the donor's expense, within 60 days prior to the date of transfer or before the donor files a tax return for the year in which the gift occurs.

Upon payment/acceptance, the Library will provide the donor with a gift acknowledgement or receipt that substantiates the receipt of the cryptocurrency as a charitable gift. Similar to non-marketable securities, the acknowledgement may not contain a value of the gift. Gift receipts will state the name and number of cryptocurrency coins donated, the date of receipt, and the fund or account benefiting from the gift.

B. Deferred Gifts

The Library encourages and welcomes estate and planned gifts. In working with donors who have an interest in a planned giving vehicle, the Library may, at its own expense, use a planned giving consultant for advice, direction, and help in preparing the necessary samples and proposals to encourage the donor to make the gift or facilitate the transfer process.

At all times, however, donors are expected to engage their own advisors and legal counsel to ensure the vehicle matches their personal, estate and philanthropic intent. All donors who choose to honor the Library in this way are recognized through the Library's planned giving recognition practices and in various publications.

1. Bequests

- a) Bequests of all kinds (fixed or percentage, residual, contingent or testamentary trusts) are welcome, though the Library may decline gifts from the estates of deceased donors if the gift is not acceptable for any reason.
- b) Library staff members will attempt to identify bequest expectancies whenever possible in order to avoid gift arrangements that do not conform to these policy guidelines, as well as to identify any desired restrictions from the donor on the use of funds. The Library reserves the right to disclaim bequeathed gifts if they do not conform to these policy guidelines for outright gifts.
- c) Representatives of the Library will not prepare wills for donors but can provide a short list of qualified estate attorneys in the Adams County area for donors from Pennsylvania.
- d) Any property given to the Library via bequest may be liquidated following settlement of the estate. Unrestricted bequests will be placed in the Library's endowment, unless otherwise directed by the Gift Acceptance Committee.

2. Life Income Plans (charitable remainder annuity trusts, charitable remainder unitrusts, and charitable lead trusts)

- a) All donors are encouraged to seek the advice of their legal and tax advisors.
- b) The donor must choose the trustee of any charitable trust, which cannot be the Library, and must pay any expenses related to the trust.
- c) The Library encourages the following planned gifts:

- 1) Charitable Remainder Unitrusts (CRUT): These trusts pay income to beneficiaries on a fixed percentage of trust assets, revalued each year, based on the trust's fair market value (no less than and most commonly 5%).
 - 2) Charitable Remainder Annuity Trusts (CRAT): These trusts make the same dollar payment year in and year out. The fixed dollar payment is initially determined as a percentage of the value of the assets contributed. Once established, more assets cannot be contributed.
 - 3) Charitable Lead Trusts (CLT): This trust arrangement provides an income payment to The Library at some designated rate for the donor's life or over a pre-established term of years. At the conclusion of the payment period, the assets are returned either to the donor or to someone designated by the donor. Tax consequences differ depending on the designation of income. The Library will not serve as a trustee of a CLT.
3. Life Insurance: The Library encourages gifts of paid-up whole life insurance policies. Under most circumstances, the Library will not accept a life insurance policy with premiums owed.

The Library also encourages donors to designate the Library as a percentage beneficiary of a life insurance policy owned by the donor.

4. Gifts of Qualified Retirement Plans:
- a) The Library encourages gifts of qualified retirement plan assets. Examples of such a plan might be an individual retirement account (IRA), 401(k), 403(b), simplified employer pension plan (SEP), or a profit-sharing plan.
 - b) The Library recognizes that, under current law, qualified plans and IRAs may produce more attractive tax benefits as a gift at the death of the owner of the plan than as an inter vivos gift. This type of gift is most often made by naming the Library as the beneficiary (or partial beneficiary) of the plan or IRA or of naming the Library as a remainder beneficiary of a charitable trust created by retirement plan assets at the time of the donor's death. In this way, the beneficial ownership of the plan or IRA passes from the participant to the Library (or, in the case of a testamentary trust, from the participant to the trust and subsequently to the Library) at the participant's death. Under current tax laws, the Library is tax-exempt; therefore, no income tax is payable on the

distribution.

- c) Any beneficiary designation is subject to the terms of the particular plan and the prevailing tax laws. Qualified plans and IRA's are subject to an array of legislation and regulations, unlike other assets, and the Library encourages donors who might consider such gifts to consult with their tax and financial advisors. The Library also retains the right to consult with a potential donor financial advisors in consideration of a gift of this type.

5. Other Estate Gifts (PODs, Revocable Living Trusts, etc.):

The Library encourages its donors to make the Library a beneficiary of other estate planning instruments as available. The Library recognizes that estate plans are subject to various state-based regulations and statutes and that each donor's situation is unique and encourages its donors to consult with their own estate planning counsel in making such plans.

6. The Library will not act as an executor or personal representative of a donor's estate.

Section Three: Valuing a Gift

A. Cash

In cases where gifts (including sponsorships of events) are made in cash, the valuation is the amount of the cash.

B. Publicly Traded Securities

Gifts of securities will be valued at the average market value (as determined by the mean of the high and low valuations of the security) on the date the full interest in the transferred property is transmitted or postmark date if mailed.

C. Privately Held Securities

Gifts of closely held stock will be valued by a qualified independent appraisal at the time of transfer. Generally, gifts of privately held securities will be accepted only when a liquidation plan is in place.

D. Real Property

Gifts of real property will be reported based on the appraised value as of the date of the gift as determined by a qualified independent appraiser within 60 days prior to the date of transfer or before the donor files a tax return for the year in which the gift occurs.

E. Life Insurance

Gifts of life insurance will be valued for recognition purposes, based on the interpolated terminal reserve (roughly the surrender value) as determined by an independent appraiser at the time of transfer.

F. Gifts-In-Kind

Gifts-in-kind are tangible gifts other than cash, marketable or privately held securities or real property. Gifts valued at more than \$5,000 require an independent appraisal to document value. Gifts-in-kind of an undetermined value will be recorded at zero dollars (\$.00) and acknowledged as received with no value stated.

G. Gifts of Service

Gifts of service are contributions of actual, billable service directly related to the business or profession of the provider/donor. Gifts of service will be recognized at the level of actual expenses invoiced but not paid. Evidence of a gift of service will be the voided or cancelled invoice stating the date, type of service rendered, quantity cost, total cost, and amount to be contributed or forgiven. Donors should be notified that gifts of services are not tax-deductible. Volunteer time, while of value, is not considered a gift of service for the purposes of this paragraph.

NOTE: All valuations should be based upon IRS Rules & Regulations in effect at the time of the gift.

Appendix 1

REAL ESTATE GIFT CHECK-LIST

OWNERSHIP:

How is the real estate owned? _____

Whose name(s) are on the deed? _____

When was the property purchased? _____

LOCATION:

What is the official address/location of the property? _____

TYPE:

Describe the type of real estate:

Single family____ Duplex____ Townhouse____ Condo____ Mobile Home____ Farm____ Vacant
Land____ Commercial____ Apartment BLDG____ Lake Home_____

PERCENT:

What percent of the property is being given?

100%____ Less than 100%____ If less than 100%, who will own the remaining part and how
will ownership be divided? _____

IMPROVEMENTS:

List improvements on the property, date built, condition and square footage

OCCUPATION:

If the property includes improvements (buildings), are the building(s) occupied? If so, by whom and under what legal obligation? Is there a continuing lease that flows with the property?

ZONING:

What is the current zoning on the property? _____

Is there potential for zoning change? _____

If the zoning might change, what time frame is projected for that change?

OWNER DATA:

When did the current owners purchase or acquire the property? _

How did they acquire the property (i.e., purchase, gift, inheritance. etc.) _____

What is the owners' cost basis in the property? _____

Have the current owners depreciated the property for tax purposes? _____

If so, what was the nature of the depreciation?

Straight line _____

Accelerated _____

If accelerated, what was the amount of the depreciation taken above the amount that would have been taken under a straight-line process? I.e., how much will have to be recaptured upon sale? _____

VALUE:

What is the current appraised value? _____

Who conducted the appraisal?

Was the appraiser designated a MAI (Master of the Appraisal Institute) __

When was the appraisal conducted? _____

Has the property been on the market in recent years? _____

If so, what was the asking price? _____

Have there been any offers to buy the property within the last three years?

TAXES AND LIENS:

What are the annual real estate taxes on the property? _____

Are there any liens on the property? _____

Mortgages? _____ Other Liens? _____

Will the current owners pay down the current mortgage/lien obligations prior to the gift? _____

CARRYING COSTS:

What on-going carrying costs are associated with the property?

Condo fees? _____ Utilities? _____

Insurance? _____ Taxes? _____

Maintenance? _____ Other costs? _____

INCOME:

Is there any regular income associated with the property? _____

If so, what are the terms? _____

ENVIRONMENTAL CONCERNS:

Has the property ever been used as a dumping site? _____

Have any hazardous materials ever been stored on the property? _____

Are there any storage tanks (either above or below ground) on the property? _____

If the property was used as an active farm, were there fertilizer dumps or animal waste dumps on the property? If so, have these been removed?

Has a Level One Environment Study been conducted on the property? _____

Is there any evidence of asbestos or lead in property buildings? _____

INSURANCE:

Is the property covered by liability insurance? _____; by which company? _____ Does the charity have a copy of the policy? _____

REALTOR INFORMATION:

What are the names and contact information for several knowledgeable realtors in the area? _____

DOCUMENTS NEEDED:

Deed _____

Appraisal _____

Title Insurance _____

Liability Insurance _____

Survey _____

Tax Statement _____
Environmental Review _____
Income/expense Statement _____

Appendix 2

Gifts of Art

OWNERSHIP AND ACQUISITION:

Is the donor the artist? _____
Did the donor acquire the work directly from the artist? _____
Is the donor a collector or a dealer? _____
Has the donor owned the artwork for more than twelve months? _____
When did the donor acquire the piece? _____
Did the donor inherit the piece? _____
What is the donor's cost basis in the piece? _____

VALUE:

Has the piece been appraised by an independent appraiser? _____
Does the appraiser have any personal, family, or business relationship with either the donor or the donee? _____
When did the most recent appraisal take place? _____
What was the value determined by the appraisal? _____

USE:

Does the non-profit intend to use the piece as part of its charitable mission? _____
If so, for how long? _____
Does the nonprofit intend to sell the piece within three years? _____
Will the non-profit take immediate possession? _____

PARTIAL INTEREST:

Is the donor giving the entire interest in the piece? _____
If not, is the donor giving an undivided partial interest? _____
Does the donor intend to contribute the remaining interest in the piece over time? _____

Appendix 3

Checklist for gifts of oil, gas and mineral interests

Is the interest a working interest or a royalty interest? _____

Does the donor own only the mineral interest or both the land *and* the mineral interest? _____

Are the mineral rights leased? _____

How were the mineral rights acquired?

Purchase? When? For how much? From whom?

Inheritance? When? From whom?

Gift? When? From whom?

What is the donor's understanding of what is owned?

What specifically does the donor want to give?

Percent?

Is the potential gift an undivided interest in everything the donor owns?

Are there other prior or existing leases?

Have the rights previously been divided?

Do other parties have a prior claim on potential transfers?

Are there clear records of the financial cash flow—e.g., check stubs from royalty payments?

What is the annual cash flow from the interest?

Does the donor have a recent appraisal?

What is the value of the donation?