

# **Real Estate Gift Acceptance Policy for the Church Council of Greater Seattle**

The Church Council of Greater Seattle may, under certain conditions, accept donations of real property, interests in real property and interests in entities which own real property (collectively, "Real Estate"). This policy statement will help proposed donors understand the Church Council's policies governing the acceptance of gifts of Real Estate.

## **I. GENERAL STATEMENT**

The Church Council of Greater Seattle will accept donations of Real Estate when a determination is made that the benefits which will accrue to the Church Council of Greater Seattle predominate over possible associated risks and liabilities. Factors which will be assessed include:

1. Environmental matters.
2. Existence of soil conditions or other adverse physical conditions.
3. Deferred and continuing maintenance requirements.
4. Mortgages, liens and other encumbrances.
5. Managerial responsibilities.
6. Potential or contingent liabilities or obligations.
7. Dangerous conditions.
8. Zoning and subdivision requirements.
9. Location.
10. Marketability.
11. Exposure to adverse publicity.

In general, no gifts will be accepted when the physical condition of the Real Estate (including toxic and other possible contamination), its location, and the existence of continuing obligations (both monetary and managerial) associated therewith would present material risks or burdens to the Church Council of Greater Seattle.

## **II. APPROVAL PROCESS**

A prospective donor of Real Estate should contact the Church Council of Greater Seattle's Development Manager, who will then refer the gift request to the Gift Acceptance Committee. This committee will review the information set forth in this Policy and such other information concerning the Real Estate as it determines appropriate and based upon its assessment of the factors listed above, will either reject the proposed gift or recommend its acceptance subject to such conditions as it deems appropriate. Three disinterested advisors will be involved in the decision making on a case-by-case basis, the majority of which will make recommendations to the Committee. No gift of Real Estate shall be deemed completed or effective unless both the Church Council Board approves its acceptance and the donor complies with all conditions precedent imposed in connection with acceptance over the gift. This may include obligations to indemnify the Foundation, to provide cash gifts to cover expenses and carrying costs and similar obligations. Potential donors should be aware that determining the propriety of accepting gifts of Real Estate may take several months, and thus, the Church Council of Greater Seattle should be given adequate notice of proposed gifts to help ensure that the donor's timing requirements can be met.

### **III. PROCEDURES**

1. A donor shall include with an offer of Real Estate:
  - a. A legal description and, if applicable, street address of the real estate.
  - b. A preliminary title report.
  - c. A summary of the payment terms of any mortgage(s) encumbering the property.
  - d. If the donor proposes to transfer an interest in real estate held through a pass-through entity, a copy of the operating agreement, limited partnership agreement or other controlling document(s).
2. If the Real Estate Advisory Committee does not reject the proposed Real Estate based upon its preliminary review, the donor shall provide the following:
  - a. An appraisal indicating the current fair market value of the property.
  - b. An environmental evaluation.
  - c. A survey.
  - d. A tax folio number or other such control number issued by the applicable tax collector, together with a statement of the amount of taxes most recently assessed against the property and whether all taxes have been paid.
  - e. A title insurance policy, together with copies of any documents that appear as exceptions to title.
  - f. A summary of the insurance policies in force with respect to the property, and the amount of the annual premium.

- g. A statement of the estimated transfer taxes, if any, payable upon the sale of the property.
  - h. Taxpayer identification number of the donor.
3. A representative of the Church Council of Greater Seattle shall physically inspect the property and shall report on the inspection to the Real Estate Advisory Committee, Board of Directors, and, if applicable, the Board of the supporting foundation to which the Real Estate is proposed to be transferred.
  4. No gift of Real Estate shall be accepted unless the Church Council of Greater Seattle has secured a written environmental audit and report with respect to the property.
  5. If the Real Estate being offered is not readily saleable, it will be accepted only if the donor provides (or agrees to provide) a cash gift sufficient to pay the expenses incurred by maintaining ownership of the property until its disposition.
  6. Real Estate shall be conveyed to the Church Council of Greater Seattle by warranty deed or its equivalent; conveyances from the Supporting Foundation shall be by special warranty deed only.
  7. In case of urgency, the Board President, the Endowment Committee Chair, the Executive Director and the Development Director or such other officer designated by the Executive Director, shall be authorized to decide whether or not to accept the property.
  8. The Church Council of Greater Seattle Board shall have authority to make exceptions to the above policy in appropriate situations.

The foregoing Gift Acceptance Policy was adopted by the Board of Directors of the Church Council of Greater Seattle, at a meeting held on the 23rd day of October 2012.

By The Rev. M. Christopher Boyer, President of the Board