

# A GUIDE TO SECURING YOUR LAND

On just 5,000 acres, or 30% of the vacant land that exists in Detroit today, residents could grow the majority of the fruits and vegetable our community consumes while ensuring Detroiters benefit from the social, health, and economic benefits of local food production. With more than 165 acres currently under cultivation, we are already part of the way there. Detroit is home to more than 1,500 productive urban gardens and farms that engage more than 20,000 people each year.

**Land security** is a legal right to use and occupy a parcel of land. Lack of land security is a major topic of concern for many gardeners. Over 50% of community and market gardens in the Garden Resource Program are growing on land they do not own. For many gardeners this restricts and limits opportunities for maximizing the community and economic development potential of their gardens, including being ineligible for grants, loans, and other opportunities. For growers embarking on projects with goals of long-term impact and investment, **land security is vital**. Securing some level of legal permission to use the land allows gardeners and farmers to leverage (and protect) resources, build lasting community change, and establish businesses.

## STEP 1: GET TO KNOW THE COMMUNITY



The most important first step in establishing a garden or farm is to **know the community**. The success of an urban agriculture projects is uniquely tied to its relationship with surrounding neighbors. Before deciding on a location, make sure you're plugged into what neighbors are doing – who is already gardening, and how neighbors feel about your project. Another caution, starting a garden in a neighborhood with a lot of development happening can be risky because the land your garden is on would be very attractive to developers and investors. If you do not own the land, the owner would be more inclined to sell at a higher price to someone wanting to build.

See the 'Site Selection' Resource Guide for more tips.

## STEP 2: DETERMINE THE BEST OPTION



Land security is having the legal right to occupy the land you are gardening on and is not limited to just ownership. Every urban agriculture project has different goals and needs and you should take time to consider the best land security fit for your project. There are **multiple types of legal permission** – from a license to a lease to ownership. See the reverse side for more details on each.

Another important legal factor to consider is zoning. Detroit's zoning code regulates urban agriculture uses and you should always check the zoning of a lot before starting a project to be sure your goals fit what is allowed in that zone – especially before you enter into any type of legal agreement for the land.

## STEP 3: IDENTIFY THE OWNER



One of the most important & challenging elements for gardeners to navigate is identifying current ownership and securing access to the land they plan to grow on. In Detroit, there are nearly **200,000 different property owners!** Potential owners for the city's over 117,000 vacant lots include:

- Detroit Land Bank Authority (DLBA)
- Planning & Development Department (PDD)
- Wayne County Treasurer
- Other city departments (water, parks, etc.)
- Businesses
- Individuals

Fortunately, a lot of people have been working on making taxpayer and ownership information more accessible and transparent.

See the reverse for more details.

## STEP 4: GET SECURITY



Once you know the owner (and the type of land security you need for your project), the next step varies based on who that owner is. Every owner has a **different policy and process** and those can vary based on what type of entity you are (individual, for profit, non-profit, etc.).

The reverse side of this resource guide details current programs for the Detroit Land Bank Authority (DLBA), City of Detroit, Wayne County Treasurer, and individuals & businesses Programs and processes are constantly changing, so please note new programs may exist since this guide was created.

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## TYPES OF LAND SECURITY

### ORAL LICENSE

Owner gives verbal permission to garden on the lot(s)  
PROS: Owner is aware and supportive of your activities.  
CONS: Revocable at any time; no long term guarantee

### WRITTEN LICENSE

Written agreement between two parties  
PROS: simple to obtain; inexpensive  
CONS: revocable at any time, no matter the written duration of the agreement.  
CAUTION: Do not confuse a license for a lease!

### LEASE

Owner grants lessee exclusive possession of the land for a specific time period.  
PROS: Less expensive than ownership; less responsibility than ownership provides a secure interest  
CONS: No guarantee of renewal or sale; may limit amount of permanent improvements.

### PURCHASE

Owner transfers deed (full ownership) to buyer.  
PROS: It's yours!  
CONS: Taxes; liability; succession plan.

## PURCHASE PROCESS

### DETROIT LAND BANK AUTHORITY

[www.buildingdetroit.org](http://www.buildingdetroit.org) and 1-844-BUY-DLBA

The DLBA has multiple programs for purchasing vacant lots and none for leasing vacant lots:

**Side Lot Program:** Residential property owners can purchase immediately adjacent vacant parcels for \$100.

**Community Partner Program:** Eligible faith based and non-profit organizations can purchase vacant lots for a negotiated price.

**Economic Development:** For profit entities are encouraged to work with the DLBA's Economic Development team to purchase vacant lots. This not a formal program.

## PROPERTY SEARCH TOOLS

### WAYNE COUNTY REGISTER OF DEEDS

[www.waynecounty.com/deeds](http://www.waynecounty.com/deeds)

The best way to determine ownership of a property is to check the last recorded deed. At the Register of Deeds' office you can search for an owner by a name or address. Online you can only search by name.

### LOVELAND TECHNOLOGIES

[www.make Loveland.com](http://www.make Loveland.com)

A good starting point, especially for figuring out an address. You can search by address and on the Detroit parcel map. For each parcel you can view taxpayer name, tax status, dimensions, and recent photos..

### WAYNE COUNTY ONLINE TAX SYSTEM

[www.waynecounty.com/pta](http://www.waynecounty.com/pta)

The easiest way to find the taxpayer name and tax status of property when you already know the address. It is also updated more often than Loveland.

### CITY OF DETROIT

### PLANNING & DEVELOPMENT DEPARTMENT

[www.detroitmi.gov](http://www.detroitmi.gov) and (313) 224-1339

The city still owns some property and facilitates sales through an online application process ([www.detroitmi.gov/properties](http://www.detroitmi.gov/properties)). There is no 2016 Adopt-a-Lot/Garden Permit.

### WAYNE COUNTY TREASURER

[www.waynecounty.com/treasurer](http://www.waynecounty.com/treasurer) and 313-224-5990  
[www.wayne.tax](http://www.wayne.tax) (payment plan support)  
[www.waynecountytreasurermi.com](http://www.waynecountytreasurermi.com) (auction website)

Each fall, Wayne County auctions off tax foreclosed property. Auction details are posted on their website in late summer and are available by phone and in their office.

### INDIVIDUAL OR BUSINESS

Reach out directly to the private owner or contact KGD for assistance. You can locate contact information for businesses using the State of Michigan Business Entity Search at [www.dleg.state.mi.us/bcs\\_corp/sr\\_corp.asp](http://www.dleg.state.mi.us/bcs_corp/sr_corp.asp)



This resource guide was prepared by Keep Growing Detroit. Because we know land security means something different to every garden in the Garden Resource Program, KGD also hosts workshops, shares educational materials, and provides one-on-one technical assistance. If you are trying to navigate the property ownership maze in Detroit and/or are trying gain land security for where you currently garden, KGD is here to help. Contact us at (313) 757-2635 or [keepgrowingdetroit@gmail.com](mailto:keepgrowingdetroit@gmail.com).

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