



Selling Inherited Land

A step-by-step document checklist for listing, marketing, and closing on inherited vacant or undeveloped land in Alabama.

A Note Before You Begin

We know this checklist is long — and we know you're likely doing this while grieving. You do not need to gather everything at once, and you do not need to do this alone. Red Tails Realty Group will walk each step with you and coordinate directly with your title company.

This checklist covers real estate and closing documents only. For questions about probate procedure, estate tax elections, or Medicaid estate recovery, we recommend consulting a licensed Alabama probate attorney or CPA — we're glad to provide referrals if you need one.

Priority key: **[NEED NOW]** to get listed · **[BEFORE SHOWINGS]** once we're active · **[BEFORE CLOSING]** for the title attorney

PHASE 1 — LEGAL AUTHORITY TO SELL

The same authority requirements apply to land as to a home — a will, trust, or the probate court must establish who can sign on the estate's behalf.

- ☐ Certified copy of the death certificate **[NEED NOW]**
Request 2–3 certified copies; title and other parties may each need one.
- ☐ If held in a trust: Certificate of Trust or full trust agreement, plus proof of successor trustee acceptance **[NEED NOW]**
- ☐ If in probate: Letters Testamentary (with a will) or Letters of Administration (no will) **[NEED NOW]**
- ☐ If probate is dependent administration: court order approving the sale/listing **[NEED NOW]**
- ☐ Estate EIN issued by the IRS **[BEFORE CLOSING]**
- ☐ If inherited outside probate: recorded Transfer-on-Death deed, or joint tenancy deed with Affidavit of Death/Heirship **[NEED NOW]**

PHASE 2 To List & Market the Land

- ☐ Survey or plat map showing boundaries and corners **[NEED NOW]**
- ☐ County property tax bill and current assessment **[NEED NOW]**
- ☐ Agricultural, forestry, or wildlife exemption status **[NEED NOW]**
Important: selling or changing use of exempt land can trigger rollback taxes — see Phase 3.
- ☐ Current zoning classification and any use restrictions **[BEFORE SHOWINGS]**
e.g., minimum lot size, mobile home restrictions.
- ☐ Percolation/soil test records, if no public sewer is available **[BEFORE SHOWINGS]**

- ☐ Documentation of nearby utility access — electric, water, gas, fiber **[BEFORE SHOWINGS]**
- ☐ Copies of any active leases — hunting, agricultural, grazing, or cell tower **[NEED NOW]**
These generate income or encumber the land and must be disclosed.
- ☐ If wooded, a timber value assessment **[BEFORE SHOWINGS]**
Standing timber can meaningfully affect price and is often overlooked.

PHASE 3 For the Title Attorney / Closing

- ☐ Recorded ingress/egress easements **[BEFORE CLOSING]**
Required if the parcel is landlocked or set back from a public road.
- ☐ Road maintenance agreement, if access is a shared private road **[BEFORE CLOSING]**
Distinct from an easement — confirms who maintains the road.
- ☐ Documentation of mineral, oil, gas, or timber rights — severed or retained **[BEFORE CLOSING]**
- ☐ Rollback tax estimate from the county tax assessor, if currently ag-exempt **[BEFORE CLOSING]**
Covers 3–5 years of deferred taxes if land use classification changes at sale.
- ☐ Phase I environmental assessment, if the land had prior agricultural, industrial, or storage use **[BEFORE CLOSING]**
- ☐ FEMA flood zone and wetlands maps **[BEFORE CLOSING]**
Clarifies buildable acreage vs. restricted areas.
- ☐ Contact info, marital status, and joinder signatures for all heirs **[NEED NOW]**

Two documents worth prioritizing on land

A current survey and clear access documentation (easement or road agreement) are the two items most likely to delay a land closing. If you only gather two things before we talk, make it these.