

Class 5 – Prompt

You are an attorney practicing estate planning and real estate law in Maine. Your client is a couple in their 70's who jointly own roughly 100 acres of undeveloped land which they would like to see remain undeveloped after they pass. Their current financial condition will permit them to live comfortably without selling this undeveloped land. The couple have two adult children who agree with their goal to preserve the undeveloped land if it is possible. The couple have another adult child who is not interested in preserving this as undeveloped property, this person would prefer to have a portion of the land sold to improve her own financial condition. Suggest an analytical framework for them to work through to evaluate the alternative

methods they should consider. The property is in the State of Maine and includes some wetlands as well as a few acres of old growth forest. At each step be specific as to the pros and cons that the couple should consider carefully. Provide examples where the law is clear and examples where the law may be less clear and how that would affect the outcomes over time. Take time to research issues thoroughly, identify areas where you are not confident of the law or the validity of the options and explain why. Present the output in 24 pt type for easy reading.