

√ Options to Purchase 4799 Shattuck Ave ∞

"We're already playing the game... we might as well win it." – Yar

Terms

- **Trust** - Ambiguous term for several types of entities. Discourage use.
- **Land Trust** - Ambiguously refers to many types of "land trusts", as listed below. However, typically means an entity that holds the *title*, but not *ownership* of a property.
- **Family Trust** - Entity that holds title and owns property. Isolates assets from the trust founder in order to protect assets for beneficiaries.
- **Conservation Land Trust** - A.K.A. "Land Conservancies" have existed in US since 1891 (there are over 1,667). They preserve nature, resources, farmland, water, landmarks, etc.
- **Community Land Trust (CLT)** - Name of a Non-profit corporation, typically a 501(c)3, with a mission to preserve land for community use. Emerged in the 50s and 60s as a means for economic reform against poverty in the US South during the Civil Rights movement.

Key

Columns: Stakeholder or Option #
Rows: Potential Requirement
Y = Yes, this is a requirement.
N = No, this is **NOT** a requirement.
 = Unclear, may or may not be a requirement—depends or n/a.

Our Goal

To buy the property at **4799 Shattuck Ave**, formerly operated as the *Ligure Club* then the *Omni Club*, currently known as the **Omni Commons**, and to keep it in the hands of the people indefinitely.

Risks we seek to mitigate:

1. Loss of ownership or access to the property.
2. Use of the property for purposes that are antithetical to our values, mission, and vision.
3. Stagnation of culture that binds future generations to inappropriate institutional relationships and mechanisms.
4. Displacement and dispossession of our local community.

Requirements Matrix

	Stakeholders			Options			
	Lender(s)	Donor(s)	Omni	1	2	3	4
Create contract with another Non-Profit organization?	Y	N		Y		N	N
Prevent risking the building by constraining equity?	Y	N		Y		Y	N
Consistent with anti-capitalist values?		Y	Y	Y		Y	
Consistent with the Omni Commons' mission?	Y	Y	Y	Y	Y		
Prioritize institutional sustainability?	Y	Y		Y		Y	Y
Afford evolution & dynamic change over time?			Y	Y	Y	N	
Threaten the status quo?		Y					Y
Requires some type of Omni Commons membership?				N	N	Y	N

Potential Requirements

Options

Option #1 - CLT Ground Lease
 (Recommended by our lawyer)

- Find a **Community Land Trust (CLT)** that we trust. Donate the **land** to this CLT, which provides a 99-year "ground lease" to Omni Commons.
- Omni Commons owns the **building** as a 501(c)3 non-profit organization.
- To reduce risks, add special terms or membership-oversight into bylaws.
- E.g. Long Haul Infoshop w/ Northern California Land Trust (NCLT).

Option #2 - Full-Ownership

- Omni Commons owns the building and the land beneath it as a typical 501(c)3 non-profit organization.
- May reduce risks by creating contracts with other institutions, such as non-profit organizations.
- E.g. The Women's Building of SF

Option #3 - Family Trust (hippie hack)

- Create a **Family Trust** with trust-worthy Trustees and a process to create many, many beneficiaries such that finding them all to sell the property is prohibitively difficult.

Option #4 - Church (not a cult)

- Become a church, meeting IRS requirements (a non-trivial task).
- IRS-blessed churches are exempt from taxes and income reporting.