

# Buying Country Property

Much of the property you will find in Lincoln County is rural. Parcels will range in size from under an acre to 300(+) acres. Properties over 80 acres are limited. Smaller parcels are generally located within subdivisions and are closer to town. "Remote" and "very remote" properties, as well as semi-developed settings also exist. The majority of land for sale is tree-covered and in the foothills or mountainous settings. Open plains country can be found in the northern portion of Lincoln County.

If you are not completely familiar with the process of purchasing rural land, you can contact a real estate professional or attorney to assist you. Do not buy a property you are not intimately familiar with without obtaining title insurance.

## *Before purchasing you may want to address the following issues:*

**Access:** Is there legal and physical access to the property? AND are the legal access and physical access in the same location?

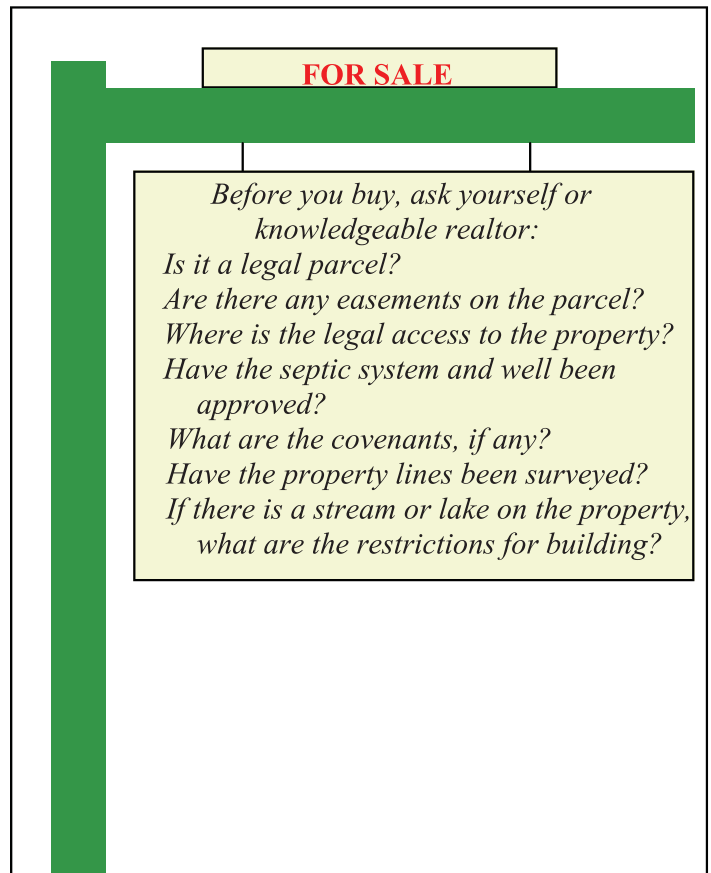
Maintained county roads, highways or county-approved subdivision roads access a major portion of the available land parcels. Very remote settings will often have difficult access, especially in the winter and early spring.

Remote land owners are expected to maintain their own roads, which are frequently in poor condition and steep. Maintenance can include snowplowing, graveling, grading and clearing fallen trees. In most cases there are several residents who share in these duties, but many times there are no written road maintenance agreements. Remote and semi-developed parcels can have some of the same access issues, but the frequency and immensity can be substantially less.

**Restricted Uses:** Are there use restrictions such as those controlled by:

- **Zoning:** At the time of the printing of this publication, there are no zoning issues in rural Lincoln County.

- **Recorded Covenants:** A copy of recorded covenants should be provided to you by the title company as part of your title insurance policy. If you have questions as to the meaning or enforcement of the covenants, you should seek legal advice.
- **Sanitary Restrictions:** If you intend to use your property for residential purposes, you should obtain a copy of the approved septic and well location on any parcel under 20 acres in size. All recently subdivided parcels under 20 acres in size will have pre-approved well and septic locations or will be designated as exempt. A parcel under 20 acres without pre-approved septic and well locations will need county and/or state review prior to installing those utilities.
- **Reserved Easements or other reserved use rights:** Rights of ingress, egress, water rights, mineral extractions, timber extraction or others may have been reserved by the previous owners. Your professional or title company can provide to you a list of any reservations against the property's title.



**Electricity/Phone/Internet:** If you desire to use electricity, phone lines or internet you will need to research the location of the nearest usable infrastructure. You may also want to obtain quotes as to the cost associated with the installation of these services to your property. If you plan on using cellular communication, check your cell phone at the property. Not all areas in Lincoln County have cell service. Cable television is generally not available in rural Lincoln County settings.

**Water Wells:** If your property does not already have a water well, you may contract with a well driller to drill one for you. Montana Department of Natural Resources will provide the depths, gallons per minute and other pertinent information on all recorded wells in the area. This will give you an indication as to the availability and depths of your well. However, there are no guarantees that your well will be similar. Well depths and production capacities can be very inconsistent. If a well already exists on the property, ask for the “well log” and make certain the water rights to the existing well are transferred to you at close of escrow.

**Creeks, Lakes and Springs:** Your property may have “live water sources” on it. The existence of water on your property does not necessarily guarantee your right to use these water sources. Research your rights that are associated with any live water on the property. Any recorded rights should be transferred into your name at the time of the close of escrow. These will not be part of your title policy.

**Corners and Lines:** Most properties have been surveyed and the survey map has been recorded at the Lincoln County Clerk and Records Office. Take the time to find the land corners or have them established for you prior to purchase. Many larger parcels (20 acres and over) were established by legal description only and can be legally traded without a survey. Research corners and lines to your satisfaction on these types of properties.



*Big Therriault Lake*