



# Absentee Rural Land Ownership

Marley Beem  
Assistant Extension Specialist

Many people own rural land far from where they live making it difficult to monitor. Because unintended land can be damaged or misused by lessees or trespassers, it is important that absentee owners take steps to protect their investment. This fact sheet is designed to assist both absentee landowners and tenants in protecting the land and their interest in it.

What can go wrong when landowners do not live on their property? Here are a few representative scenarios:

- A property is leased for grazing without any provision to insure that reasonable stocking rate guidelines are followed. The tenant stocks livestock at a high level causing overgrazing, which soon leads to serious pasture weed problems, trampled pond banks, and erosion.
- No arrangements are made with local individuals to keep an eye on a piece of property. Timber thieves take advantage of a logging contract on adjacent land to "mistakenly" harvest most of the absentee landowner's large trees.
- Cropland is leased from a landowner, who later becomes incapacitated. There is either no written contract or it lacks sufficient details. Oil drillers pay the landowner's relatives for the use of a drilling site and access to water from a pond that the tenant was depending upon for irrigation.

## Soils, Water, and Plants

Rural land is much like a machine with three major parts: soils, water, and plants. The three work closely together to produce the "food" that supports wildlife, livestock, or agriculture. Soil type determines the kinds of plants that naturally occur or can be successfully established. Soil also serves as a storage and purification area for water before it is used by plants, enters a groundwater aquifer, or is released into a lake, pond, or creek. When topsoil is abused by overgrazing or other misuses, the land erodes causing sediment movement into surface water and decreasing the productive capacity of a property. Another negative effect of topsoil loss is that rainfall runs off instead of soaking in to become beneficial soil moisture. Plants protect topsoil against the erosive impact of rainfall, and help retain water until it can be absorbed into the soil. Plant roots also hold together vulnerable pond and creek banks against the power of waves and flowing water.

Land can withstand a certain amount of abuse and recover, but there are limits. Actively eroding areas and undesirable weed species are signs of land that may be entering a downward spiral of decreasing value and usefulness. It is advisable

Oklahoma Cooperative Extension Fact Sheets  
are also available on our website at:  
<http://osufacts.okstate.edu>

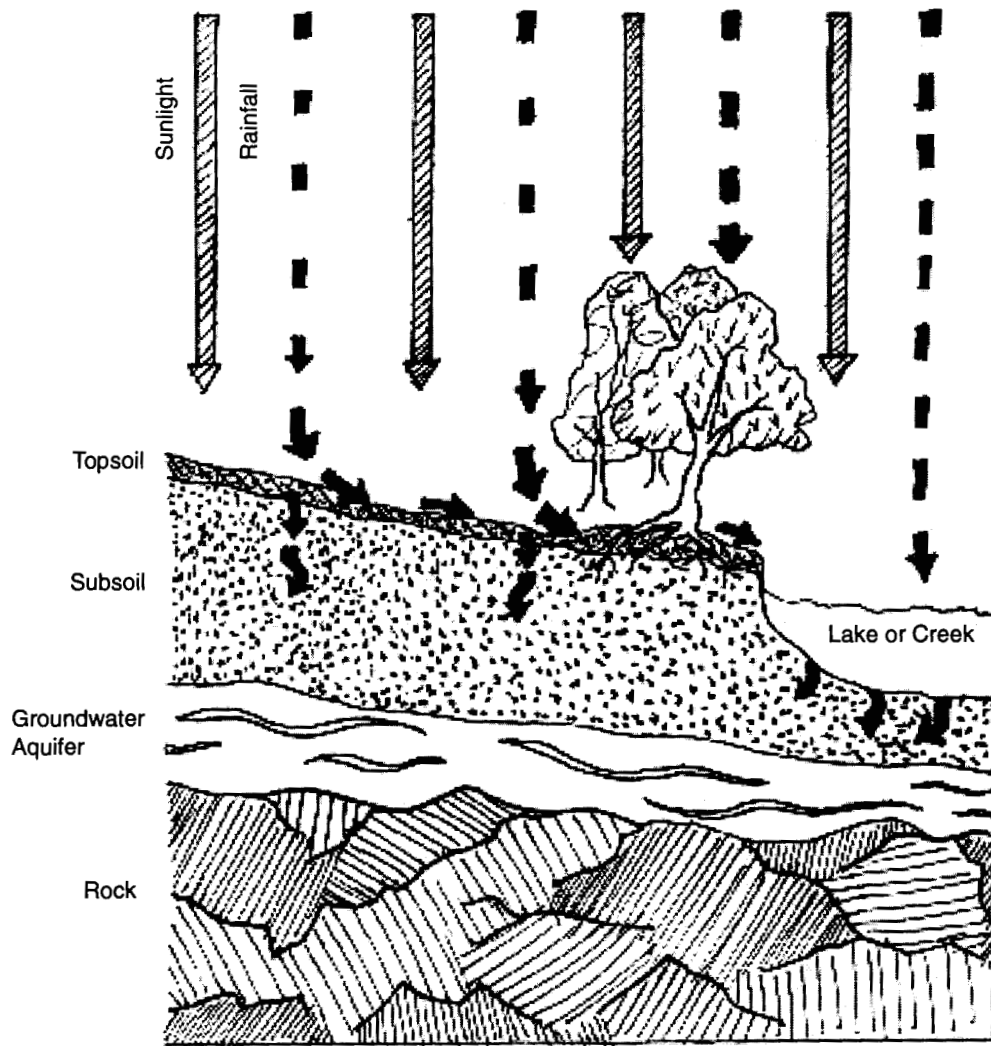
to get the opinion of your county's Natural Resources Conservation Service office (NRCS) on the condition of the land and steps that can be taken to maintain or improve it. Just because the land is no worse than neighboring properties is no sign that it is in acceptable condition. Land degradation can be difficult to detect because it often occurs slowly and gradually. The longer degradation is allowed to continue, the more expensive and time-consuming it will be to correct.

Different parts of a property are often best suited for different plants – crops, native pasture, introduced pasture, bottomland hardwoods, etc. Owners should learn the different capabilities of each area as well as what land uses will be harmful. Aerial photos and county soil surveys available at the local NRCS office can be very useful in learning more about the capabilities of the different parts of a property. Expert advice should be obtained to identify land problems and possible solutions. Soils and pond construction advice is also available through the NRCS. Advice on agriculture is available from the county's Cooperative Extension Service. Forestry advice can be obtained from the region's Forestry Services office, which is part of the Oklahoma Department of Agriculture, Food, and Forestry. Not every "expert" agrees on land management issues – landowners should educate themselves, seek out different opinions, and make informed choices.

## An Investment and an Inheritance

Most landowners expect to make a profit. Unfortunately, many do not, because of poor planning, unrealistic expectations, or other problems. Even if profit is not at the top of the list, landowners should still take a businesslike approach to managing land.

- Landowners need to understand the basic principles of land management. There are limits to how far land can be pushed without damaging it. Cropping highly erodable land, overgrazing, lack of prescribed fire, and bad logging practices are common problems that can seriously degrade any piece of property.
- As with any investment, landowners need to take a long-term view, checking on it from time to time. Taking photos at set locations and a set time each year can help detect the start of problems.
- Landowners need to appreciate the importance of taxes. Good records of any improvements or other expenses are needed as these can reduce future capital gains. A



**Figure 1. Soils, water, and plants work together to support agriculture, wildlife, and other benefits to man. Fail to protect any of these three key factors and the integrity of the land can unravel.**

tax advisor should be contacted for further information.

- Landowners need to have an exit strategy. They may want to sell to generate funds for retirement or some other purpose. Landowners may want to pass on the land to children or grandchildren. Contact the county's Cooperative Extension Office for information on estate planning.
- A written management plan is highly recommended. Useful information on land management and planning is available from your county Extension office.

Land ownership involves long-term stewardship. When an individual takes title to the land, it is in good, fair, or bad condition depending on how the previous owner managed it. Some day that individual will pass it on to someone else, in the same, worse, or better condition than when it was received.

A good way of determining the current health of land is

#### Is Absentee Ownership for Me?

Some people fall into becoming an absentee landowner by inheriting a property. Others may purchase land without fully understanding the work required to oversee it properly. Regardless of how a person came to own the property, it is important to develop some clear goals for the property. A certain level of income, future income from the sale of the property, or personal recreation – these and many other possible goals are the prerogative of landowners. Landowners should determine if their goals can be accomplished given the amount of time and energy they are able to spend.

Can you inspect your land at least once every year or so? If not, it may be time to consider selling. Land does not take care of itself.

through the use of ecological site guides available from the NRCS. Adequate topsoil depth and organic matter content are indicators of good soil health. A plant community with many different native plant species is a good sign of ecological health. Clean, abundant water contained within stable, non-eroding creeks, ponds, and lakes indicates properly managed land. In general, these things add up to **productivity**, the ability of the land to produce crops, livestock, or wildlife, and **sustainability**, the ability of the land to maintain its productivity.

Scenic beauty is also valuable. If feasible, a landowner should take steps to preserve or enhance the land's scenic beauty. Water features like ponds and creeks naturally draw the eye – take care of them by minimizing cattle access and preserving brush and other deep rooted creek and pond bank plants. Consider constructing additional ponds if they will increase the productivity and visual appeal of the land.

### **Legal Problems**

Is there a road on the property that others use? If left open too long, temporary roads can become permanent in the eyes of the law. Consult a lawyer for further advice.

Production of illegal drugs like marijuana or methamphetamine on unsupervised land can be a serious problem for the landowner. In some cases, the land could be forfeited to the government.

Are there old dumps on the land left by previous owners? Are people dumping trash on the property today? Is a tenant dumping empty pesticide containers or other toxic materials? Any of these can be a serious problem when it is time to sell a property. Banks usually require an environmental inspection and often refuse to finance a land sale if contamination or dumping is found.

### **Leasing for Agriculture**

Agricultural land is commonly leased using an inadequate contract, leading to unnecessary conflicts. A county's Agriculture Extension Educator can give general advice on leasing agricultural land. It is up to the landowner to work with a lawyer to draft a suitable rental contract and to arrive at a fair price. A survey of average rental rates across the state is available through the county's Cooperative Extension Service office. These are averages – actual rental rates vary widely depending upon many factors. Ask for Extension Fact Sheets CR-216 and AGE-214.

Cattle stocking rates, prescribed fire, limiting cattle access to surface water, soil testing, soil fertility, and liming are issues that need to be resolved if a landowner and tenant are to work together to protect the land from degradation.

### **Leasing for Recreation**

If the land offers opportunities for hunting, fishing, camping, bird watching, or similar recreational activities, consider leasing these rights. One of the major benefits of recreational leasing is reduced trespassing. Recreational lease holders are usually aggressive about chasing off trespassers. Most leasing is on a yearly basis, but seasonal or day leases are also done. Consult a lawyer about contracts. Liability disclaimers and insurance coverage are both recommended. For more information see Extension Fact Sheet NREM-5032.

### **Fire**

Unless all of the land is under regular cultivation, a landowner should consider using fire as a management tool. Historically, small natural fires reduced the threat of massive wildfires, controlled problematic species like redcedar, and promoted the growth of desirable plants. Today, many landowners are turning to prescribed fire to achieve the same desirable effects.

A person should not attempt to burn land without proper instruction and supervision. There are some situations in which prescribed fire is too dangerous to attempt. Visit with the NRCS office, county Extension Agriculture Educator, or the nearest Forestry Services office to learn more about the feasibility of prescribed fire on a particular property. For more information see Extension Publication E-927. In Oklahoma, the landowner should also become familiar with the legal responsibilities under Oklahoma's Burn Law.

### **Timber Sales – Do I Have a Deal for You!**

If a property has trees in any significant quantity, there is a good chance someone wants to buy them. A stand of straight, well-formed pine or hardwoods may be quite valuable. Low-grade oak and other species such as black locust, Osage-orange, and green ash can be harvested for firewood. Other trees may also have commercial value. Cottonwoods can be harvested for use in pallet manufacturing. Eastern redcedar, if large enough, can be used for lumber. It may also become economical to chip small redcedar for particle board. It is wise to investigate the current value of tree stands on the property as well as their projected value in ten, twenty, or thirty years if they are managed well. For more information see Extension Fact Sheet NREM-5035.

Landowners should never be intimidated into selling trees on the spot. An offer that can not wait a few days is probably not a good offer. A landowner should first seek the advice of a consulting forester or a forester with the Oklahoma Department of Agriculture, Food, and Forestry. With unbiased information on a stand's worth in hand, landowners will be better equipped to receive a fair market price.

More information about the opportunities to improve timber stands can be found in Extension Fact Sheets NREM-5028 and NREM-5030.

### **People Problems and Opportunities**

Landowners should make the effort to get to know local people. A friendly local person can be the eyes and ears looking out for an absentee landowner's interests. Landowners can hire neighbors or local people to do needed work on the property or find other creative ways to get to know people in the community. A little goodwill will help prevent many neighbor and trespass problems.

It pays to associate with other landowners in order to discuss similar problems. Several organizations help landowners through lobbying and educational efforts. These include the Oklahoma Woodland Owners Association and Oklahoma Farm Bureau.

## What is on the Horizon?

It pays to keep track of land use trends in the area. A little foresight can keep an individual from wasting money on improvements that will never be paid back. For instance, it would not be wise to spend a large amount to fence and improve pastures if the land is likely to be used for a housing or industrial development. Even land far from urban areas is not immune to change. One of the most common changes in rural land use is the splitting up of land into smaller acreages. A landowner needs to be aware of the likelihood of such trends and make sure plans for the land make sense in light of them.

Undesirable land use changes are not inevitable. Easements can be written to prevent unwanted development on any property. Payment for such easements may be available from various government and private agencies. Landowners should be aware that a perpetual easement does not allow the owner to change his/her mind about land uses.

## Conclusion

Land can be a good investment if an individual has the temperament and time to manage it properly. Land can also pay off in terms of the satisfaction of knowing that you have done something good and passed along a valuable inheritance to future generations. Good landowners know their piece of property and how it functions. They know which soils are vulnerable to erosion and which are the most fertile. They understand available water sources and how to maintain their land's ability to handle heavy rainfall. Landowners know the major plant species and recognize new plants that appear, possibly indicating problems. They know how to work with local people to protect their interests. They have definite goals in mind for their property and take the necessary steps to achieve them.

Oklahoma State University, in compliance with Title VI and VII of the Civil Rights Act of 1964, Executive Order 11246 as amended, Title IX of the Education Amendments of 1972, Americans with Disabilities Act of 1990, and other federal laws and regulations, does not discriminate on the basis of race, color, national origin, gender, age, religion, disability, or status as a veteran in any of its policies, practices, or procedures. This includes but is not limited to admissions, employment, financial aid, and educational services.

Issued in furtherance of Cooperative Extension work, acts of May 8 and June 30, 1914, in cooperation with the U.S. Department of Agriculture, Robert E. Whitson, Director of Cooperative Extension Service, Oklahoma State University, Stillwater, Oklahoma. This publication is printed and issued by Oklahoma State University as authorized by the Vice President, Dean, and Director of the Division of Agricultural Sciences and Natural Resources and has been prepared and distributed at a cost of 20 cents per copy. 0303 JA