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LAND BUYING CHECKLIST

The following information should be obtained and evaluated when considering the purchase of land for a new facility

BASIC DATA

1. Reason for interest in the land
2. Owner's name
 - Is there proof of ownership?
 - Is it for sell?
 - If owner is a public agency, what is the procedure for the sale?
 - Do we have guidelines for that procedure?
 - Are there any restrictions by the Owner on the use of the land?
3. Is land the in the county? If so, can it be annexed?
 - Would we want to be annexed? Why?
 - What city is closest to the land?
4. Has a subdivision been planned or platted, tentative or final?
 - If so, is there a time limit for that subdivision to occur?
5. Legal description of the land
6. Size of the property
 - Gross (entire property)
 - Net (without right of ways, easements, etc)
 - Number and size of lots
7. What portions of land should be excluded in computing net acreage?
 - Should the offer be based on net acres?
8. Frontage versus depth, relative to abutting roads
9. Any physical improvements?
 - Value of the improvements
 - Condition of the improvements
 - Will demolition be required?
 - Cost of any demolition
10. Any income produced by land?
11. Current use of land
 - All previous known uses
12. If land is leased, what are the terms?
 - Can the lease be terminated?
13. Amount / kind of insurance carried by current owner
14. How did you find out about the land?
15. Real estate broker
 - Name of salesperson?
 - Name of firm?
 - Percent commission?
 - Who pays broker's commission?
 - Type of listing? Exclusive? Open?

- Duration?
- Have you seen the listing?
- 16. Price and terms
 - Asking price? Per acre? Per lot? Per foot of frontage?
 - Total asking price?
 - Cash down payment and terms?
 - Partial release of land in return for down payment?
 - Special terms or problems of the seller?
 - How firm is asking price? Open to negotiation?
 - Does price seem reasonable?
 - What price will you offer? What terms?
- 17. Purchase money trust deed
 - Principal amount of debt?
 - Payments made to? How often?
 - Amount of each installment?
 - Interest rate?
 - Interest payable in addition to principal? Included in installment? Other method?
 - Any balloon payments in the future?
 - Can this trust deed be assumed by a subsequent buyer?
 - Any penalty for early payment of balance?
 - Can this deed be subordinated to construction loans?
 - Can portions of the land be released without full payment? Terms of this?
 - Can security be substituted for payment in any way?
 - Does the trust deed preclude personal liability of deficiency judgment?
 - Is the trustee acceptable to you?
 - Do you have a copy of the proposed trust deed form?
 - Any provisions that are unacceptable?
- 18. Land contract sale
 - Principal amount of debt?
 - Payments made to? How often?
 - Amount of each installment?
 - Interest rate?
 - Interest payable in addition to principal? Included in installment? Other method?
 - Any balloon payments in the future?
 - Can this contract be assumed by a subsequent buyer?
 - Any penalty for early payment of balance?
 - Any release provisions?
- 19. Are there other methods of financing the purchase of the land?

OWNERSHIP

- 1. Should an offer be made contingent upon
 - Approval by buyer of title report?
 - Approval by buyer of soil reports?
 - Approval by buyer of geology report?
 - Approval by buyer of engineering study
 - Approval of zoning change?
 - Approval of a plat map by governing agencies?
 - Allocations of sewer?
 - Availability of utilities?

- Access or easements?
 - Financing?
 - Environmental Impact Report approval?
 - Closing of another escrow?
 - Annexation?
 - Building permits?
 - Condemnation?
 - No existence of moratoriums
 - Other?
2. Proof of title to be furnished at the expense of: Seller? Buyer?
Standard or extended coverage title insurance policy?
 3. Any other warranties that the Owner should provide?
 4. Name of Title Company
Address? Phone?
 5. Is current preliminary title report available?
Does it contain plat of property?
Are copies of all underlying documents available?
Are all easements platted?
 6. Is a boundary survey of the land available? Is there a topographical survey?
 7. Are there any lawsuits pending against the current Owner?
List and describe
Are there any that affect title to the property?
Can these be cleared up prior to the close of the escrow?
 8. Are there any liens currently against the property?
 9. Is there anything detrimental that can not be cleared up before the close of escrow?
 10. Any limitations on uses or activities on the site?
 11. Any current indebtedness on the property?
Any balloon payments required in the future?
Can the note be assumed?
Can it be prepaid without penalty?
Can it be purchased subject to the payment of the note?
Is there an acceleration clause?
Does the note provide for partial releases?
Does the note contain any provisions you would not want to assume?
 12. Are there any mechanics liens against the property?
 13. Tax liens?
 14. Judgment liens?
 15. Will seller have these cleared up prior to closing?
 16. Existing restrictions
Building restrictions?
Architectural restrictions?
Lot size or parcel size restrictions?
Commercial or industrial use restrictions?
Moratoriums or development limitations?
Other restrictions?
Where are restrictions recorded?
Can the restrictions be amended by the buyer?
 17. Assessments (for improvements) Amount payable? How often? Total balance due?
Paving? Sewage? Irrigation? Other?
 18. Are there any proposed assessments?

19. Easements

- Easements to public utilities?
- Any other easements across land?
- Information on each
- Has it been traced on a map?
- Have you read the easement description?
- Width of easement?
- Can it be built on?
- Can it be crossed with roads?
- Will it restrict development? Explain?
- Should it be subtracted from gross acreage?
- Any obligation to grant future easements? If so, describe

20. Rights of way

- Private?
- Public?
- If roads are on land, are they improved? What are their widths?
- Can they be used?
- Can they be vacated or moved?
- Should they be subtracted from gross acreage?

21. What easements will you need to provide for utilities or access?

22. Any other agreements affecting the land? I.e. maintenance contracts, use agreements, etc.

PHYSICAL

1. Percent of the site that is

Level? Rolling? Sloping? Steep?

2. Any portion of land so bad that it should be subtracted from gross acreage? Acreage?

3. Type of soils throughout site? Restrictions on use as a result?

4. Are soil reports available? Ordered?

Who made the reports?

Was testing extensive enough? Additional tests needed?

Summary of soil report(s)

Any problems with

Buildings? Roads ? Septic? Describe

Will any portions need to be filled? How much? Estimated cost?

5. Are soil reports from adjacent properties available?

6. Is a U. S. Geological Survey topographical map available? Any apparent problems?

7. Has the land been surveyed? By who? When?

Is a plat or survey available? Were boundaries staked? Are exact boundaries known?

Is a question exists, will neighbors participate in cost of establishing boundaries?

8. If not surveyed, who will pay for survey?

9. Have you actually walked the land? To what extent? Observations?

10. Does land have enough slope for proper drainage?

Does it fall in the right direction?

Will your increased drainage create a problem for your neighbors?

Will retaining walls be needed to reshape land?

11. Are portions of the land unusable due to:

Vertical slopes? Wetlands or other water? Deep gorges or washes? Flood control easements?

Utility easements? Other easements? Other?

12. Vegetation growth? Heavy? Moderate? Light? Will it help or hinder development?

13. Any marketable timber? How much?
14. Do mineral rights go with land? Describe
15. Does the land have any natural or man-made bodies of water? Describe
 - Is the water present year round?
 - Flood hazards? Are there flood zones?
16. Are there any groves on the land? What kind of trees?
 - Any income from groves in previous years?
 - Who gets the crop this year?
17. Is all or a part of the land being farmed?
 - Do we want to continue?
 - Do we want to lease it for continued farming?
18. Is land used for grazing? Will it continue to be needed?
19. Is land characterized by;
 - Poor soil? Soil erosion? Subsidence? Heavy vehicular traffic? Unusual air traffic? Flight pattern?
 - Noise or vibration? Fire or smoke? Explosions? Chemical fumes? Other odors? Poor surface drainage? Flood hazard? High water table? Proximity to industry? Poor views? Dam upstream?
 - TV interference? Previous dumping or debris? Nearby open canal? Nearby rock / gravel quarry?
 - Nearby toxic chemicals? Onsite toxic chemicals? Snow? Wind? Railroad proximity? Land nearby zoned inappropriately? Permanent shade? Glare? Safety concerns?
 - Should any of these concern you? Will any of these concern lenders?
20. Any known contamination on or near the site? Explain
 - Any signs of previous dumping?
 - Would seller provide certification from engineer or geologist that no evidence exists of contamination?
 - Will seller agree to indemnify for any future liability resulting from contamination?
 - If contamination, have cleanup measures been undertaken?
 - Any test reports available?
 - Distance to nearest industrial facilities?
 - Nature of nearby industrial facilities?
21. Accessibility
 - Does the land have road frontage? Number of feet?
 - Surface of road; Asphalt? Gravel? Concrete? Dirt? Other?
 - Road is; Private? U.S. highway? State highway? County road? City street?
 - Is there already approved access to a dedicated road? Is access wide enough?
 - Is there a legally acceptable ingress / egress for the buyer?
 - Is land accessible during every season?
 - Will any future roads / freeways go through or near land?
22. Nature of surrounding land? To the north? South? East? West?
23. Current and past uses of surrounding land? To the north? South? East? West?
24. Will your proposed use / development create neighborhood opposition?

UTILITIES

1. Gas line on land? Distance to the nearest gas line?
 - Capacity to serve property
 - Name of utility company?
 - Front end advance needed? How much is refundable and on what basis?
 - Do you have a copy of the refund agreement?
 - Has a moratorium been imposed or considered?
2. Electric service on land? Distance to the nearest power line?

- Capacity to serve property
- Name of utility company?
- Front end advance needed? How much refundable and on what basis?
- Do you have a copy of the refund agreement?
- Has a moratorium been imposed or considered?
- 3. Water line on land? Distance to the nearest water line?
 - Capacity to serve property
 - Name of utility company? Public company? Private company?
 - Front end advance needed? How much refundable and on what basis?
 - Do you have a copy of the refund agreement?
 - Has a moratorium been imposed or considered?
- 4. Specific water source (well, river, etc)
 - Is there sufficient pressure in the system for property?
 - Can on site development begin before a new system is completed?
 - Do we need to loop the water system?
 - What is the water quality?
- 5. Any wells on the land? Pumping at a depth at?
 - Nearest wells at a distance of? Pumping at a depth of?
 - Water quality?
 - Estimated depth of ground water in immediate area?
 - Any reservoirs on land?
 - Have tests been done on water? Are copies of tests available?
- 6. Are community wells an option for development?
 - Any restrictions on these by state and local health departments?
- 7. Type of sewage disposal systems likely to be required?
- 8. Sewer line on land? Nearest sewer at a distance of?
 - Public or private sewers?
 - Capacity to serve property? New line needed?
 - What is the cost of joining the sewer district?
 - Will pumping be needed to reach sewer? Estimated cost?
 - Is there a treatment plant capacity problem?
 - Name of utility company? Is it a public or a private company?
 - Front end advance needed? How much refundable and on what basis?
 - Do you have a copy of the refund agreement?
 - Has a moratorium been imposed or considered?
- 9. Telephone company
 - Pre-wiring? What cost?
 - Any other requirements?
- 10. Cable TV company (If applicable?)
- 11. Street lights required?
- 12. Storm drainage required? Detention or retention ponds required?
 - If a storm drain, at what depth is point of connection?
- 13. All utilities
 - Is joint trenching allowed?
 - Do you have to relocate any lines?
 - Will adjoining land owners share utility costs?
 - Is there any potential profit in this idea?
 - If land is in the county, can you connect to city utilities?
 - Any additional or unusual costs?

GOVERNMENTAL REQUIREMENTS

1. Who are the governing bodies?
2. Services provided to site. Police? Fire? Volunteer? Trash pickup?
3. Local attitude toward new development?
4. Is there a growth management plan in place?
5. Have you obtained all relevant ordinances?
 - Subdivision? Building? Park dedication? Underground? Zoning? Solar? Growth?
 - Landscaping? Any other?
 - What building codes are in place in local jurisdiction? Do they contain local amendments?
6. Any discussion with local building department? Who?
7. Any subdivision bonding required?
 - Will cash or other collateral be accepted?
 - Will a lending agreement be accepted?
 - Will partial releases be given as work progresses?
8. Present zoning? Any potential of zoning change? Would neighbors resist change?
 - Zoning of surrounding land?
9. Any discussion with local planning department? Who? Any input on proposed use?
10. Is land in a designated redevelopment area? Special zoning or financing available?
11. Is land subject to the jurisdiction of the U.S. Army Corp of Engineers?
12. Is land being considered for; Park use? School use? Freeway use? Other public use?
13. Is land under any condemnation now?
14. Is land in any of these special zones?
 - National forest? Wildlife preserve? Fire hazard area? Earthquake fault area? Designated flood area? Hazardous dump site? Any other overlay district?
15. Has any part of the property been designated as a historic landmark, etc. that could block development?
16. Will any part of the land be required to be set aside for recreation?
17. Name of school district? Impact fee involved as a result?
18. Any other unusual subdivision requirements?
19. What are the basic steps to the subdivision approval process? Timetable involved?

OTHER

1. Can this property be realistically expected to appreciate or depreciate in value?
2. Outstanding reasons for buying this land?
3. Outstanding reasons for not buying this land?
4. How much of the land will be needed immediately for your use? How much left for future?
If excess land, are you buying it for an investment? Future use? Development?
5. Proximity to majority of the existing congregation?
6. Proximity to population needed to be served by the church's existing and future ministries?
7. Will fill dirt be needed at building site or for access? Cost? Impact on cost of building, drives, or roads? Is there a place to put excess dirt?
8. Any topsoil on site for landscaping use?
9. How does site meet needs of anticipated growth for twenty years?
10. How easy is it for members to get to and into site?
11. Is there a potential in this site for the church to become a neighborhood center?
12. Any areas that lend themselves naturally to recreation?
13. Is the site easily visible for security reasons?