

# **“Making the Most of Living In The Country”**

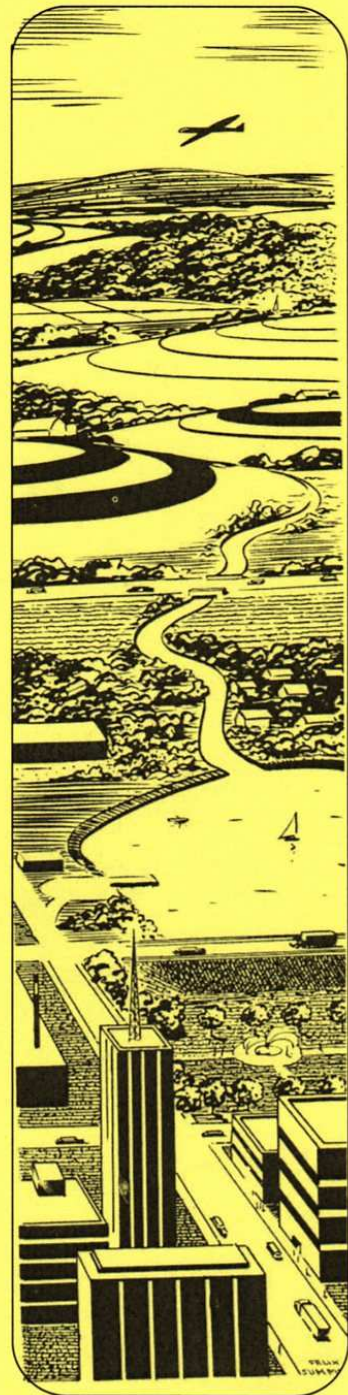
**Is country living a part of  
your life now or are you  
considering a move to the  
country?**

**This booklet is designed to  
provide you with tools to  
help you make educated and  
informed land use decisions.**

## **Contact:**

**Douglas County  
Conservation District  
1217 Biltmore Drive, Suite 100  
Lawrence, Kansas**

**785-843-4288**



Is country living a part of your life now or are you considering a move to the country? It is important to know that life in the country is different from life in the city. County governments are not able to provide the same level of service that city governments provide. To that end, we are providing you with the following information to help you make an educated and informed decision before you purchase rural land.

Every man and woman in the United States is bound by an unwritten code of conduct. The values of integrity and self reliance guide decisions, actions and interactions. In keeping with that spirit, we offer this information to help the citizens of Douglas County to respect those currently living in the country and their lifestyles in order to promote a harmonious environment for all.

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## Access

The fact that you can drive to your property does not necessarily guarantee that you, your guests, and emergency service vehicles can achieve that same level of access at all times. Please consider:

Emergency response times (sheriff, fire suppression, medical care, etc.) cannot be guaranteed. Under some extreme conditions, you may find that emergency response is extremely slow and expensive.

There can be problems with the legal aspects of access, especially if you gain access across property belonging to others. It is wise to obtain legal advice and understand the easements that may be necessary when these types of questions arise.

The county maintains 167.5 miles of paved and 32.4 miles of gravel roads. The townships maintain 21.5 miles of paved and 552.6 miles of gravel roads. The remaining roads are served by private landowners.

There are some roads that are low maintenance with no grading or snow plowing. Make sure you know what type of maintenance to expect and who will provide that maintenance by calling the Douglas County Department of Public Works at 832-5293.

Extreme weather conditions can destroy roads. It is wise to determine whether or not your road was properly engineered and constructed.

Many large construction vehicles cannot navigate small, narrow roads. If you plan to build, it is prudent to check out construction access.

School buses travel only on maintained roads that have been designated as school bus routes by the school district. Your child may have to meet the school bus at the nearest designated bus route. Contact your school district for more information.

In extreme weather, maintained roads can become impassable. You may need a four-wheel drive vehicle with chains for all four wheels to travel during those episodes, which could last for several days.

Natural disasters, especially floods, can destroy roads. Douglas County will repair and maintain county roads; and townships will be responsible for roads designated as township roads. Heavy rainfall can cause low water crossings and low areas to flood. A dry creek bed can become a flooded area covering roads and bridges, often taking several hours to recede. Residents served by private roads and/or bridges may have large bills for repairs and/or reconstruction after floods. During high water, emergency medical services or fire protection may not be able to reach you.

Unpaved roads generate dust. Dust is a fact of life in the country. County and townships will give permission to treat segments of roadways adjacent to property. You would need to check with the Department of Public Works to find out the cost to do so.

If your road is unpaved, it is highly unlikely that Douglas County will pave it in the foreseeable future. Check with the Douglas County Public Works Department when any statement is made by the seller of any property that indicates an unpaved road will be paved!

Unpaved roads are not always smooth and are often slippery when they are wet. You will experience an increase in vehicle maintenance costs (more tire repair) when you regularly travel on unpaved roads.

Mail delivery is available to all areas of the county.

Standard parcel and overnight package delivery may need special arrangements made for delivery for those who live the country. Confirm with the service providers as to your status.

Newspaper delivery is similarly not always available to rural areas. Check with the newspaper of your choice before assuming you can get delivery.

It may be more expensive and time consuming to build a rural residence due to delivery fees, etc. Your builder should be able to answer your questions. See Douglas County Building permit regulations for the cost of building inspections.

### Utility Services

Water, sewer, electric, telephone, cable television, and other services may be unavailable or may not operate at urban standards. Repairs can often take much longer than in towns and cities. Please review your options from the non-exhaustive list below.

Telephone communications can be a problem. It may be difficult to obtain a phone line for fax or computer modem issues. Even cellular phones will not work in all areas.

If sewer service is available to your property, it may be expensive to hook into the system. It also may be expensive to maintain the system you use.

If sewer service is not available, you will need to use an approved septic system or other treatment process. The type of soil and geological conditions available for a leach field will be very important in determining the cost and function of your system. Have the site location checked by the Lawrence/Douglas County Health Department.

If you have access to a supply of treated domestic water, the tap fees can be expensive. You may also find that your monthly cost of service can be costly when compared to municipal systems.

If you do not have access to a supply of treated domestic water, you will have to locate an alternative supply. The most common method issue of a water well. Permits for wells are granted by the Lawrence/Douglas County Health Department and the cost for drill and

pumping can be considerable. The quality and quantity of well water can vary considerably from location to location and from season to season.

Drilling a water well does not guarantee you will locate water. To provide water to their property, landowners have had to install cisterns and have water delivered. It is strongly advised that you research this issue very carefully.

Electric service is not available to every area of Douglas County. It is important to determine the proximity of electrical power. It can be very expensive to extend power lines to remote areas.

It may be necessary to cross property owned by others to extend electric service to your property in the most cost efficient manner. It is important to make sure that the proper easements are in place to allow lines to be built to your property.

If you have special power requirements, contact your local utility company.

If you are purchasing land with the plan to build at a future date, there is a possibility that electric lines (and other utilities) may not be large enough to accommodate you if others connect during the time you wait to build.

The cost of electric service is usually divided into a fee to hook into the system and then a monthly charge for energy consumed. It is important to know both costs before making a decision to purchase a specific piece of property.

Power outages can occur in outlying areas with more frequency than in more developed areas. A loss of electric power can also interrupt your supply of water from a well. You may also lose food in freezers or refrigerators. Power outages can cause problems with computers as well.

Trash removal can be much more expensive in a rural area than in a city. In some cases, your trash dumpster may be several miles from your home. It is good to know the cost for trash removal as you make the decision to move in the country. In some cases, your only option may be to haul your trash to the landfill yourself.

Recycling is more difficult because pick-up is not available in most rural areas.

## The Property

There are many issues that can affect your property. It is important to research these items before purchasing land.

Not all lots are buildable. You must check with the Douglas County Zoning and Codes Department to know that a piece of land can be built on before you purchase the property.

Easements may require you to allow construction of roads, power lines, water lines, sewer lines, etc. across your land. There may be easements that are not of record. Check these issues carefully.

Many property owners do not own the mineral rights under their property. It is very important to review your title policy to know what minerals may be located under the land and who owns them.

Be aware that adjacent mining uses can expand and cause negative impacts. Adjoining land use can change.

You may be provided with a plat of your property, but unless that land has been surveyed and pins placed by a licensed surveyor, you cannot assume that the plat is accurate.

Fences that separate properties are often misaligned with the property lines. A survey of the land is the only way to confirm the location of your property lines.

Many subdivisions have covenants that limit the use of the property. It is important to obtain a copy of the covenants (or confirm that there are none) and make sure that you can live with those rules. Also, a lack of covenants can cause problems between neighbors.

Homeowners associations (HOAs) are required to take care of common elements, roads, open space, etc. A dysfunctional homeowners association or poor covenants can cause problems for you and even involve you in expensive litigation.

Carefully read the title policy to your property and understand what it means.

Dues are almost always a requirement for those areas with a HOA. The by-laws of the HOA will tell you how the organization operates and how the dues are set.

The surrounding properties will probably not remain as they are indefinitely. You can check with the Douglas County Planning Office to find out how the properties are zoned and to see what future developments may be in the planning stages. The view from your property may change.

The Kansas Water Appropriation Act protects both the people's right to use Kansas water and the state's supplies of ground and surface water for the future. The law is administered by the Kansas State Board of Agriculture's division of water resources which issues permits to appropriate water, regulates usage, and keeps records of all water rights in the state.

Flowing water can be a hazard, especially to young children. Before you decide to locate your home near an active stream, consider the possible danger to your family.

#### Mother Nature

Residents of the county usually experience more problems when the elements and earth turn unfriendly. Here are some thoughts for you to consider.

Expansive soils can buckle concrete foundations and twist steel I-beams. You can know the soil conditions on your property if you refer to the soil survey report of Douglas County.

The topography of the land can tell you where that water will go in the case of heavy precipitation. When property owners fill in gullies, they have found that the water that drained through that gully now drains through their house.

A flash flood can occur, especially during spring and fall months, and turn a dry stream into a river. It is wise to take this possibility into consideration when choosing a building site.

Spring run-off can cause a very small creek to become a major river. Many residents use sand bags to protect their homes. The county does not provide sand bags, equipment or people to protect private property from flooding.

Before you alter a watercourse or drainage area, be sure to contact the Kansas Division of Water Resources. You cannot through any means, force water to leave your property in a place it would not naturally exit your property. You may not add extra drainage to any watercourse leaving your property.

Nature can provide you with some wonderful neighbors. Most, such as deer and eagles are positive additions to the environment. However, even "harmless" animals like deer can cross the road unexpectedly and cause traffic accidents. Rural development encroaches on the traditional habitat of coyotes, bobcats, rattlesnakes, prairie dogs, mosquitoes, and other animals that can be dangerous and you need to know how to deal with them. In general, it is best to enjoy wildlife from a distance and know that if you do not handle your pets and trash properly, it could cause problems for you and the wildlife. The Kansas Department of Wildlife and Parks is a good resource for information.

## Agriculture

Agriculture is an important part of our environment and heritage. Owning rural land means knowing how to care for it. There are a few things you need to know:

Farmers often work around the clock, especially during planting and harvest time. Dairy operators sometimes milk without stopping and hay is often swathed or baled at night. It is possible that adjoining agriculture uses can disturb your peace and quiet.

Land preparation and other operations can cause dust, especially during windy and dry weather.

Farmers occasionally burn their fields to keep them clean of debris, weeds, and other obstructions. This burning creates smoke that you may find objectionable.

Chemicals (mainly fertilizers and herbicides) are often used in growing crops. You may be sensitive to these substances and many people actually have severe allergic reactions. Many of these chemicals are applied by airplanes that fly early in the morning.

Animals and their manure can cause objectionable odors. What else can we say?



Agriculture is an important business in Douglas County. If you choose to live among the farms and ranches of our rural countryside, do not expect county and state government to intervene in the normal day-to-day operations of your agri-business neighbors. In fact, Kansas has "Right to Farm" legislation that protects farmers and ranchers from nuisance and liability lawsuits. It enables them to continue producing food and fiber.

Before buying land you should know if it has noxious weeds that may be expensive to control and you may be required to control some plants are poisonous to humans and animals.

Animals can be dangerous. Bulls, stallions, rams, boars, etc. can attack human beings. Adults and children need to know that it is not always safe to enter pens where animals are kept.

There is a limit to the amount of grazing the land can handle. Overgrazing causes weed, erosion, and sedimentation problems.

#### Conclusion

Even though you pay property taxes to the county, the amount of tax collected does not cover the cost of the services provided to rural residents. In general, those living in the cities subsidize the lifestyle of those who live in the country by making up the shortfall between the cost of services and the revenues received from rural dwellers.

This information is by no means exhaustive. There are other issues that you may encounter that we have overlooked and we encourage you to be vigilant in your duties to explore and examine those things that could cause your move to be less than you expect.

The Douglas County Conservation District Board offers these comments in the sincere hope that it can help you enjoy your decision to reside in the country. It is not our intent to dissuade you, only to inform you.