

PROPERTY OWNED BY NONRESIDENTS FOR HUNTING PURPOSES - RESULTS OF SURVEY OF COUNTY RECORDERS

On October 11, 2001, the Legislative Council's interim Judiciary B Committee requested a survey of county recorders to determine how much land is owned by nonresidents. It was suggested that the land for which information be requested be limited to agricultural land transferred for consideration, not on death, to a grantee with an address outside this state. The purpose of the survey was to make an estimate as to how much land is being bought by nonresidents for hunting purposes.

In November 2001 the Legislative Council staff contacted certain county recorders to ask their assistance in obtaining this information. The information was requested in four columns--the state of the grantee, the number of acres, the month and year of transfer, and the consideration paid if any was listed. To further limit the request, only information on transfers made in the last five years was requested. In addition, the county recorders were given further options. The letter requesting information from the county recorders stated:

This type of information may be better gained by using the data base, if available, used by the county treasurer to mail tax statements. If there are fields on a data base for the state to which the tax statement is sent and the number of acres, this would be useful supplementary or substitute information.

If either of these two means of gaining the requested information is too difficult, any information that would aid the committee in finding how much land is owned by nonresidents would be useful and appreciated. If needed, the number of years for which the information is requested could be reduced to make the request less burdensome.

Because the purpose of the survey was to find information relating to nonresidents acquiring land for hunting purposes, the request was limited to counties in which hunting is popular for certain species. The following counties were chosen for the following species:

Billings and Golden Valley Counties - Deer
 Hettinger and Adams Counties - Pheasant
 Ramsey and Bottineau Counties - Geese
 Kidder and Stutsman Counties - Ducks

Attached as an appendix are the responses from the county recorders. As of the date of this memorandum, only five counties had responded--Adams, Billings, Bottineau, Hettinger, and Kidder. The Adams County recorder provided a list of out-of-state land transfers from November 1996 to November 2001.

The Adams County recorder included all transfers in which the grantee had an out-of-state address. The recorder listed variables that likely affected the survey which are not reflected in the records. These variables are:

1. Sales made to family members.
2. Whether or not dwellings are located on the acreage.
3. Real estate purchased by a trust that has been established out of state but where parties may be residents of North Dakota.
4. Same property changing hands more than once within a short period of time between nonresident parties.
5. Former residents who have retained property in North Dakota but have transferred to or from a trust or partnership.
6. South Dakota border state residents who have purchased additional property in North Dakota. Eleven of the 25 transfers were to purchasers in a state that does not border North Dakota.

The Billings County recorder provided a list of transfers made within the last five years to out-of-state purchasers. The list is of two purchasers--one in Montana and one in Chicago.

The Bottineau County recorder could not complete the request because of the "tremendous amount of time and staff" which it would require. The Bottineau County recorder did offer to have the county auditor run the tax list giving the name, address, land description, and acres of property in the Bottineau County for an approximate cost of \$60.

The Hettinger County recorder stated:

County Recorders cannot determine by a deed if the intention of the sale is for hunting or the intent is to transfer land to another family member out of state for a consideration or any other scenario. We only record the deed.

It appears the Hettinger County recorder did not find that the information the recorder could provide would be useful to the committee.

The Kidder County recorder was unable to comply because the office is not staffed to do extensive research.

It appears from previous telephone conversations that some of the recorders that did not respond intend to respond when they are finished with a review of their records. The committee will be updated when further information is received from these recorders.

ATTACH:1

NOV 21 2001

**ADAMS COUNTY
RECORDER/CLERK OF COURT**

**P. O. Box 469
HETTINGER, NORTH DAKOTA
(701)567-2460**

November 20, 2001

Tim Dawson
North Dakota Legislative Counsel
State Capitol
600 E. Boulevard Avenue
Bismarck, ND 58505-0360

Re: Adams County, North Dakota
Non-Resident Real Estate Sales

Dear Mr. Dawson:

At your request I have completed a search of our records regarding Adams County real estate sold to non-residents in the last five years, where values were included.

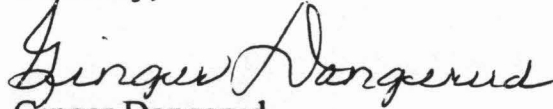
I felt the only fair way to search this was to include all transfers in which the grantee had an out-of-state address. Because of this, I believe there are several variables which would likely affect values. Though they are not reflected in the records, I am familiar with some of these transactions and the people involved, and believe some of those variables to be as follows:

1. Sale made to member of the family;
2. Whether or not dwellings/buildings are located on the acreage;
3. Real estate purchased by a trust which has been established out of state, but where parties may be residents of North Dakota;

4. Same property changing hands more than once within a short period of time between non-resident parties;
5. Former residents who have retained property in North Dakota but have transferred to/from a trust or partnership;
6. South Dakota border state residents who have purchased additional property in North Dakota.

I am unsure what credence you want to put on these variables and provide them for your information only.

Sincerely,

A handwritten signature in cursive script that reads "Ginger Dangerud". The signature is written in black ink and is positioned above the printed name.

Ginger Dangerud

Adams County Recorder

ADAMS COUNTY, NORTH DAKOTA

OUT-OF-STATE LAND TRANSFERS November 1996-November 2001

<u>Date</u>	<u>Grantee Address</u>	<u>Total Sale Value</u>	<u>Acres</u>	<u>Sale Per Acre</u>
10-16-97	Wall, South Dakota	\$330,000.00	1,320	\$250.00
03-15-98	Billings, Montana	\$265,758.50	1,040	\$255.00
04-08-99	Billings, Montana (Dwellings - \$40,000; Real Estate - \$40,000)	\$ 80,000.00	160	\$250.00
04-19-99	Billings, Montana	\$105,200.00	320	\$328.00
04-06-99	Billings, Montana	\$ 40,000.00	160	\$250.00
10-27-99	Billings, Montana	\$109,900.00	320	\$343.43
03-28-01	Little Rock, Arkansas	\$168,000.00	480	\$350.00
10-21-97	Hermosa, South Dakota	\$260,000.00	960	\$270.00
06-24-99	Story, Wyoming	\$ 88,000.00	440	\$200.00
10-01-99	Alger, Ohio	\$ 22,000.00	160	\$137.50
02-23-01	Moorhead, Minnesota	\$ 20,350.00	160	\$127.18
05-01-01	Lakeville, Minnesota (Though this deed does not state such, I believe this acreage to be an undivided ½ int. as there is a second deed with the same description deeding an undivided ½ int. to a North	\$130,000.00	1,440	\$ 90.27

Dakota resident. This would also explain the low sale value on this number of acres.)

12-21-98	Encinitas, California	\$ 96,000.00	480	\$200.00
01-14-97	Longland, Florida	\$ 35,000.00	560	\$ 62.50
01-14-97	Longland, Florida	\$176,000.00	880	\$200.00
06-12-00	San Jose, California	\$ 40,000.00	160	\$250.00
12-29-98	Apple Valley, Minn.	\$136,800.00	480	\$285.00
08-02-99	New Brighton, Minn.	\$ 10,600.00	53.71	\$197.35
03-27-97	Chaska, Minnesota	\$ 63,200.00	318	\$198.74
03-05-98	Chaska, Minnesota	\$ 8,760.00	40	\$219.00
02-29-00	Oshkosh, Wisconsin	\$278,855.00	1,320	\$211.25
03-30-98	Spokane, Washington	\$ 27,328.08	240	\$113.86
03-30-98	Glendive, Montana	\$ 27,328.08	240	\$113.86
01-13-98	Sanger, California	\$ 78,500.00	160	\$490.62
05-10-99	Littleton, Colorado	\$240,000.00	960	\$250.00

BILLINGS COUNTY
Register of Deeds

& ex-officio Clerk of Court
P.O. Box 138
Medora, North Dakota 58645
Telephone No. 701-623-4491 or 701-623-4492
Fax No. 701-623-4896

NOV 23 2001

DONNA ADAMS
REGISTER OF DEEDS

SALLY ADAMS
CHRIS JOHNSON
DEPUTIES

RE: Searches

Searches are done over the past ⁽⁵⁾ years unless otherwise specified *as requested.*

NAMES:

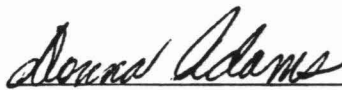
1. Paul Douglas-Montanna-purchase 3/99 WDJT 160 acres
T139-102 Section 6: SE
Consideration is confidential
2. Saul Azar - Chicago - purchases 10/97 29.02 acres
T140-100 Section 36: tract

NOTE: All other lands that are owned from out of state residents have been obtained through an estate or have been obtained much earlier than the 5 years.

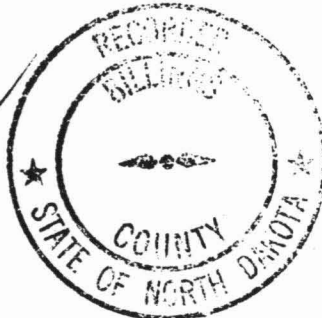
I have visited with the Tax Director and she also agrees that this is the total amount of acres within the last 5 years that have been transferred.

This information is accurate to the best of my knowledge and is based only upon those records examined. It does not reflect or cover rights or defects which do not appear of record, including rights which may arise from latent defect in instruments. Any oversights, omissions or errors are unintentional.

Respectfully,

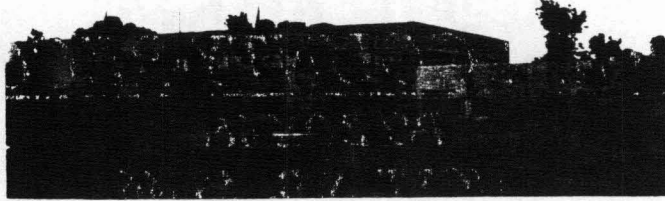

Donna J. Adams
Register of Deeds

BY: _____
Sally Adams



BOTTINEAU COUNTY
NORTH DAKOTA

COUNTY OFFICERS
County Sheriff Steve Watson
County Auditor Mae Streich
County Treasurer Evelyn Kalk
County Recorder Helen Christenson
Clerk of Courts Rhonda Langehaug
Superintendent of Schools Dwane Getzlaff
State's Attorney A. Swain Benson
Tax Director /Zoning Adm. Lisa Peterson
Social Services Mary Rothmann
9-1-1 Coordinator Terry Volk
Disaster Emergency William Baumann
Veteran's Service Officer Dwight Nahinurk
Road Superintendent Arlan Monson
Official Newspaper Courant
County Coroner Dr. William Straw



314 West Fifth Street
Bottineau, North Dakota 58318
Fax 701-228-3658

COUNTY COMMISSIONERS
1st District David C. Larson
Willow City, ND 58384
2nd District David C. Geiszler
Bottineau, ND 58318
3rd District David Bernstein
Souris, ND 58783
4th District Verdean Kveum
Souris, ND 58783
5th District Fred Tyler
Lansford, ND 58750

November 28, 2001

NOV 29 2001

Mr. Timothy J. Dawson
North Dakota Legislative Council
600 E Boulevard Ave Dept 160
Bismarck ND 58505-0360

Dear Mr. Dawson:

In regard to your letter dated November 19, 2001 requesting information on land owned by nonresidents. For our office to complete such a request would take a tremendous amount of time and staff, of which is limited. However, in checking with County Auditor, Mae Streich, it was suggested that they could run the tax list, giving the name, address, land description, and acres of property in Bottineau County. You could then from that list make your own determination of the lands required to complete your survey.

The approximate cost to run this list would be \$60.00. If you feel this would be helpful, please contact Bottineau County Auditor, Mae Streich at the above address, or call (701) 228-2225.

Sincerely,

Helen Christenson
Bottineau County Recorder

HETTINGER COUNTY RECORDER

PO BOX 668

MOTT, N.D. 58646

TELEPHONE NO: 701-824-2545

FAX NO: 701-824-2717

NOV 21 2001

Sylvia Gion
County Recorder

Robin Ulrich
Deputy County Recorder

November 20, 2001

Mr. Timothy J. Dawson
North Dakota Legislative Council
State Capitol
600 East Boulevard
Bismarck, ND 58505-0360

Dear Mr. Dawson:

I received your letter dated November 19, 2001 concerning a study relating to land owned by nonresidents.

County Recorders cannot determine by a deed if the intention of the sale is for hunting or the intent is to transfer land to another family member out of state for a consideration or any other scenario. We only record the deed.

If you would like a list of all landowners in the county, you can contact Roy Steiner, Hettinger County Auditor.

Sincerely,



Sylvia Gion
County Recorder



KIDDER COUNTY STATE OF NORTH DAKOTA

ALICE GROVE

Kidder County Recorder

P.O. Box 66, Steele, North Dakota 58482

(701) 475-2632 • Fax (701) 475-2202

e-mail address: agrove@state.nd.us

November 21, 2001

Mr. Timothy J. Dawson, Counsel
North Dakota Legislative Council
State Capitol
600 East Boulevard
Bismarck, ND 58505-0360

NOV 23 2001

Dear Mr. Dawson:

In response to your letter of November 19, 2001 requesting data on land ownership by nonresidents, we are unable to comply. Our office is not staffed to do extensive research.

I did forward a copy of your letter to the county treasurer's office and that office did not feel that they could adequately provide the information that you are seeking.

If you wish to send a staff person to the county to do research on this project, our records are open and available.

Sincerely,

Alice Grove
County Recorder

AG/me