

In the Field...

Conducting A Records Search

by Bernard Lea, SR/WA, Big Sky Chapter 45

If you walk into the clerk and recorder's office of almost any county in Montana and ask if a particular road is a county road, you might find it difficult to get a definite answer. Right-of-way professionals in Montana face this problem frequently, and the situation is probably the same in other states as well.

Some of the existing records have never been researched to determine where the rights of way are located. If a road book has been maintained, or easements were signed by the landowner and duly recorded, then the information should be available in the clerk and recorder's office. Other records, however, may be stored in annexes, basements, attics and sometimes in private homes. These records often have not been compiled, and may take considerable "leg work" to uncover.

Some recent court cases in Montana required evidence to support a "prescriptive easement." During the course of this research, evidence per-

taining to other roads was discovered, but no one bothered to document it. Anyone who needs that information would have to repeat the same steps over again.

Members of IRWA Chapter 45 decided to take an active role in resolving this problem. The chapter formed a committee consisting of four IRWA members. The committee went before groups associated with access issues to clarify the problem and establish a network of support. A presentation made at the annual meeting of the Montana Clerk and Recorders Association prompted their full support and the inclusion of three clerks and recorders on the committee.

Presentations were also made to the Montana Association of Registered Land Surveyors and to the Montana Association of County Officials. These groups were very supportive and agreed that it was a job that needed doing. The governor's Natural Resource Council on Access



sanctioned the committees' efforts because of Montana's desire to attract tourists, who need access

to public lands for recreational use.

The committee established the goals of identifying all county roads documented (by dedication, grant or condemnation) in the state of Montana, and of presenting the information in a form accessible to the public, to be maintained by the counties. An emphasis would be placed on collecting information from commissioners' proceedings and records in county offices, annexes and wherever they may be found.

Volunteers are now working in three county offices to gather the information. Four other counties have agreed to provide expenses for volunteers to work in their offices. When the work in these counties is done, the information will be analyzed and



Northeastern Land Services, Ltd.
One Middle Street
Lincoln, Rhode Island 02865
Tel. (401) 726-9191

Northeastern Land Services, Ltd.

Right of Way Services since 1986

Pipeline, Electric Transmission, Natural Gas,
Municipalities and Telecommunications

- Title examination & abstract
- Land and easement acquisition
- Negotiations and damage claim settlement
- Mineral lease acquisition
- Agency permits and licenses
- Relocation assistance

Inquiries and resumes from qualified field agents encouraged.


Surviving in a Stressful World

Continued from Page 13

the expenses tallied. That data will help to establish the costs for completing the research in the remaining counties.

Among those who will benefit from this research are:

- The public, through clarification of public access in general
- Property owners and prospective buyers, through awareness of access rights and potential access problems on their properties
- The county, through reduction of administrative confusion and research costs

The members of Chapter 45 are proud of what they have accomplished in this project. Their participation, leadership and support have worked to bring about a positive change with benefits to many. This, we believe, is what membership in IRWA is about. 

potential to generate pounds and pounds of cure. You may be practicing some or all of them already. If you found several ideas that you think would help you, you may find it difficult to apply all of them at once. It might be easier for some people to list the things that they think will be useful and to concentrate on one of them at a time. Perhaps some will choose to try two at a time. Even others may be able to grab all eight of these ideas and put them into practice at the same time. Do what works for you.

YOU GET TO MAKE THE CHOICES


We all live in a stressful world. If you choose to take preventive measures, you can reduce the amount of stress you are exposed to and reduce the impact it can have on your body and your mind.

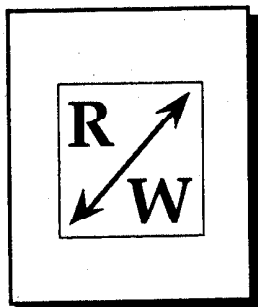
A hundred years ago, most people died of communicable diseases over which they as individuals had no control. Now the major killers of human beings are directly related to things that can be controlled by the people who suffer from them. Stress, along with diet and exercise, is a contributing factor in most cardiovascular disease,

and those three factors are contributors to each of the remaining nine of the top 10 killer diseases of our generation.

If you want to live well and effectively, you will choose to come to terms with the stress in your life. You can choose to eat wisely, exercise, rest appropriately, take time to relax, and learn how to deal effectively with potentially stressful situations. The choices are yours, and you may choose to do whatever you please.

READING LIST FOR MANAGING STRESS

1. Selye, M.D., Hans, *Stress Without Distress*, New York: Harper and Row, 1974.
2. Girdano, D. and Everly, G., *Controlling Stress and Tension, A Holistic Approach*, Englewood Cliffs, NJ: Prentice-Hall, 1979.
3. Farber, Barry A. ed. *Stress and Burnout in the Human Services Professions*, New York: Pergamon, 1983.
4. Goldberg, L. and Breznitz, S., eds., *Handbook of Stress, Theoretical and Clinical Aspects*, New York: The Free Press, 1982.
5. Lakein, Alan, *How to Get Control of Your Time and Your Life*, New York: David McKay Co., 1973. 



R/W Acquisition Associates

Headquarters
16200 Brandywine Rd.
Brandywine, MD 20613
(301) 888-2136
Fax: (301) 579-6543

Clemmans, NC
(919) 766-7980

Tulsa, OK
(918) 242-3491

Houston, TX
(713) 531-5517

Montgomery, AL
(205) 286-9070

Atlanta, GA
(404) 262-0629

We provide these important services:

- | | | |
|-------------------|------------------------------|---|
| ■ Engineering | ■ Design | ■ Appraisals |
| ■ Acquisition | ■ Relocation | ■ Settlements |
| ■ Recordings | ■ Eminent Domain (Testimony) | ■ Exhibits (Court Documents) |
| ■ Contracts | ■ Title Work | ■ Title Curative |
| ■ Deeds | ■ Notary | ■ Mineral Leasing (oil, gas, coal, etc) |
| ■ Legal Documents | | |
| ■ B.L.M. Research | | |

We specialize in the following areas of expertise:

- | | |
|-----------------------|---|
| ■ Highways | ■ Utilities (Water, Sewage, Drainage, Electrical) |
| ■ Airports | ■ Legal Services (Opinions, etc.) |
| ■ Ports (Marinas) | ■ Land Development, Purchasing |
| ■ Feasibility Studies | ■ Sub-division, Layouts |
| ■ Pipeline | ■ Environmental Impact Studies |
| ■ Title Curative | ■ Communications |
| ■ Mineral Buying | ■ Mineral Leasing |