

Land Rights in the Heartland

BY JAMES T. WILLS

A few truths learned along the way

Looking forward to retirement, as I see it, comes with the need to reflect on the years gone by. My past is filled with a variety of lessons learned from the hundreds, if not thousands, of attempts to negotiate land rights. Each of those singular events, even if not unique, gives direction and greater purpose to the next attempt, and the next, and so on until the last document is signed, filed and sent to records management.

Having spent decades working in the Upper Midwest, I have had more than my share of challenging negotiations for land rights on or near agricultural land. Farmers and large area landowners can be notorious for their stubborn independence, stodgy conservatism and NIMBY isolationism. They can also just as easily confound the worthiest agent with their profound sense of honesty, warmth and gut level need for fairness. In the face of these sometimes frustrating behaviors, I am still amazed at the willingness of landowners to accept an uninvited interloper on their land whether it is for a pipeline, substation, transmission line or wind turbine project.

I have never been a farmer nor was I born into a farming family, but I hold a deep respect for those I consider to be the real custodians of the land. And in those years that I have driven mile after mile on gravel roads, I have captured a few truths about land rights in the heartland.

The Law of Shoes

In some parts, it is well known that you can pave a farm driveway with sheep manure. I learned this first-hand from a sheep farm in southern Minnesota. As you might imagine, sheep manure becomes eerily sticky and repugnant in the rain. Never wear leather-soled street shoes on wet sheep manure. If you do, trash the shoes.

It's Not About the Money

Mushroom farming is a big business on a micro scale. After visiting a very small farm



in Wisconsin, I learned that first things must come first. In other words, buy some mushrooms before asking for signatures on the contract documents.

If it Can Go Wrong it Will

In regards to a hobby farm in western Iowa, the special conditions sheet advised that a plot of prized and nearly ripe heirloom tomatoes adjacent to the construction right of way should be avoided. Trust me on this, if a construction vehicle happens to wander outside the right of way, it will always wipe out the plot of heirloom tomatoes first.

Things Do Go Bump in the Night

Pipeline projects produce large excavations for bore pits and trenches. Unprotected holes in the ground can be hazardous, especially in the dark. This is especially true for a John Deere 630 driving at night with no headlights "just to survey the work in my field." When claiming a total loss for a 50-year old tractor, use the self-induced damage claim form SDC-1.

Each of us can remember unforgettable people and remarkable events we have encountered along the way. For some of us, it was the road less traveled, walking in sheep dung and trampling heirloom tomatoes.

Before heading off onto the road leading to whatever my next career may bring, I will leave this one with some words that have stayed with me over many decades as a licensed realtor. At every luncheon event hosted by the local Board of Realtors, the speaker's podium was draped with a banner that read, "UNDER ALL IS THE LAND." Therein lies our past, present and future. 🍄



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