



## Season 2 Episode 4— Can We Do This? Structures, Utilities, and Improvements

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Jamie Mardis

You're live with, On the Heir, where the airways are buzzing with stories of land, legacy and lineage. I'm your host, Jamie, and today we're tackling the question that many heirs property owners ask. Can we build on the land, add utilities, make improvements when your family's land doesn't have a clear title? Figuring out what's possible in less risky can feel like navigating a maze.

Jamie Mardis

Maybe you want to build a home, add a will, run electricity, or even put up a barn. How do you do that without creating bigger problems for your family's legacy? Today, we're breaking it all down with practical advice and key insights to help you make informed decisions. All right. Before you pick up the hammer or call the utility company, it is important to understand why building or adding improvements on this property isn't always straightforward.

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First, many heirs property parcels lack a clear, singular title. That means ownership is shared amongst multiple family members, often with undivided interest, and there might not be official legal boundaries for who owns which part. Without a clear title or legal description, obtaining permits or utility hookups can be difficult or even impossible. Utilities companies and local governments often require proof of ownership before installing services like electricity, water, or sewage connections.

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Plus, if improvements are made without everyone's agreement, it can lead to disputes, added cost or even legal challenges down the road. Imagine one heir invest in building a home or will but others disagree or feel left out of the decision. That can fracture family relationships and complicate future transfers of ownership. Another challenge is financing. Banks and lenders may hesitate to provide loans for construction or improvements on heirs property because of the unclear ownership status and title risk.

Jamie Mardis

This limits options for family members wanting to improve their land. So while the desire to improve and develop family land is natural and it's important, it's critical to understand the barriers and plan carefully before moving forward.

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So what can you legally do? Let's get practical. What can you actually do to add structures or utilities on heirs property? And what steps do you need to take? Step one check with your local government. Building codes, zoning laws and permitting requirements may vary by county and municipality. Most places require a building permit for new structures, major repairs, or utility installations.

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You'll typically need to prove ownership or get permission from all co-owners to apply for permits. Step two talk to utility providers early, electric, water and sewer companies often require documentation showing who owns the land before activating services. They may ask for deeds or other legal proof. If your property doesn't have a clear title, this can be a roadblock.

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Step three get family consensus. Because heirs property is co-owned. Major improvements require agreement from all owners, or at least the majority, depending on your state's laws. Without this, you risk disputes or potential legal action. Step four understand the risk of improvements without clear title. If one heir builds or installs utilities without others consent, they might not be able to recover those investments.

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If ownership changes. For example, if the property is later sold or partitioned, the cost of improvements may not be reimbursed. Step five explore options for title clarification before investing in major improvements, consider working toward clearing the title or formalizing ownership. This can include legal action, mediation, or working with experts like those of us here at the Alabama Heirs Property Alliance to navigate title issues.

Jamie Mardis

This process may take time, but it pays off in the long run by protecting your investments and family relationships. Let me share a quick story with you all that illustrates the risk and solutions for improvements on heirs property. A family owned a large tract of land for generations but never cleared the title. One of the heirs decided to build a small house on the property, adding a well and electricity without full family consent.

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Now, at first, this seemed like a great move. They finally had a home on their land, but soon tensions rose. Other heirs felt blindsided and worried about how the improvements might affect ownership. Shares in future sales. The local utility company required a clear title before continuing service, causing interruptions. Eventually, the family did work together with the local heirs, property specialists, to start the process of clearing the title and formalizing ownership.

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They created a family agreement outlining decision making for future improvements. This took time and some legal costs, but in the end the improvements became a shared family asset in the house. While the house remained a place for gatherings and new memories, strengthening the family's legacy instead of fracturing it was the takeaway here. Improvements can be a blessing, but only when paired with clear communication, legal clarity and cooperation.

Jamie Mardis

Are you ready to start planning improvements on your family land? Well, here are some practical tips to guide you safely. Get everyone on board early. Whole family meetings to discuss goals, budgets, and responsibilities before any construction begins. Document agreements. Put decisions in writing. Who pays? Who maintains? Who uses these improvements to avoid misunderstandings. Consult local officials. Contact your county building department and utility providers to learn about permits and service requirements specific to your location.

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Work with experts. Reach out to organizations like the Alabama Heirs Property Alliance for resources on title clearing, legal advice, and technical assistance. Consider phased improvements. Start small with projects that require minimal permits or costs, and then scale up as title and family agreements solidify. And finally, plan for maintenance. Agree. Who will handle upkeep to protect your investment and prevent future disputes.

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By combining communication, documentation and professional guidance. You can turn your family land improvements from a risky venture into a legacy, strengthening success. Looking ahead as you consider improvements, keep these final thoughts in mind. Improvements on heirs property come with unique challenges, but they're possible with careful planning. Clearing title and formalizing ownership protects your investments and your family relationships.

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Use resources like us here at the Alabama Heirs Property Alliance to connect with experts who can guide you through the process. For information and help, visit us [www.aces.edu./go/heirs property](http://www.aces.edu./go/heirs property). Again, that's [www.aces.edu./go/heirs property](http://www.aces.edu./go/heirs property). Thanks for tuning in to on the Heir. Be sure to subscribe. Leave us a review and share your thoughts with us.

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Together we'll continue exploring the fascinating world of heirs property. One episode at a time. Until next time, keep protecting your legacy.