

What Buyer's Should Know Before Buying A Home On Waterfront

Buying a home on waterfront can be much more complicated than purchasing a home in a development. Spending the extra time upfront to become informed can save the buyer many dollars and heartache. The Seller is responsible for providing a property disclosure form that answers all pertinent information known to the Seller. But is that enough? Maybe they don't know all there is to know, maybe they were mis-informed, and they may not know all of the intended uses and expectations that you have of the property.

Where to Start...

Review the Title Report

If a copy has not been ordered yet, make your offer subject to your review and approval of the title within a reasonable amount of time. Be sure to ask for all referenced attachments (often indicated by a recording number). If you have questions, contact the Title Officer who's name appears on the report.

Conditions, Covenants & Restrictions (CC&R's)

Platted communities always have these attached to the land; but often they exist on waterfront community parcels, as well. Ask if there are any and how actively they are enforced.

Talk and Drive

Talk to the neighbors and drive the surrounding area. Neighbors often are willing to talk about the neighborhood. Ask about the seasonal changes that the shoreline undergoes, especially in the fall and winter. Drive the area – take notice of the 4-foot high white signs advising of changes in a proposed land use designation.

Next Step...

Visit the County

If the property is located in King County, visit the County's web site for preliminary information. A good site is www.metrokc.gov/ddes/. Or visit in person. In King County it is the Department of Development and Environmental Services (DDES) in Renton (206-296-6600). Ask to meet with a technician who will walk you through every aspect of the property.

Zoning

Do not rely on the Sellers or their Real Estate agent to be completely informed. The County is the best authority on the matter. Ask if there is an application for a re-zone; a new subdivision or a variance in the neighborhood. Ask about the Comprehensive plan designations, which can tell you how the area plans to grow and how it will affect your property.

Environmental Concerns and Restrictions

Be sure you understand all the abbreviations listed on the Site Plan; i.e. NPGA means Native Growth Protective Area and will have setback requirements. Even though you may not be planning on changing anything, it's important to fully understand the potential and restrictions on the property in case you change your mind in the future.

Expansion

If you are planning to expand beyond the existing "footprint" of the home, or building additional structures, find out what restrictions the land has; i.e., well setbacks, steep slopes, protective areas setbacks, wetlands, height restrictions, etc.

Clearing for a View

Typically on steeper sites, there is potential for gaining a view or improving on an existing one. If your slope falls into a sensitive areas act (slopes greater than 45 degrees), there may be conditions you must meet when cutting or removing trees. The fines, if violated, are significant, so check first.

Wet or Dry

If you are buying in the summer months, beware! Wetlands can masquerade as nice dry grass and can be difficult to spot. Clues to a wetland include standing water, specific wetland plants, dark organic soil, slow percolating soil. It may not be mapped on the County maps as a wetland, but may be classified as such when you go to get a permit for an addition or extra building you are going to add. If your land does contain wetlands, it doesn't mean you can't do anything, but you may have to adhere to conditions that cost more or may make that addition less feasible; i.e. setbacks of 25-100 ft.

Access to the Property

What kind of access does the property have? Is there more than one? If the road to the property is narrow or steep, making it difficult for a fire truck to reach the house, you may be required to install ceiling sprinkler system to any remodeling plans you have. Also, does the existing structure have a ceiling sprinkler system?

Make sure you have legal and recorded access regarding easements if you are crossing over someone's property (s). This information should be recorded on the title. If several property owners use the same access road, is there a current road maintenance agreement and how well is it enforced? While you may not be concerned, your lender may make it a requirement of closing. Knowing ahead of time, will save time at closing.

Building a Dock, Jet Ski Lift, or Bulkhead

Any of these enhancements require lots of questions. Docks require special permits. Check with the County and shoreline regulations to find out if one will be permitted. Just because one exists now, do not automatically assume you can upgrade or improve the existing one. The Endangered Species Act has added new regulations and the State Regulatory Act will not be in effect until the year 2000. It's best to consult with the County as to the feasibility of having a dock. Even canopies need to be permitted. If it has not been permitted, it is not part of the real estate.

Currently a knowledgeable and informed contractor for dock building is "Waterfront Construction", Kirkland, WA 425-828-3600.

Seaplanes

Seaplanes may be subject to new regulations under the Endangered Species Act. Check the State Environmental Policy Act (SEPA).

Water Rights

While few homes use lake water as their main source anymore, some properties have maintained the right to pump lake water for irrigation. This can greatly reduce your water bill in the summer.

Septic System

Most properties on Lake Sammamish are now on sewer. If you find one that isn't, check with the Seattle-King County Department of Public Health, 206-296-4932, for rules and regulations concerning the existing system.

Property Lines

One of the most fought after issues in real estate are property lines. Homes on larger parcels often have unclear boundary lines. Existing fences are not always on the property lines and one should never rely on the Seller identifying property lines, unless they are pointing to survey stakes in the ground.

One could ask the Seller to provide a survey as a condition of sale, especially if they purchased the property without one. However, surveys are very costly and most Sellers are reluctant to provide one. You need to evaluate how important it is to you to know where the property lines are and negotiate your offer accordingly.

If there are easements, encroachment issues or anticipated boundary disputes, it probably is wise to call for a survey or maybe just identify one or two lines.

If setbacks for additions are a concern to you, make your offer conditioned on verifying the likelihood of feasibility.

If you are making an offer conditioned on an "Extended Title" policy, then a survey will be required. Again, the Seller may not be willing to incur the extra expense which can be several thousand dollars. Ask your Buyer's agent or call the title company for advice on whether an extended title policy is warranted.

Extended Title covers, in addition to the standard policy: unrecorded liens, survey and boundary questions, claims of parties in possession not disclosed by the public record and easements or claims to easements not disclosed by public records.

For general questions about title, call Chicago Title at 206-628-5666.

Hazardous Materials

The most common environmental hazard is underground storage tanks. If the home is older, where the original heating source was oil, find out if the tank has been removed or look for indicators, such as a cut of copper pipe. If there is still one in existence, you will want the Seller to be responsible for removing it. The cost will vary, but most cost about \$750-\$1000, if there has not been a leak detected. The tank should be removed or decommissioned before closing.

Final Consideration

As mentioned in the beginning, property owners will be offering a “Property Disclosure” to potential buyers, which is only to the best of their knowledge and does not warrant anything. Further, they may hold different values on the property’s features than you do, with totally different uses and visions in mind. With that in mind and all the other issues discussed, it is to your advantage to be diligent in pursuing answers to your questions, observant of the property and totally dedicated to research – especially if you have plans to modify the property in any way.

I hope this information will be helpful to you. It is not all inclusive, so I would be pleased to discuss your ideas and concerns for any waterfront property you may be interested in.