

# Know Your Boundaries

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**B**oundary lines . . . they come in all forms: personal, strategic, sports, and property. The one thing we all know about boundaries is not to cross them. So, how do we know *when* not to cross boundaries? Identify them.

One of the most defining elements of owning property is the boundary lines. One of the first actions a landowner must take, once they have acquired land, is to know and mark the boundary lines. This seems to be a simple task but often goes undone. Why is it so important? Well, the obvious reason is to know *what* you own as a landowner. This can include timber, pasture, water, roads for access, and mineral rights boundaries, to name a few. Proper boundary line markings are also a key element of defense for the landowner. Let's look at some types of boundaries and see why.

**Timber Harvest** – All boundaries of a timber harvest should be marked to identify which trees are desired to be cut, and to prevent the logger from cutting over the harvest boundary line. Timber theft occurs when timber is removed knowingly by crossing a pre-determined boundary. A pre-determined boundary can be marked with blazed paint on trees or by vinyl flagging. Current law does not protect a landowner if timber is cut from their property without permission, if the logger claims he has no knowledge of the location of the property line because of the absence of boundary markings. This is a very vague law, but if nothing is there to indicate a boundary line, then the logger can claim no knowledge that a line existed. This is called an accidental crossing. No law states that a property line *must* be determined by marking before a harvest, but it is a good stewardship practice to do so. And yes, timber theft is a big problem in Alabama. Example: If a timber harvest is being conducted on the property next to yours and the property line is not marked by either party and trees are cut across your line, then an “unknowing” act occurred and you lost your tree. The best thing to do here is to have your boundary lines marked with blazed paint to demonstrate a claimed line.

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## Boundary Lines

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**Trespassing** – Another good reason to mark your property boundaries is to prevent trespassers from coming on to your property without knowledge of doing so, as well as to prevent you from crossing over onto your neighbor's property. Again, this is accidental crossing as long as no lines are marked to indicate a boundary. This is extremely important during hunting season. To claim a right to your property line, the boundary needs to be marked.

**Interior Boundary** – There are also boundaries within boundaries. Several times there may be a need to mark a boundary such as a timber harvest boundary within your property boundaries. An example of this would be pre-planning a harvest in a particular area or layout to accomplish a specific management objective. It is a good forest management practice to cut portions of a tract instead of removing the entire species of the same type. It is also a good wildlife habitat management practice to create irregular clearings in a stand of timber to promote cover, bedding, and natural vegetation for nutrition. This objective can be accomplished by your pre-planning layout of an area using a GPS (Global Positioning System) in conjunction with a topo (topographic) or aerial map, and marking the stand boundary with flagging to identify your opening.

**Special-Use Boundary** – Special-use areas can be anything of importance defined by you to meet your management objective. One that probably comes to your mind is Streamside Management Zones (SMRs). These are boundaries that set aside a portion of the property along a ditch, creek, lake, or river. They define a line for loggers not to cross and/or limit harvesting activities to protect water quality, helping prevent bank erosion and siltation of a body of water. Often, SMZs are marked using flagging identified in the timber contract as SMZ boundary flagging. See *Alabama's Best Management Practices manual*.

The above examples are various types of boundaries found every day when good forestry management is practiced. They provide ways to help you maintain and reach your management objectives, while protecting your interests. However, the introduction of a boundary can spark differences between you and your neighbor. Some conflicts can be resolved by offering to split the cost of a surveyor in this circumstance.

You must first decide how you are going to locate your lines. A survey is always best but can be costly. If one is on file at the probate office, use it. Otherwise you will need to hire a surveyor to conduct an official survey. The best reason for a surveyor is the legal aspect and accuracy of line location. You might be able to locate the original line due to an old survey. Look for cleared brush, old bark scrape, and paint. One of the most common things I see today is that old handshake deals were made by father or grandfather and their neighbor. Problems occur when one or both parties die or deed the property to heirs, and differences of opinion develop. Another situation that exists is that "old barbed wire fence" and/or tree species are described on the deed as a property line. If you have a metal detector, these old fences can usually be located. However, the question may arise as to whether or not the fence was actually constructed on the line. The problem with trees is that they die. Also look for metal

stakes, cement corner markers, poles, or rocks that are commonly used to mark lines. Another way to obtain information is to ask the adjacent landowners to have their lines marked. Don't always accept that they are right, but this may help you read your deed and crosscheck their work.

Now that you know ways to *find* your property boundary, how do you *mark* it? A property boundary line should be marked with paint. Found at any forestry supply store, these paints are designed to withstand weather elements. Latex-based paint will last from four to nine years. Oil-based paint can last longer, but why not use a paint that will require your attention more often so you have to walk the line. This way, you might notice changes to adjacent property as well as your own. The color of the paint does not matter, but if you have industry land around you, know that they usually use a designated color. The most common colors I have seen are yellow, silver, white, orange, red, and blue. You should also purchase a bark-shaving tool to scrape back some of the bark to prepare the tree's surface for a good solid line. Be careful not to remove too much bark; all you need is a good even surface to apply the paint, and the paint will last longer as well.

Once you are ready to paint the tree, understand the preferred method. Always paint the line facing the actual property boundary. The mark should be made 4 to 5 feet from the ground: a vertical line, minimum size of 2 inches by 8 inches, depending on the size of the tree. (If you are dealing with young timber, steel fence posts painted yellow may be used.) When you come to a corner, identify this tree with three vertical stripes along with an "X" carved in the tree bark. If a line is going to change directions but not corner, a common practice is to make two vertical stripes, but shorter in length than single line stripes. If you find a corner stone, paint the top. Once the lines are accurately found and marked, installing a fire break creates long-term marking and access around the property's boundary. This way you can easily ride or walk around while maintaining a healthy property line.

One more identification mark can be used to accompany painted boundaries: vinyl signs with the words "Posted" or "No Trespassing" can be tacked on the trees to identify the property line. You can also obtain 5-inch-square sheet metal signs with the same wording, or customized with your name or farm name identifying you as the landowner. These signs also allow you to post a phone number. Which ever method you choose, remember one thing: the tree will continue to grow. Use aluminum nails about 4 inches long, being careful not to drive them all the way in, but just enough to hold the sign securely in place. Don't be surprised to see these signs disappear as they are often collector items.

This was just a brief overview of proper boundary line identification and establishment. I recommend consulting your professional land manager for more in-depth ideas tailored to your property and desires. If you need help with finding a service provider to assist you with this task, call your local Alabama Forestry Commission office. Again, this is a first step in owning property and should be conducted as soon as possible. As a forester, most of the problems that I deal with could be avoided if boundaries were identified. 🏠