

Look beyond the acreage

A practical due-diligence guide for Texas land buyers

Texas land can create flexibility, privacy, and long-term upside, but acreage alone does not make a tract workable. The real questions are whether you have legal and physical access, whether utilities are truly available, whether title or land-use restrictions interfere with your plan, and whether floodplain or tax issues change the economics of the purchase.

Quick facts that matter early

Access: Recorded access matters. Easements should be in writing and recorded; relying on a handshake or assumed route can create expensive disputes later.

Utilities: Verify whether the tract has public water/sewer, or whether you will need a private well and septic. Septic permitting is a major checkpoint in Texas.

Restrictions: Review deed restrictions, easements, title commitment exceptions, floodplain status, platting requirements, zoning or ETJ rules, and any HOA or architectural controls before you buy.

Taxes: Agricultural valuation can reduce property taxes, but a later change in use can trigger rollback taxes.

Your land-buyer verification checklist

- Confirm there is legal access in the recorded deed/easement documents, not just visible physical access.
- Ask whether the property fronts a state highway and whether a new driveway or access point would need TxDOT approval.
- Review the title commitment and survey together. Focus on Schedule B exceptions, easements, encroachments, access, and mineral-related exceptions.
- Confirm whether water is public, shared, or private well. If private, ask for well reports, production history if available, and recent water-quality testing.
- Confirm whether sewer is public or whether an on-site sewage facility will be needed. Identify the local permitting authority before closing.
- Check whether the tract lies in a FEMA special flood hazard area and whether flood insurance may be needed.
- Verify whether the tract is in a city, ETJ, or unincorporated area, and what public rules apply to platting, drainage, setbacks, and intended use.
- Review private deed restrictions, HOA documents, and architectural controls for use limitations on homes, barns, livestock, RVs, mobile homes, short-term rentals, or business activity.
- Ask whether the current tax treatment relies on agricultural valuation and whether your intended use could trigger rollback taxes.
- Verify internet and cell-service assumptions by checking address-level availability instead of relying on seller statements alone.

1) Access and easements

An easement gives someone a right to use land for a specific purpose. Texas A&M; AgriLife notes that express easements should be reduced to writing and recorded so they are enforceable against later owners. If access is not clearly documented, a buyer may be left trying to prove an implied easement in court. For highway frontage, access work on state right of way can also involve TxDOT permitting.

2) Utilities, wells, and septic

For raw or semi-rural land, utility availability should be verified instead of assumed. TCEQ says permits are generally required for on-site sewage facilities, including septic systems, and local permitting programs may be more stringent than state minimums. If a tract depends on a private well, TWDB notes that private well owners generally do not register with the state unless the property falls inside a groundwater conservation district, and well water can be tested through accredited labs.

3) Restrictions, zoning, ETJ, and platting

Texas land use is regulated through both public rules and private recorded documents. The Texas Real Estate Research Center explains that municipal rules may apply inside city limits and, in limited ways, in a city's ETJ, while counties have limited authority that still includes topics such as platting, roads, utilities, drainage, and certain development controls. The Texas Attorney General also notes that some unplatted residential lots cannot legally be sold or connected to utilities under Chapter 232 requirements.

4) Title, survey, and minerals

The TREC Farm and Ranch Contract is designed for rural properties and the title review process matters. Texas Department of Insurance materials explain that an owner's title policy protects against certain pre-existing ownership problems, while the title commitment warns that Schedule B exceptions and mineral-related exceptions can limit what is insured. Surface rights do not automatically guarantee mineral rights.

5) Floodplain and carrying costs

Floodplain status can directly affect buildability, insurance, financing, and drainage planning. FEMA states that most homeowners insurance does not cover flood damage and provides map tools to identify flood risk. Separate from flood issues, agricultural valuation can reduce taxes, but the Texas Comptroller states that a change from agricultural to non-agricultural use can trigger rollback taxes for the previous three years of savings.

Questions worth asking before you go hard on a land deal

- What exactly is my intended use, and what documents prove that use is allowed?
- What improvements would be needed before the land becomes usable for that purpose?
- What are the property taxes today, and how could they change after purchase or development?
- What does the title commitment exclude or except from coverage?
- Who maintains the access road, and is there a written maintenance agreement if the road is private?

Start with these official tools and guidance pages

TREC Farm and Ranch Contract — Official TREC form page for the contract commonly used with rural properties in Texas.

Texas Department of Insurance – Owner’s Policy — Explains what an owner’s title policy covers and why it matters.

Texas Department of Insurance – Form T-7 Commitment for Title Insurance — Useful for understanding Schedule B and C exceptions, including mineral-related limitations.

TCEQ – OSSF / Septic Permits — Permit and approved plan requirements for septic systems and where to check local authority.

TWDB – Private Well Sampling Resources — Private well water testing resources and accredited laboratory map information.

Texas Comptroller – Agricultural Appraisal — Explains agricultural valuation and rollback tax risk when land use changes.

FEMA Flood Map Service Center — Check flood map status before assuming a tract is low-risk.

FCC National Broadband Map — Address-level internet availability tool.

Texas Attorney General – Colonias Prevention Laws — Important background on platting and utility connection issues for some residential land sales.

TxDOT Right-of-Way Access Forms — Access driveway permit resources when frontage or access affects the state right of way.

Important note: This guide is educational only. It is not legal, engineering, survey, title, tax, septic, or lending advice. Before closing on land, buyers should verify facts with the title company, surveyor, lender, county or city staff, groundwater district if applicable, septic authority, and qualified legal counsel when the issue is document- or use-specific.