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40517 Mt Highway 35, Polson MT 59860

\$1,150,000

Acres: ± 4.09

MLS#: 412232

INTRODUCTION

Opportunity to acquire approximately 4.10 acres along Highway 35 within the Polson city limits. The property is located in the Low Density Residential Zoning District (LRZD), which is intended for low-density residential development, with two-family dwellings/duplexes now allowed as a permitted use under a 2023 amendment to the Polson Development Code. The existing owner-operated coffee kiosk will remain in place through a seller leaseback, creating potential interim income for a buyer while future planning and due diligence are completed. The site benefits from Highway 35 visibility, existing commercial improvement history, asphalt paving, and potential additional access cutouts, subject to buyer verification and applicable approvals. Buyer to verify zoning, permitted uses, legal status of the existing commercial use, leaseback terms, utilities, access approvals, easements, and all intended development potential with the City of Polson and all applicable agencies. Florence Coffee which occupies about 10,000 sqft of the 4.1 acres along Hwy 35 will remain there as a long term tenant at \$1200 per month. MLS# 412232



FEATURES

Status:	Active
Type:	Land
Sub Type:	Commercial,UnimprovedLand
Acres:	± 4.09
Listing Date:	2026-06-15
Listing Agent:	Jessie Eagen of Eagen Real Estate

Year Built:	2013
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LOCATION



Address: 40517 Mt Highway 35, Polson MT 59860

PHOTOS







INVESTING IN MONTANA RANCH LAND



Interest in Montana ranch land as an investment has been strong over the last several years. Throughout Montana, but particularly in Southwest Montana we have seen increased demand for ranches as a safe investment. Making the decision to pursue investing in ranch land can be incredibly rewarding (both personally and financially) but there are a lot of factors that go into investing and owning ranch land. "Ranch" is a general term that can describe a wide range of property from large income producing cattle ranches, smaller recreational properties, fly fishing properties, hunting ranches, or horse properties with just a few acres. All of these definitions of ranch property are in demand in Montana, and are appreciating in value over the long term. However, income producing ranch land is the most stable, and is in the highest demand by investors.

Before buying property in Montana it is important to understand Montana Water Rights. All water in Montana is owned by the State. A Montana Water Right allows you to legally use water in a prescribed manner, but not to own the water itself. Montana's water law is based in the Doctrine of Prior Appropriation - First in Time, First in Right. Water rights are ranked according to the date on which the water was first put to beneficial use. Priority dates dictate the volume and distribution of water from wells, rivers, and streams. Landowners must put the water to beneficial use without waste to retain their right to use Montana's water. Without diversion and beneficial use, there is no water right.





A conservation easement is a legal agreement between a landowner and a land trust that limits the uses of the land in order to protect its conservation values. The landowner retains title to the property. The creation of the conservation easement can qualify as a one-time donation that has tax benefits. The conservation easement runs with the title, meaning that if the property is purchased by a new owner, the conservation easement remains. Land ownership carries with it a bundle of rights—the right to occupy, lease, sell, develop, construct buildings, farm, restrict access or

harvest timber, among others. A landowner can give up one or more of those rights for a purpose such as conservation while retaining ownership of the remainder of the rights. In ceding a right, the landowner “eases” it to another entity, such as a land trust. For example, a landowner may give up the right to build additional structures while retaining the right to grow crops.

Landowners looking to sell their property can use conservation easements to protect what future owners are able to do with the property. This typically reduces the marketable value of the property. If the conservation is setup properly, the landowners are able to take advantage of tax benefits associated with the creation and “donation” of the conservation easement. The potential tax benefits of a donated conservation easement are two-fold. First, income tax benefits may exist at the federal level. There may be benefits at the state level as well. However, state property taxes can not be reduced by a donation of a conservation easement in Montana. Second, the conservation easement works as an estate planning tool to reduce estate tax liability. To qualify for a tax deduction, the donation of a conservation easement must be considered a charitable gift by the IRS (Internal Revenue Service). It is strongly recommended that a qualified tax professional review the conservation easement donation to ensure it meets IRS requirements. A tax deductible, charitable donation can only be made to an IRS qualified tax-exempt organization. The donation of a conservation easement must be complete and irrevocable in perpetuity. In order to claim a tax deduction on the donation of a conservation easement the landowner must obtain a qualified appraisal by a state certified appraiser.

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MONTANA REAL ESTATE EXPERT

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