Special Institute for Landmen:
The Oil & Gas Lease and Descent and Distribution

PART I - THE OIL AND GAS LEASE

Section 1: Technical Requirements by Russ Schetroma
This presentation will include a review of the technical requirements including caption, parties, execution requirements, legal description and recording requirements in addition to specific statutory requirements, rules and regulations covering oil and gas leases, including memorandums of lease.

Section 2: Granting Clause & Habendum (Term) Clause by David Altizer
This presentation will review the critical import of the granting clause and the habendum clause, including a review of various permutations of these clauses found in leases and critical elements which could result in the untimely termination of a lease. Although often inserted as a separate clause, or clauses, a review of “savings” clauses will also be included. Finally, a review of the impact of other clauses, such as a shut-in-clause or unitization clause, upon the term will be reviewed.

Section 3: Rental and Royalty Clauses by Tom Lane
This presentation will address the content and administration of the delay rental and royalty clauses and will include the effect of entireties clauses on royalty payments and will also include a discussion of apportionment vs. non-apportionment jurisdictions. Royalty division agreements and division orders and the impact of prior severed royalty interests in the chain of title will be discussed. Finally, the calculation of royalty, including deductible costs under the Tawney (spelling?) decision, will be presented.

Section 4: Coalbed Methane Gas Leases by George Mason
This presentation will review special provisions which should be utilized for coalbed methane operations to replace or amend provisions usually found in the standard oil and gas lease.

Section 5: Review of Additional Clauses by Sean Cassidy
This presentation will include a review of pooling and unitization clauses, free gas clause, warranty clause and implied covenants/implied covenant clauses.

Section 6: Curative Actions by John Heyer
This presentation will review curative requirements concerning defects involving the oil and gas lease and curative actions and documents which may be utilized to correct such defects, such as Ratifications, Modifications, Consent Agreements (for locations), Correction of Description and Extension Agreements.
PART II - DESCENT AND DISTRIBUTION

Section 7: General Principles of Descent and Distribution by Cy Fox
This segment will include the general rules and principles of descent and distribution, including intestate succession, interpretation of Will provisions, Decrees of Distribution and other general principles.

Section 8: Collected Materials on Descent and Distribution:
Kentucky, New York, Ohio, Pennsylvania, West Virginia, Virginia

Section 9: Curative Actions by John Keller
How do you find the missing heir? What can you do when you cannot find him? A review of the common problem concerning missing heirs will be conducted, together with ways of curing title defects related to missing heirs, including actions to quiet title, partition actions, reopening estates, together with a review of statutory remedies where applicable, such as dormant mineral statutes and other related statutes.