

ENERGY AND NATURAL RESOURCES

Title Examination

Mineral title examination is an esoteric and complex discipline and a vital component to the development of natural resources.

Babst Calland utilizes a comprehensive, detail-driven title examination process to provide clients with the essential information they need to manage oil, gas and mineral assets. Our title opinions provide clear explanations of title defects and clouds on title along with practical curative recommendations — all in a timely manner. We apply this same approach in assisting clients with a variety of title-related matters, including due diligence, transactions and litigation.



Babst Calland's Mineral Title practice group views itself as an extension of our clients' land departments. In partnership with our clients, we approach every project with a view toward identifying title defects and clouds, assessing the risk associated with each, recommending how to clear them and assisting in their execution so that drilling locations can be released for development as soon as possible.

Our clients include exploration and production companies in the most active basins including the Marcellus, Utica, Permian, Eagle Ford, San Juan, SCOOP/STACK, Powder River, Alaska, and Williston, among others. Clients recognize Babst Calland for our knowledge and ability to provide the industry with quality mineral title examination, giving special consideration to the relevant history and legal nuance of each jurisdiction in which we practice.

The firm's title examination-related services include:

- Original drilling opinions
- Supplemental opinions
- Acquisition opinions and mineral ownership reports
- Division order opinions
- Due diligence as a buyer or seller
- Financing opinions
- Title issues in purchase and sale transactions, joint operating agreements and related due diligence
- Advising clients on various title issues and drafting appropriate curative instruments for:
 - Subordination or release of superior liens and encumbrances
 - Affidavits, ratifications and acknowledgements
 - Force pooling (unitization) orders
 - Co-tenancy solutions
 - Potential title wash
 - Actions to quiet title
 - Unknown heirs and missing estates
 - Undivided mineral ownership
 - Drafting of mineral and royalty deeds and assignments, production sharing, pooling and unitization agreements
 - Drafting of oil and gas leases, memoranda, amendments, assignments and ratifications

If you need assistance with title matters, please contact Bruce Rudoy, chair of the Mineral Title practice group, at brudoy@babstcalland.com or 412.253.8815.

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