

Resolving Title Issues in Shale Development

May 10-11, 2012

Wheeling Island Hotel
Wheeling, West Virginia

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Signature

Date

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Energy & Mineral Law Foundation

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Wheeling Island Resort
Wheeling, West Virginia

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Attorney at Law
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This program assumes an understanding of basic abstracting and title search principles and will address *intermediate and advanced issues* to include standards for reasonable and diligent searches; resolving ownership and development issues, particularly those peculiar to horizontal and directional drilling; seeking solutions where gaps in the chain of title exist or where owners may be missing; analyzing impediments to development where co-tenancies exist and less than one hundred percent of the owners can agree on development; transfers of leases and the investigation necessary to determine the viability of existing leases; evaluating liens, understanding tax titles, assessing the regulatory environment for Marcellus development, pooling and unitization, and Dormant Mineral statutes. The analysis under each of these topics will include the laws in the four-state region encompassed by the Marcellus Shale and Utica formations: New York, Pennsylvania, Ohio and West Virginia.

Overview

Thursday, May 10, 2012

- 8:00 -9:00 a.m. Gaps in the Chain of Title and What Constitutes a Diligent Search
■ Sean Cassidy, *Sean Cassidy & Associates*, Greensburg, PA
- 9:00-11:15 a.m. Ownership Determination and Resolving Ambiguities
■ J. Thomas Lane, *Bowles Rice McDavid Graff & Love LLP*, Charleston, WV
- 11:15-11:55 a.m. Adverse Possession
■ Andrew J. Sonderman, *Kegler Brown Hill & Ritter*, Columbus, OH
- 11:55-1:00 p.m. Hosted Luncheon
- 1:00-2:00 p.m. Divided Ownership and Ability to Develop With Less Than 100% of Owners
■ Britt A. Freund, *Bowles Rice McDavid Graff & Love LLP*, Charleston, WV
- 2:00-3:00 p.m. Transfers and Assignments of Leases Which Are Held By Production
■ Carl F. Staiger, *Buchanan Ingersoll & Rooney PC*, Pittsburgh, PA
- 3:00-3:15 p.m. Break

- 3:15-4:15 p.m. Liens and Actions Necessary to Proceed With Development; Probate and Intestate Succession; and Notice and Consent Requirements (New York, PA, Ohio and West Virginia)
■ Keith A. Zabela, Michael K. Vennum and William T. Fahey, III, *Burleson LLP* Title Group, Canonsburg, PA
- 4:15-4:55 p.m. Dormant Mineral Statutes and Ohio Title Standards
■ Gregory D. Russell, *Vorys, Sater, Seymour & Pease LLP*, Columbus, OH
■ Sheila Nolan Gartland, *Vorys, Sater, Seymour & Pease LLP*, Columbus, OH

Friday, May 11, 2012

- 8:00-9:30 a.m. Tax Titles
■ Professor John W. Fisher, *West Virginia University College of Law*, Morgantown, WV
Panelists:
■ Lester L. Greevy, *Greevy & Associates*, Montoursville, PA
■ John H. Heyer, *Attorney at Law*, Olean, NY
■ Douglas C. McElwee, *Robinson & McElwee PLLC*, Charleston, WV
■ William J. Taylor, *Kincaid, Taylor & Geyer*, Zanesville, OH
- 9:30-10:30 a.m. Title to Minerals Under Rivers and Streams, Railroads and Public Roads
■ Charles F.W. Saffer, *Robinson & McElwee PLLC*, Charleston, WV
- 10:30-10:45 a.m. Break
- 10:45-11:45 a.m. Affidavits and Other Means to Prove Title
■ James W. Adams, Jr., *Sadler Law Firm, LLP*, Houston, TX
- 11:45-1:00 p.m. Hosted Luncheon
- 1:00-1:45 p.m. Recording Requirements and Local Issues
■ Kevin C. Abbott and Robert M. Jochen, *Reed Smith LLP*, Pittsburgh, PA
- 1:45-2:45 p.m. Litigation as a Curative Tool for Title Defects
■ Russell L. Schetroma, *Steptoe & Johnson PLLC*, Meadville, PA
- 2:45-3:00 p.m. Q&A for Friday's speakers
- 3:00 p.m. Adjourn



Resolving Title Issues in Shale Development

First Name _____ M.I. _____ Last Name _____ Title _____

Organization/firm _____ Daytime phone _____

Address _____ Fax # _____

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You may pay by _____ check or _____ credit card. EMLF accepts MasterCard, VISA or American Express.

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Registration fee covers all educational sessions, looseleaf handbook with written materials by speakers, CD containing all written materials and PowerPoint presentations plus selected mineral titles articles previously published by the EMLF. Continental breakfasts, refreshment breaks and lunch on both days are included in the registration fee.

<i>Registration fees</i>	<i>Early Bird (by April 6)</i>	<i>After April 6</i>
Non-member Registration Fee	\$575	\$675
EMLF and Benedum Chapter Members	\$450	\$550

Program Materials (Available after conference)

Looseleaf Manual and CD	\$200
Looseleaf Manual, CD and Audio CD	\$300

Three ways to register

- If registering online, go to www.emlf.org
- If registering by fax, call 859.226.0485
- If registering by mail, send form and payment to EMLF, 340 South Broadway, Suite 101 Lexington, KY 40508

Accommodations

The conference is being held at the Wheeling Island Hotel, 1 South Stone Street, Wheeling, WV. There are a limited number of rooms and no room block is being held, so make your reservations early. Call 877.943.3546 for reservations.

Alternate lodging nearby may be found at the Hampton Inn Wheeling, 795 National Road, 304.233.0440.

Mandatory CLE

and Professional Credit

The EMLF program, Resolving Title Issues in Shale Development, May 10-11 at the Wheeling Island Hotel in Wheeling, WV, contains 770 minutes of professional education. Credit application has been made to states with Mandatory Continuing Legal Education (MCLE) requirements and with the AAPL. This is approximately 12.8 hours of CLE credit in “60-minute” states and 15.4 hours of CLE credit in “50-minute” states.

Cancellation policy

Full refunds less a \$75 administrative fee will be given for registration cancellations received by May 1. No registration refunds will be made thereafter, but substitutions can be made by calling the Foundation at 859.231.0271. Persons not entitled to any refund will receive a copy of the handbook, CD and meeting materials. EMLF members who cancel their registrations after May 1 will receive program materials and a \$100 credit toward a future program.