

AFFIDAVIT

STATE OF OHIO }
 } ss:
COUNTY OF [Enter County Name] }

[Enter Landowner(s) Name], being first duly sworn, state:

Affiants are of full legal age, residing in [Enter County Name] County, Ohio.

[Enter Landowner(s) Name], are the record owners of certain real estate, which was acquired and which is more fully described in the Official Land Records of [Enter County Name] County in [Enter Property Ownership Deed(s) Volume/Page], and in Exhibit A attached hereto. Prior instrument references: Instrument No. [Enter Property Ownership Deed(s) Instrument Numbers, if available] of the Recorder’s Office, [Enter County Name] County, Ohio.

Affiants say further that they are the Lessors or successors in interest to the Lessors under the oil and gas lease (hereinafter “Lease”), which is more fully described in the Official Land Records of the Recorder’s Office, [Enter County Name] County, Ohio, at [Enter Lease Volume/Page or Instrument No.], to [Enter Oil and Gas Company Name] and any assignments of said lease thereafter. The Lease has a primary term of [Enter Primary Term from Lease] years.

[That in addition to the above Lease, there may have been a number of additional oil and gas leases (hereinafter, Pre-existing Leases) that were taken in the past covering the same lands mentioned in the current lease or portions of those lands.] [Use language in red in the affidavit if there are additional existing leases of record that are old, expired, and cover the same property]

Affiants affirm that drilling operations have ceased, [that no oil and/or gas well or wells have been drilled on said land described above] that the wells are plugged on said real estate, and that the Lessor, Lessor’s assigns or agents are not receiving payment or any royalty from the Lessees or their assigns for annual rentals, production, or any other

Comment [A1]: Template Date: 10/10/2013
Tip: For Recording purposes, margins should be as follows:
1st page: 3" margin on top, 1" margin on bottom and sides
2nd page and additional: 1.5" margin on top, 1" bottom and sides
Final document: blue or black ink ONLY

Comment [A2]: As it will appear on the Deed of Agricultural Easement

payment under the terms of the Lease [or Pre-existing Leases] beyond the primary term, the same have actual or constructive notice that rentals were payable to the undersigned under the terms of said Lease [or Pre-existing Leases]. There are no surface related operations being conducted on the lands in pursuit of oil and gas drilling under the Lease [or those Pre-Existing Leases]; and for the above reasons affiant(s) consider [all of] said Lease [and Pre-existing Leases] to be null and void and to have expired by its [their] own term.

IN WITNESS WHEREOF, this instrument is executed on the ____ day of ____, 20 ____.

[Enter Landowner(s) Name]

[Enter Landowner(s) Name]

I certify that on this date before me, a notary public duly authorized in the state and county named above to take acknowledgments, personally appeared [Enter Landowner(s) Name], who is/are known to me and who executed the foregoing instrument, and who acknowledged before me that he/she/they executed the same as his/her/their own free act and deed, for the use and purpose stated therein.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name at _____,
Ohio, this _____ day of _____, 20__.

Notary Public

My commission expires:

This instrument prepared by:
ORGANIZATION
ADDRESS
CITY, STATE, ZIP

Comment [A3]: Before printing, be sure to:
-Change all ink to blue or black
-double check margins
-double check page numbers
-remove comments
-make sure legal description is attached as Exhibit A

EXHIBIT A
Legal Description

[Enter Legal Description]