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## MEMORANDUM

TO: Lycoming Law Association

FROM: Fred A. Holland, Esquire

DATE: December 30, 2009

RE: Real Estate Committee

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The Committee had a busy year. A revision to the Title Search Customs is being drafted which will address gas leases. The revision will provide that a title search as normally performed to verify clear title for purchasing property is not intended to be comprehensive enough to provide an opinion regarding whether there is title to gas, oil or mineral rights. There are many deeds in Lycoming and surrounding counties from the late 1800s and early 1900s which reserve gas, oil, or mineral rights, and a 50 or 60 year search will not reveal such reservations. Furthermore, there are complicated legal issues relating to the effect of tax sales, especially on “unseated lands,” that confuse the issue regarding title to gas oil and mineral rights.

At our meetings this past year we also discussed the following topics of interest to real estate practitioners in the county:

- Recent attempts to revise the rates charged for title insurance
- The possibility of electronic filing at the Recorder’s office
- The availability of public records online
- Actions to Quiet Title relating to gas leases

Respectfully submitted,

Fred A. Holland