



OKLAHOMA REAL ESTATE COMMISSION

December 17, 2010

IMPORTANT NOTICE TO REAL ESTATE LICENSEES LEGAL DESCRIPTION CONTRACT PROVISION (MINERAL RIGHTS) AMENDED

Two years ago the Oklahoma Real Estate Commission's contracts were amended with the language "surface rights only" which indicated that the oil and gas interests would be retained by the Seller, unless such interests had already been severed or it was noted in the contract that such interests would be transferred with the property. This change was met with numerous comments and concerns from the industry.

The Oklahoma Real Estate Contract Forms Committee met with numerous entities to discuss this issue and has decided to **revert to similar language as it appeared in the 2008 version of the contracts wherein the mineral rights were included in the sale of the property unless reserved by the Seller in the contract and excluding mineral rights previously reserved or conveyed.**

Therefore, effective January 1, 2011, the following contracts will be AMENDED AS NOTED:

- Commercial Improved
- Commercial Land
- New Home Construction
- Residential Sales
- Vacant Lot/Land

Paragraph 1 of the above mentioned contracts will read as follows:

1. LEGAL DESCRIPTION: _____

| | | |
|------------------|------|-----|
| Property Address | City | Zip |
|------------------|------|-----|

Together with all fixtures and improvements, and all appurtenances, subject to existing zoning ordinances, plat or deed restrictions, utility easements serving the Property, **including all mineral and water rights owned by Seller unless expressly reserved by Seller in the Contract and excluding mineral rights previously reserved or conveyed of record** (collectively referred to as "the Property".)

The revised contract forms are on the Commission's website at www.orec.ok.gov. If you have any questions, please call our office or email the Commission at orec.help@orec.ok.gov.

Anne M. Woody
Executive Director
Oklahoma Real Estate Commission