

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

HOUSE BILL 2071

5 By: Representative Hyde  
6  
7

## For An Act To Be Entitled

9 AN ACT TO CLARIFY THAT A CONTRACT FOR THE SALE OF  
10 REAL PROPERTY DOES NOT CONVEY ANY USAGE OR  
11 BENEFIT TO THE BUYER FROM A CONTRACT FOR MINERAL  
12 DEVELOPMENT OR FOR THE USE OF THE SURFACE ESTATE  
13 AND DOES NOT LIMIT THE SELLER'S RIGHT TO UTILIZE  
14 ANY MINERALS UNDER THE REAL PROPERTY OR TO USE  
15 THE SURFACE ESTATE UNTIL THE SELLER CONVEYS THE  
16 REAL PROPERTY BY DEED OR UNLESS THE PARTIES TO  
17 THE CONTRACT FOR SALE AGREE OTHERWISE; AND FOR  
18 OTHER PURPOSES.

## Subtitle

21 TO CLARIFY THAT A CONTRACT FOR THE SALE  
22 OF REAL PROPERTY DOES NOT CONVEY A RIGHT  
23 TO USE OR TO BENEFIT FROM THE REAL  
24 PROPERTY OR LIMIT THE SELLER'S USE OF  
25 THE REAL PROPERTY UNTIL THE REAL  
26 PROPERTY IS CONVEYED BY DEED.

27  
28  
29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
30

31 SECTION 1. The purpose of this act is to clarify that a contract for  
32 the sale of real property, including without limitation mineral rights, does  
33 not convey to the buyer a right to use or benefit from a contract for the  
34 mineral development or the use of the surface estate and does not limit the  
35 seller's right to use any minerals under the real property or to use the  
36 surface estate until the seller conveys the real property by deed to the



1 buyer or unless the seller and the buyer agree otherwise in writing.

- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36