

SELLER'S AFFIDAVIT AND DECLARATION
(Concerning Warranties in Assignment)

State:

County:

Declarant: (Name and Address)

Before me, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to this Affidavit and Declaration and on (his/her) oath deposes and says:

1. That, Declarant is a _____ corporation. I, (Name), hold the office of _____ of Declarant, and am fully authorized to execute this Affidavit and Declaration on behalf of Declarant, and have personal knowledge of all the facts, statements, and representations that it contains.
2. This Affidavit is executed in connection with the Assignment and Bill of Sale from Declarant to _____ of the oil, gas, and mineral leases and lands (the "Leases" and "Lands") in _____ County _____, described in Exhibit "A" to this Affidavit and Declaration.
3. Declarant represents and warrants to _____ that the Assignors, who have executed an Assignment and Bill of Sale to _____, are the owners of all of the leasehold working interest in the Leases.
4. There is no indebtedness that would affect title to the leasehold working interests in the Leases. There are no liens or security interests, including federal tax liens or judgment liens of any kind, no loans or unpaid debts for any personal property or items of equipment on the Leases and none have been purchased on a time-payment contract. There are no security interests on the Leases secured by financing statements or security agreements.
5. All bills and invoices due for labor, supplies, workover and reworking operations, electricity, equipment and all other supplies and materials furnished in connection with the Leases have been paid in full except for current bills not yet due. In the event there are any liens, encumbrances or other claims arising by the acts of Assignors, or arising out of operations conducted on the Leases and accruing prior to the Effective Date of the Assignment, Assignors agree to do whatever is necessary to secure the immediate release and settlement of any liens, encumbrances, or claims.
6. To Declarant's knowledge and belief, the Leases described in the Assignment and Bill of Sale are in full force and effect and all rentals and other payments due on the Leases have been timely and properly paid and all conditions necessary to keep the Leases in full force and effect have been fully performed.

7. To Declarant's knowledge and belief, all ad valorem, property, production, severance, and similar taxes based on or measured by the ownership of the Leases for all time periods up to the effective date of the Assignment have been properly paid.

8. To Declarant's knowledge and belief, there are no proceedings, judgments, or liens now pending or threatened which would affect the Leases, Lands, and the equipment located on the Leases.

9. Declarant agrees to execute any and all division and transfer orders in connection with the Leases.

Executed this _____ day of _____, _____.

Affiant

Date:

[Exhibit "A": Description of Lands and Leases.]

sample
Form