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Ohio Courts Disagree on Whether Abandonment Notice Attempts by Certified Mail Constitutes “Reasonable Diligence” under Dormant Mineral Act

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Casey Valentine, an associate in the Vorys Columbus office and a member of the finance, energy and real estate group, authored an article for the Institute for Energy Law’s *Oil & Gas E-Report*, titled “Ohio Courts Disagree on Whether Abandonment Notice Attempts by Certified Mail Constitutes ‘Reasonable Diligence’ under Dormant Mineral Act.”

The article details how, in two separate cases involving extremely similar fact patterns, Ohio’s Seventh and Ninth District Courts of Appeals have different interpretations of what constitutes “reasonable diligence” under Ohio’s Dormant Mineral Act.

“Following Gerrity and Fonzi, Ohio Appellate Courts have uniformly required surface owners to extend their search if the search of the in-county records revealed an interest holder resided in a different county or state at the time the severed interest was created. However, Ohio’s Seventh District Court of Appeals recently introduced a new wrinkle to this line of reasonable diligence cases.”

To read the entire story in the *Oil & Gas E-Report*, [click here](#).