



# Do You Own Land?

By: *J. Richard Emens and Cody Smith  
Emens, Wolper, Jacobs & Jasin Law Firm  
Columbus, Ohio*

If so, this article is important to you because it gives you a SOLUTION to the problems that occur when you are approached by a Land Agent “Salesperson” who wants to put solar panels, utility poles, an oil and gas lease, pipelines or a windmill on your property.

## THE PROBLEM!

As a Landowner, you will likely be approached by a “Salesperson” for a solar company, a utility company, an oil and gas company, a windmill or a pipeline company. The “Salesperson” will explain the great favor his or her company will do for you. All you have to do is sign what the “Salesperson” describes as this “standard little form” (SLF).

The SLF will be:

- a. An Option or Lease for generating electricity by solar panels in, under and over your land; or
- b. An Easement/Right-of-Way on your land to build poles and wires above or below ground to carry electricity; or
- c. A Lease of your mineral rights to explore for oil and gas; or
- d. An Easement/Right-of-Way on and under your land to lay one or more pipelines to carry gas, oil, water, or carbon dioxide.
- e. A Lease of your land in order to build windmills to generate electricity.

The “Salesperson” will offer you money and tell you the amount is the highest amount being paid in the area, but you must keep the \$\$\$ confidential. He or she will also say the SLF needs to be signed right away so the project, which is beneficial to you, can start very soon.

Because you are a smart Landowner, you will ask the “Salesperson” many questions. Soon the “Salesperson” will tell you he/she is not really “selling”, but just acting as a friend because signing the SLF is such an opportunity for you.

Most Landowners are smart, but also believe that if someone looks them in the eye and tells them something, then what is being said is the truth.

## THE SOLUTION!

We beg you, as a smart Landowner who is contacted by a “Salesperson”, to CONTACT OHIO FARM BUREAU for advice. Ohio Farm Bureau can provide valuable information including a list of legal advisors knowledgeable about Leases, Easements/Rights-of-Way and Options for solar, utilities, oil and gas, pipelines and windmills.

A knowledgeable legal advisor will negotiate for you to obtain wording to protect your land and likely get you compensation larger than you were offered. Typically, you should not expect to pay upfront or hourly fees because most advisors who represent Landowners or these projects will provide services on a contingent basis -- that is, the legal advisor only gets paid from the amount

of increase in compensation the advisor can negotiate for you.

So many times over the past fifty years, we have been told by Landowners:

- a. This Easement (SLF) I signed with the utility or pipeline company keeps me from developing my property; or
- b. This Lease (SLF) I signed has reduced the area that I can farm; or
- c. This Easement (or Lease) (SLF) I signed has reduced the yield I get on my corn and beans, because the soil is so compacted; or
- d. I learned after I signed a Lease/Easement/Option (SLF) that my neighbor got paid lots more per acre than I was paid.

As a smart Landowner, please contact the Ohio Farm Bureau when you are approached for an Easement/Right-of-Way, Lease or Option on your land.

**Visit [ewjjlaw.com](http://ewjjlaw.com) for more helpful information for landowners.**



© Emens Wolper Jacobs Jasin Law 2022