

record in the appropriate County records or otherwise disclosed in writing by Seller to Buyer;

1.39.8 Liens for taxes or assessments not yet due or not yet delinquent or, if delinquent, that are being contested by Seller in good faith in the normal course of business;

1.39.9 Liens of operators relating to obligations not yet due or not yet delinquent or, if delinquent, that are being contested by Seller in good faith, and Buyer is notified of such contest, in the normal course of business;

1.39.10 Alleged Title Defect(s) which do not meet the individual or aggregate threshold amounts set forth in Article 1.4 or which Buyer has waived under Article 4.3;

1.39.11 Alleged Adverse Condition(s) which do not meet the individual or aggregate threshold amounts set forth in Article 1.3 or which Buyer has waived under Article 5.3;

1.39.12 Gas imbalances associated with the Properties;

1.39.13 Suspense funds associated with the Properties; and

1.39.14 Subject to the provisions of Article 4.2, such defects or irregularities in the title to the Properties that do not materially interfere with the operation, value or use of the Properties affected thereby and that would be considered not material when applying general industry standards.

1.40 "Personnel" has the meaning set forth in Article 13.2.

1.41 "Process Safety Management" has the meaning set forth in Article 8.9.

1.42 "Property" or "Properties" means Seller's ownership interests in the properties (real, personal or mixed) and appurtenant rights (contractual or otherwise) as follows:

1.42.1 All of Seller's right, title and interests in, to and under, or derived from, the oil and gas leasehold interests, royalty interests, overriding royalty interests, mineral interests, production payments, net profits interests, rights to take royalties in-kind, fee interests and surface interests or other interests in production of oil, gas or other minerals which are associated with the interests described in Exhibit "A".