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Land Mineral and Air Rights What are they and who owns them?

Air Rights include from the surface of the land into space. It is possible to purchase land that has limited air rights. An example would be not owning the rights above 50 feet. This would stop you from building anything higher than 50 feet. A previous owner may have retained the air rights higher than 50 feet to keep the view from being blocked.



Surface rights are what we typically think of as land ownership. The surface rights owner has the right to use the surface, build on it, farm it, or use the land for any legal purpose.



Mineral rights is the ownership of anything below the surface. Mineral rights includes gravel, oil, gas, gold, etc,. Mineral rights include the right to use the surface as necessary to access the minerals. I have heard many complain about the oil company stealing their property rights to drill an oil well. The oil company is acting for the owner of the mineral rights who has a legal right to access his minerals. To avoid this situation the surface owner must own the mineral rights. In addition to the three basic ownership rights there are other situations where others can use or control your real estate.

http://www.tnstate.edu/extension/documents/Mineral_and_Air_Rights.pdf

<http://www.thinkglink.com/2013/04/26/owns-mineral-rights-property/>