



## Easement Vacation Process

### COSTS:

Upon application: \$1,300 fee paid at the time of application/submittal for each easement vacation to be processed. Application forms are available online at <http://www.fcgov.com/engineering/devrev.php>.

Payments can be made by check, debit/credit card, or eCheck.

- **Check:** Make payable to **City of Fort Collins**. Mail to the Development Review Center, 281 N College Ave, Fort Collins, CO 80524, OR place in the blue drop box located at the northwest side of the building. Please mark it to the attention of your Development Review Coordinator and reference the project it is associated with.
- **Debit/Credit Card or eCheck:** Please go to [fcgov.com/CitizenAccess](http://fcgov.com/CitizenAccess), select Planning/Development Review, and search by inputting your project's information\*.
  - Debit/Credit card payments include a convenience fee of 2% + \$0.25 added to all payments under \$2,500.00, and 2.75% added to all payments over \$2,500.00.
  - ECheck payments include a convenience fee of \$0.50 added to all payments between \$0.00 - \$99,999.99.

*\*Please advise your Development Review Coordinator as to which payment method will be used. If choosing to pay online, your Development Review Coordinator will provide you with the project information when the fees are available to be paid.*

### SUBMITTAL:

- Letter of **request** or paragraph with details describing the proposed vacation.
  - What you are proposing to vacate
  - Justification of why the proposed vacation is necessary
  - Your contact information
- Legal description** of the easement area to be vacated. The legal description must be prepared by a licensed Colorado Professional Land Surveyor.
- A **sketch** that accurately shows the proposed vacation, also prepared by a licensed Colorado Professional Land Surveyor. The area to be vacated needs to be dimensioned and locatable from a property line or other easement.
  - This is not the same as the site plan.
- A **closure report** for the easement boundary.

**(ACCEPTANCE PROCESS ON FOLLOWING PAGE)**



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### ACCEPTANCE PROCESS:

City staff may contact the applicant to discuss the vacation request and staff's recommendation for approval or denial. Additional information to support the request may be required.

- Submit all vacation materials to your Development Review Coordinator.
  - The legal description and sketch are checked and if errors are found, materials are returned for correction.
  - Vacations associated with Development Projects (Final Development Plans, Minor Amendments, etc.) will be submitted with the Development application and materials and reviewed during the Development Process. If the project includes a subdivision plat, easement vacations can be done on the plat rather than by separate document.
- If City staff supports the request for vacation, the Development Review Engineer will prepare a written report for City Council or Planning and Zoning Commission, or Administrative consideration.
  - Vacation of an easement requires approval of a **resolution** by the Director of Community Development and Neighborhood Services (CDNS) or approval of an **ordinance** by City Council.
    - Almost all vacations will be processed administratively by the CDNS Director.
    - For administrative approvals, your Development Review Engineer will draft the **resolution** for vacation of the easement.
  - Easement vacations which require approval by City Council will require two readings. The City Attorney's Office will draft the **ordinance** for vacation of the easement.

**(RECORDING PROCESS ON FOLLOWING PAGE)**



## Easement Vacation Process

### RECORDING:

Items that are recorded include, but are not limited to the vacation resolution, the legal description, and the sketch. The first sheet of the document must have a space at the top of the page of at least 1" high x 4" wide for Larimer County to use for the recording process. If this is not provided an additional blank sheet will be needed for the recording information and additional fees may apply.

Upon acceptance, easement vacations are recorded with the Larimer County Clerk and Recorder's Office by your Development Review Coordinator. The cost of the recording fees (for recordation with Larimer County Clerk and Recorder) will be collected prior to recordation. Your Development Review Coordinator will determine the amount of the fees.

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