

EASEMENT AND RIGHT-OF-WAY DEDICATIONS

COSTS:

Upon application: \$250 fee paid at the time of application/submittal for each easement and/or right-of-way dedication to be processed. Applications forms and standard dedication formats are available online at <http://www.fcgov.com/engineering/devrev.php> or at the Engineering counter at 281 N. College. Checks for this fee shall be made out to: **City of Fort Collins**

Prior to Finalization/ Recordation: The cost of the recording fees (for recordation with Larimer County Clerk and Recorder) are collected. Current recording fees are \$13 for the first sheet of each document and \$5 for each additional sheet. Checks for filling fees should be made out to: **Larimer County Clerk and Recorder**

PREPARATION:

Determine to whom the easement is being dedicated. Deeds of dedication to the City must come through the city for acceptance and are recorded at the County by the City Clerk's office. The process for acceptance of deeds is described in more detail below.

Easements between private parties such as construction easements or cross access easements are prepared and recorded at the County by the private parties. The city may request copies of such easements to verify that the developer has received permission from adjacent owners to do certain work off-site, however the City does not need an original document and does not process or record private easement dedications.

Right-of-way is a permanent dedication of land to the City for public street purposes and the dedication statement on the deed is modified accordingly. (See the language in the sample dedication statement handout.) The paragraph regarding maintenance is also modified since the City does take over maintenance of right-of-way upon completion and acceptance of the street improvements.

DEED LANGUAGE:

Sample formats are available upon request. For easement dedications, the appropriate language for the type of easement being granted needs to be inserted/ identified:

Is the easement Temporary or Permanent? Identify which it is.

What Type of easement is being dedicated- 'drainage', 'utility', 'access', ...

- Easements can any combination of different easement types.
- Note the City does not accept 'irrigation' easements or 'landscape' easements. Theses would be private easements that would be owned by a party other than the City.

SUBMITTAL:

The following items shall be submitted to the Engineering Department:

- Application – Transportation Development Review Fee form filled out.
- \$250 application fee for each easement (check made out to "City of Fort Collins")
- Original Deed of Dedication. This includes:

- The dedication statement identifying the type of easement being granted.
- The maintenance statement.
- City acceptance block/ statement provided (see sample deeds available at: <http://www.fcgov.com/engineering/devrev.php>).
- Owner's signature **including** all lien holders and notary
- Legal description included in dedication statement or attached and labeled as Exhibit "A" - prepared by a licensed professional land surveyor.
- Attorney's certificate attached. The attorney signing certificate can be any private Colorado licensed attorney (typically representing the owner of grantor) it is not the City Attorney.
- Sketch showing the easement location (where does this easement exist in relation to property lines and/ or streets).

ACCEPTANCE PROCESS:

Turn all development related deeds of dedication in to the Development Review Center. Stormwater Utility, Parks, Natural Resources, etc. may request copies, but the original must be delivered to the Development Review office.

Once received the format of the deed is checked to see if it is correct and complete. Special language added or certain modifications may require review by the City Attorney. The legal description is checked and if errors are found, deed is returned for correction. The cost of the filing fees (for recording the document with the Larimer County Clerk and Recorder) will also be determined at this time by the Development Review Engineer.

Current recording fees are \$13 for the first sheet of each document and \$5 for each additional sheet. Items that are recorded include, but are not limited to the dedication statement, attorney certification, signature pages, 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 the county to use for the recording process. If this is not provided an additional blank sheet will be needed for the recording information and you will be charged the 5 dollars to record it. Checks should be made out to: **Larimer County Clerk and Recorder**

Once the deed and legal are correct and the filing fee has been submitted, the document will be prepared for City acceptance. Currently all deeds can be approved and accepted administratively.

RECORDING:

Upon acceptance, deeds are recorded with the Larimer County Clerk and Recorder's Office by the City Clerk.