

Owner/Applicant Information For Storm and Sanitary Easements

Easements Required For SP Projects

- I) Submit an original executed deed(s) from grantor(s) along with an original PLS signed/stamped exhibit with a cover letter to the Public Works Development Center, 201 W. Colfax Ave., Denver, 80202.
 - A) All submittals and questions regarding easements should be directed to the 2nd floor City Engineering counter, 720-865-2782.
 - B) Deed templates are Word docs. and the exhibit template is an ACAD 14.0 dwg.
 - 1) Available at the Development Services website - <http://www.denvergov.org/dephome.asp?depid=600>
 - 2) ***Project plan approvals require an original executed deed(s) submitted as a minimum.***
 - C) Project name and number assigned by Plans Review Section, job number on exhibit created by owner/applicant if applicable, WMD file number created upon first submittal.
- II) Documents Review Process
 - A) Any revisions to the standard deed format will be reviewed and negotiated through the CCD City Attorney Land Office.
 - B) Deed can have multiple grantors/signatures for adjacent owners.
 - 1) Each signature has to have a separate notary statement.
 - (a) Co-owners/grantors can sign in same deed document.
 - (i) Option: separate deeds referring to same exhibit.
 - (b) Notary can sign single notary for all grantors if signed concurrently in their presence.
 - 2) Deed must be legal size w/ 1" top and ½" L, R, & bottom margins.
 - C) Legal language and format for exhibits
 - 1) Two-pages – legal description and plan view.
 - 2) Title page one as “Legal Description” - not necessary to state use.
 - (a) “Thence....” on separate lines.
 - (b) Basis of bearings statement required by statute if used.
 - 3) Permissible scales for plan view page two: 1" = 10', 20', 30', 40', 50', 60', 100' or 200'.
 - (a) All text must be a decipherable size.
 - (b) Not necessary to state area or basis of bearings on plan page.
- III) Easement widths reference - WMD San. Sewer Design Technical Manual
 - A) Item 304.3 (at Development Services website) <http://www.denvergov.org/dephome.asp?depid=600>
 - B) Twenty foot minimum unless there are extenuating circumstances.
 - 1) Minimum may be modified after review of site conditions.
- IV) Approved original documents will be forwarded to Asset Mgmt. for recordation.
 - A) Signature(s) on deeds can be up to one year old before questionable.
 - 1) Exhibits can be any reasonable date.
 - B) Asset Mgmt. & City Attny. reviews and forwards to Clerk & Recorder for recordation.
 - 1) Courtesy copy of recorded document(s) will be mailed to owner/applicant. (4 to 8 weeks).
 - C) ***Surety bond(s) not released until recorded copies received.***

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Easements Required For Alley or Street Vacations

- I) Review process the same as for SP projects.
 - A) Applies for vacated City ROWs where an existing sanitary or storm facility will remain as public domain or new construction within vacated ROWs.
 - 1) Original executed deed(s) and unstamped exhibit(s) will be required to be held in escrow for re-routed lines until construction completed and approved.
- II) ***Vacation request denial released upon receipt of an original executed deed(s) and at least a rough draft of original signed and stamped exhibit(s).***
- III) Asset Mgmt. will record document after the vacation is formally approved.
 - A) Courtesy copy of recorded document(s) will be mailed to owner/applicant. (4 to 8 weeks).

Build-Over Easements

- I) Executed deed will have same language as a standard one, with the addition of special clauses compiled by the Assistant City Attorney:
 - A) Stating use and enjoyment rights for the grantor(s).
 - B) Stating indemnification to the City for improvements or appurtenances particular to the site.
 - C) Also added are signatures for the WMD Deputy Manager and the Assistant City Attorney representing WMD.
- II) The grantor(s) or assigns requests terms and/or restrictions in writing for adding to the deed.
- III) Existing trees are usually allowed to be left in place. No new trees allowed.
- IV) Fences crossing the easement must span the full width with no posts or pillars and be removable.
- V) Existing improvements will be included in added clauses.
- VI) A “Build-Over Covenant and Permit” is required for building over and/or into an existing easement.
 - A) Plans Review Section processes these.

Private Lines/Reversions

- I) Easement documents are held in escrow until line reverts to public.
 - A) Documents recorded as usual when line(s) become public.
 - B) Facilities will be Quit Claimed to the City.
 - 1) QCD can have multiple grantors as with easement deeds.
- II) Easements across City property – Asset Mgmt. grants easements to private entities. City Attorneys draft the deed.
 - A) Requires mayoral grant by ordinance, contact City ROW office.
 - B) City Surveyor’s office reviews legal exhibits.
- III) Private construction near, inside, or crossing CCD easements – restrictions or special requirements managed through a Sewer Use & Drainage permit.

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Relinquishing easements

- I) Requires a request in writing to the Manager of Public Works
 - A) Direct queries to Mark Lomax @ CCD ROW office, 720-865-3108.
- II) Request not accepted until all lines are completely abandoned/rerouted – verified by as-built submittal or City field personnel.