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 ¼” 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.
      a) All text must be a decipherable size.
      b) Not necessary to state area or basis of bearings on plan page.


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.
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.