



INSTRUCTIONS / CHECKLISTS

**** Failure to submit any requested item could result in a delay of your project ****

No larger than tabloid size, 11 x 17, please

EASEMENT VACATION – (Please allow a minimum of 4-6 weeks for processing)

To begin, submit the following documents to Real Estate Services:

1. Signed Public Application Form, one form and fee per entity property owner, completed in full, listing all applicable easements, with owner signature.
2. Fees: See box below. Recording fees will apply.
3. A copy of the document that initially created the Easement(s) in question (ex.: plat, Easement Agreement).
4. Legal Exhibits – required if vacating portion(s) of an easement(s), or if located on unplatted property. See box below.
5. An ALTA or Land Survey (or an electronic copy) depicting the location of the easement to be vacated, or Utility Locates (contact Central Locators by dialing 811, or 1-800-922-1987 (“Call Before You Dig”. This is a free service)) to request locations of **ALL** utility/service lines on the property, including phone and cable/fiber lines; If Colorado Springs Utilities has lines in close proximity, the lines may also need to be shown on the survey.
6. Statement of Authority, if applicable, may be required. See box below.
7. If the easement vacation is approved, a quitclaim deed will be prepared and processed by the City, and the property owner may be required to execute an acceptance of any terms & requirements.

EASEMENT ENCROACHMENT – Issued for a private use of City-owned easements (Allow a minimum of 6-8 weeks for processing)

To begin, submit the following documents to Real Estate Services:

1. Signed Public Application Form, one form and fee per entity property owner, completed in full, listing all applicable easements, with owner signature.
2. Fees: See box below. Recording fees will apply.
3. A copy of the document that initially created the Easement(s) in question (ex.: plat, Easement Agreement).
4. An ALTA or Land Survey (or an electronic copy) depicting the location of the easement to be encroached upon, or Utility Locates (contact Central Locators by dialing 811, or 1-800-922-1987 (“Call Before You Dig”. This is a free service)) to request locations of **ALL** utility/service lines on the property, including phone and cable/fiber lines; If Colorado Springs Utilities has lines in close proximity, the lines may also need to be shown on the survey.
5. Legal Exhibits describing and depicting the area(s) of encroachment. See box below.
6. Statement of Authority, if applicable, may be required. See box below.
7. If your request is for a commercial sign or engineered retaining wall, please also submit a copy of your sign/wall specifications.
8. If the request is approved, an Easement Encroachment License will be prepared and processed by the City.

REQUIRED EASEMENT (Public Improvement, Drainage, Avigation, non-Utility that cannot be granted by plat) (Allow a minimum of 4 weeks for processing)

To begin, submit the following documents to Real Estate Services:

1. Signed Public Application Form, one form per entity property owner, completed in full, listing all affected parcel(s). **Note:** Property owner signature is not necessary, at this time – used for contact/property location purposes only.
2. Current Ownership and Encumbrance Report (“O&E”) or Title Commitment prepared by a title company. One per Tax Schedule Number. (Not required for Avigation Easements.)
3. Legal exhibits may be required. See box below.
4. Statement of Authority, if applicable, may be required. See box below.
5. Recording fees will apply. See box below.
6. For non-Avigation Required Easements, Holders of Deeds of Trust will be required to sign and acknowledge the Easement Agreement.
7. Avigation Easements: For Colorado Springs Municipal Airport Overlay only.
8. Real Estate Services will prepare and process the Public Easement Agreement.
9. For new Utility easements, please contact Colorado Springs Utilities, Development Services, directly: 719-668-8111.

**REVOCAABLE LICENSE OR LEASE (Issued for a private use of a City-owned parcel that has a tax schedule number and is not City Right-Of-Way) (Allow 4 weeks, minimum, for processing)
* All requests handled on a case-by-case basis ***

To begin, submit the following to Real Estate Services:

1. Signed Public Application Form, one per entity property owner, completed in full, stating the proposed use of the City property and proposed term.
2. **Note:** The proposed term cannot be more than twenty-five (25) years, and the use must be revocable by the City at any time, per City Charter.
3. Map or survey showing the location, area and size of the requested lease or license area.
4. Legal exhibits may be required. See box below.
5. Statement of Authority, if applicable, may be required. See box below.
6. Insurance Requirement for non-Utility controlled property: If request is approved, a copy of an insurance certificate, with general liability coverage of \$1,000,000.00 will be required, showing the City of Colorado Springs as an added insured on your policy, and will be collected prior to completion.
7. Recording fees will apply. See box below.
8. Additional information as requested.

LEGAL EXHIBITS:

Easement Vacations, Required Easements/Avigation Easements & Revocable Licenses: May be required.

Exhibit A - a legal written description of the vacation/easement/license area; and,

Exhibit B - a legal depiction of the area.

(Not required for Avigation Easements **if** property is already platted.)

Easement Encroachments: Always required.

Exhibit A – (prepared by Real Estate Services) a legal description of the easement to be encroached upon; and,

Exhibit B - a legal written description of the area of encroachment; and,

Exhibit C - a legal depiction of the area of encroachment.

Legal exhibits must be prepared by a Colorado Licensed Professional Land Surveyor, be signed and sealed, have at least 1" (one inch) margins, and be labeled appropriately, as noted above. If Colorado Springs Utilities has utility lines in the vicinity, the lines may also need to be depicted. If questions, discuss with Real Estate Services prior to having legal exhibits prepared. Sample exhibits available upon request.

STATEMENT OF AUTHORITY:

For entity property owners (LLC's, Corporations, Partnerships, Trusts), a copy of a recorded Statement of Authority may be required for that person who has the authority to convey or affect real property on behalf of the entity. If none already exists, Real Estate Services may prepare one, and record it at the completion of the project;

FEES – Checks or money orders only (no cash or credit cards) payable to City of Colorado Springs

1. Easement Vacations & Easement Encroachments, collected at initial submittal: **\$160**
2. Recording Fees: Real Estate Services will confirm and collect the amount of the recording fee prior to completion. (\$13.00 for the first page, \$5.00 for each subsequent page, \$2.00 per document for electronic filing)

CONTACT REAL ESTATE SERVICES:

These instructions can be found on Real Estate Services' website: <https://coloradosprings.gov/real-estate-services>
(Departments → Real Estate Services)

Barbara Reinardy, (719) 385-5601, or Barbara.Reinardy@coloradosprings.gov.

To Submit your paperwork and Fee(s):

Street address: 30 South Nevada Avenue (@ Colorado Avenue), Suite 502, Colorado Springs, CO 80903

Mailing address: P.O. Box 1575, MC 525, Colorado Springs, CO 80901-1575

PUBLIC APPLICATION FORM

(Please print)

Requestor's Contact Information

Date of Your Submittal: _____

Print Name of Requestor: _____
(acts as the contact person for all aspects of the request)

Are you a Consultant on behalf of the Property Owner: Yes No

Name of Consultant's Firm: _____

Your mailing Address: _____

Your E-mail: _____

Your Telephone: _____ Mobile Office Home

Property Information: (One form & fee for each entity property owner)

Name of Property Owner: _____

Parcel Number(s): _____
(Assessor's 10-digit Tax Schedule Number)

Property Address(es): _____

Is there an impending sale of the property? No Yes. **Anticipated date:** _____ (Discuss with RES)

Is this Request made in conjunction with a submittal to the Planning Department? Yes No

If yes, Planner name: _____ Planning's Project Number: _____

Planning's Project Name: _____

REQUEST: List **ALL** easements to be affected (recording information, width and type of easement,) and reason for request:

I understand that if this request is approved, it is issued on the representations made in this submittal, and any approval or subsequently issued services may be revoked without notice if there is a breach of representations or conditions of approval. The requestor(s) by their signature understands and agrees that they are responsible for the payment for processing prior to receiving services. **NOTE: In accord with § 1.8 of The City of Colorado Springs Procedure Manual for the Acquisition and Disposition of Real Property Interests adopted by City Council March 23, 2021, a denial of any of these requests is NOT APPEALABLE.**

Signature of Requestor (Required) _____ Date _____

Signature of Property Owner (Required) _____ Date _____

Print Requestor Name _____

Print Owner Name _____ Title within entity _____

REAL ESTATE SERVICES STAFF USE ONLY

Assigned to RES Staff _____

RES Manager _____

Date: _____

Date: _____

<u>Service Requested</u>	
<input type="checkbox"/>	Easement Vacation - \$160.00
<input type="checkbox"/>	Easement Encroachment - \$160.00
<input type="checkbox"/>	Required/Avigation Easement (Public) (no fee)
<input type="checkbox"/>	Revocable License – (no fee)
<input type="checkbox"/>	Revocable Lease (no fee)
<input type="checkbox"/>	Research - \$28.00/hour
Fees listed above will be collected at initial request, except for research requests. Checks or money orders <u>only</u> payable to <u>City of Colorado Springs</u> (no cash or credit cards).	
<u>Recording costs</u> will apply to all requests and be collected prior to completion.	