

INSTRUCTIONS FOR FILLING OUT A REQUEST FOR RELEASE BY OWNER OF INDEBTEDNESS **WITHOUT** THE PRODUCTION OF EVIDENCE OF DEBT

THE REQUEST FOR RELEASE FORM MUST BE PRINTED ON LEGAL PAPER

THE DOCUMENT RETURN INFORMATION MUST REMAIN INSIDE THE BOX

TO USE THIS FORM THE OWNER OF THE INDEBTEDNESS MUST BE ONE OF THE FOLLOWING ENTITIES SPECIFIED IN 38-39-102 (3):

- (1) A QUALIFIED HOLDER OF THE EVIDENCE OF DEBT;
- (2) A HOLDER OF THE EVIDENCE OF DEBT SUBMITTING A CORPORATE SURETY BOND IN LIEU OF THE ORIGINAL EVIDENCE OF DEBT; OR
- (3) A TITLE INSURANCE COMPANY LICENSED AND QUALIFIED IN COLORADO.

HOW TO FILL OUT THE REQUEST FOR RELEASE FORM TO SUBMIT TO THE PUBLIC TRUSTEE

\*Mark if the Request is a FULL or PARTIAL Release

\*Enter the current date

\*The Grantor, Beneficiary and Deed of Trust dates and recording information must match exactly what is on the Deed of Trust.

\*Enter the current address as requested or check the box if the current address is unknown.

\*Fill in the County that will be Releasing the Deed of Trust

\*If this is a Partial Release, the legal description of what is being Released must be entered in the space provided. If more space is needed, make the legal description a second page.

\*The name and address of the Current Owner and Holder of the Indebtedness (Note) that is secured by the Deed of Trust being Released.

\*Name, Title and address of the officer of the Current Owner and Holder of the Indebtedness. (This is the person(s) that will be signing the Request for Release form.

\*Signature of person(s) listed above.

\*Above signatures must be notarized. The notary **MUST** fill in the information underneath the signatures, sign and affix their seal.

Please send this form with a check for **\$28.00** for a one-page release (if you need to add an additional page for the legal it will cost an additional \$5 per page) and a **valid, legible** copy or the original recorded Deed of Trust to the Public Trustee in the County the Deed of Trust was recorded.

Original Note and Deed of Trust Returned to:

WHEN RECORDED RETURN TO:

Prepared/Received by:

REQUEST FOR FULL  / PARTIAL

RELEASE OF DEED OF TRUST AND RELEASE BY HOLDER OF THE EVIDENCE OF DEBT WITHOUT PRODUCTION OF EVIDENCE OF DEBT PURSUANT TO §38-39-102 (1) (a) AND (3), COLORADO REVISED STATUTES

Form fields for Date, Original Grantor (Borrower), Current Address of Original Grantor, Assuming Party, or Current Owner, Original Beneficiary (Lender), Date of Deed of Trust, Date of Recording and/or Re-Recording of Deed of Trust, Recording Information, and County, Rcpt. No. and/or Film No. and/or Book/Page No. and/or Torrens Reg. No.

TO THE PUBLIC TRUSTEE OF \_\_\_\_\_ COUNTY (The County of the Public Trustee who is the appropriate grantee to whom the above Deed of Trust should grant an interest in the property described in the Deed of Trust.)

PLEASE EXECUTE AND RECORD A RELEASE OF THE DEED OF TRUST DESCRIBED ABOVE. The indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied in regard to the property encumbered by the Deed of Trust as described therein as to a full release or, in the event of a partial release, only that portion of the real property described as: (IF NO LEGAL DESCRIPTION IS LISTED THIS WILL BE DEEMED A FULL RELEASE.)

Pursuant to § 38-39-102 (3), Colorado Revised Statutes, in support of this Request for Release of Deed of Trust, the undersigned, as the holder of the evidence of debt secured by the Deed of Trust described above, or a Title Insurance Company authorized to request the release of a Deed of Trust pursuant to § 38-39-102 (3) (c), Colorado Revised Statutes, in lieu of the production or exhibition of the original evidence of debt with this Request for Release, certifies as follows:

- 1. The purpose of the Deed of Trust has been fully or partially satisfied.
2. The original evidence of debt is not being exhibited or produced herewith.
3. It is one of the following entities (check applicable box):
a. [ ] The holder of the original evidence of debt that is a qualified holder, as specified in § 38-39-102 (3) (a), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee for any and all damages, costs, liabilities, and reasonable attorney fees incurred as a result of the action of the Public Trustee taken in accordance with this Request for Release;
b. [ ] The holder of the evidence of debt requesting the release of a Deed of Trust without producing or exhibiting the original evidence of debt that delivers to the Public Trustee a Corporate Surety Bond as specified in § 38-39-102 (3) (b), Colorado Revised Statutes; or
c. [ ] A Title Insurance Company licensed and qualified in Colorado, as specified in § 38-39-102 (3) (c), Colorado Revised Statutes, that agrees that it is obligated to indemnify the Public Trustee pursuant to statute as a result of the action of the Public Trustee taken in accordance with this Request for Release and that has caused the indebtedness secured by the Deed of Trust to be satisfied in full, or in the case of a Partial Release, to the extent required by the holder of the indebtedness.

Name and Address of the Current Holder of the Evidence of Debt Secured by Deed of Trust (Lender) or name and address of the Title Insurance Company Authorized to Request the Release of a Deed of Trust

Name, Title and Address of Officer, Agent, or Attorney of the Holder of the Evidence of Debt Secured by Deed of Trust (Lender)

Signature

Signature

State of \_\_\_\_\_, County of \_\_\_\_\_
The foregoing Request for Release was acknowledged before me on \_\_\_\_\_ (date) by\*

(Notary seal)

Date Commission Expires

\*If applicable, insert title of officer and name of current holder

Notary Public

Witness my hand and official seal

RELEASE OF DEED OF TRUST

WHEREAS, the Grantor(s) named above, by Deed of Trust, granted certain real property described in the Deed of Trust to the Public Trustee of the County referenced above, in the State of Colorado, to be held in trust to secure the payment of the indebtedness referred to therein; and

WHEREAS, the indebtedness secured by the Deed of Trust has been fully or partially paid and/or the purpose of the Deed of Trust has been fully or partially satisfied according to the written request of the holder of the evidence of debt or Title Insurance Company authorized to request the release of the Deed of Trust;

NOW THEREFORE, in consideration of the premises and the payment of the statutory sum, receipt of which is hereby acknowledged, I, as the Public Trustee in the County named above, do hereby fully and absolutely release, cancel and forever discharge the Deed of Trust or that portion of the real property described above in the Deed of Trust, together with all privileges and appurtenances thereto belonging.

Public Trustee Date

(Public Trustee use only; use appropriate label)

(Public Trustee's Seal)

Deputy Public Trustee Date

(If applicable: Notary Seal)

(If applicable, Name and Address of Person Creating New Legal Description as Required by § 38-35-106.5, Colorado Revised Statutes.)