

COUNTY OF CLEAR CREEK
OFFICE OF
TREASURER AND PUBLIC TRUSTEE
P.O. BOX 2000
GEORGETOWN, COLORADO 80444

TO RELEASE A OF DEED OF TRUST BY A QUALIFIED HOLDER
(CRS 38-39-102)

To execute a Release of Deed of Trust, **WITHOUT PRODUCTION**
it is necessary to submit the following to the Public Trustee's Office:

1. *REQUEST FOR RELEASE OF DEED OF TRUST FORM - completed and signed (and notarized) by ALL holders of the Evidence of Debt or their attorney or agent. If signed by an agent it must so indicate on the Release Form. THIS REQUEST SHALL BE DULY EXECUTED AND ACKNOWLEDGED.*
2. *A "qualified holder" as defined in section 38-38-100.3 may request the Release of a Deed of Trust without producing the Original Evidence of Debt. Such "qualified holder" that requests the release of a deed of trust without producing the original evidence of debt shall be deemed to have agreed to indemnify and defend the Public Trustee against any claim made for damages resulting from the action of the Public Trustee taken in accordance with the request (check appropriate box).*
3. *THE ORIGINALLY RECORDED DEED OF TRUST - If this instrument is lost, a certified copy from the Clerk & Recorder's Office, or a copy showing the recording information is acceptable.*
4. *A \$28.00 Fee - made payable to the Public Trustee - for execution AND recording a one (1) page standard release form (plus \$5.00 for each additional page). Please enclose a SASE in proper size to return documents.*

CAROL LEE, Treasurer and Public Trustee
Telephone: (303)679-2353

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)

Date
Original Grantor (Borrower)

Current Address of Original Grantor,
Assuming Party, or Current Owner

 Check here if current address is unknown

Original Beneficiary (Lender)

Date of Deed of Trust

Date of Recording and/or Re-Recording of Deed of
Trust

Recording Information

County Rept. 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 _____ (Notary seal)
me on _____ (date) by*

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 use only:
use appropriate label)

(Public Trustee's Seal)

Public Trustee Date

Deputy Public Trustee Date

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

(If applicable, Notary Seal)