



Legislative Council Staff

Research Note

Version: Final

Date: 4/11/2017

Bill Number

Senate Bill 17-097

Sponsors

**Senator Martinez Humenik
Representative Coleman**

Short Title

***Vacated Alleys Presume
Included In All Deeds***

Research Analyst

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Status

This research note reflects the final version of the bill, which becomes effective August 9, 2017, assuming no referendum petition is filed.

Background

Under Colorado law, real property may be conveyed to another person by using a written instrument, such as a deed, lease, or mortgage; actual possession of the land is not required to transfer or receive land. Under existing law, a conveyance by warranty deed conveys the grantor's interest, if any, in any vacated street, alley, or other right-of-way that adjoins the property, unless expressly excluded in the deed. Deeds and writings that convey interests in land that are executed in Colorado may be acknowledged or proved before any judge or the clerk of any court of record, or the clerk and recorder or deputy clerk and recorder of any county, among other state officials.

Senate Action

Senate Judiciary Committee (February 8, 2017). At the hearing, the committee heard testimony in favor of the bill from representatives of the Colorado Bar Association and Professional Land Surveyors of Colorado. The committee adopted amendment L.001, which includes deeds of trust in the bill's provisions, and referred the bill, as amended, to the Committee of the Whole, with a recommendation that it be placed on the consent calendar.

Senate second reading (February 13, 2017). The Senate passed the bill on second reading with no amendments.

Senate third reading (February 14, 2017). The Senate passed the bill on third reading with no amendments.

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House Action

House Local Government Committee (March 22, 2017). At the hearing, the committee heard testimony in favor of the bill from representatives of the Colorado Bar Association and the Professional Land Surveyors of Colorado. The committee referred the bill to the House Committee of the Whole.

House second reading (March 27, 2017). The House passed the bill on second reading with no amendments.

House third reading (March 28, 2017). The House passed the bill on third reading with no amendments.