



TREASURER AND PUBLIC TRUSTEE

(970) 400-3242

1400 N 17th Ave., P.O. Box 458

Greeley, CO 80632

Release of Deed Documentation Checklist

The following documentation is required to release a Deed of Trust in Weld County, Colorado. **Failure to provide any of the required documentation will result in a rejection of the request for release, and it must be resubmitted.**

The request for release must be executed and signed by the Public Trustee for the county where the property lies and only if the Public Trustee is named on the Deed of Trust. For Deeds of Trust recorded in the wrong county, the deed of trust must be recorded in the correct county and released by the Public Trustee of the corresponding county.

- ☐ A **Request for Release of Deed of Trust form** signed by the legal holder of the Promissory Note and properly notarized. <https://cctpta.org/public-trustee-forms/>
 - There are two Release of Deed of Trust forms: Without Production of Evidence and With Production of Evidence. Please read carefully to choose the correct form.
 - Please include the borrower's correct address in the designated area on the Release of Deed of Trust form so the Clerk and Recorder can send the original recorded release to the correct party.
- ☐ The **original Promissory Note** that corresponds with the Deed of Trust, including the principal amount, dates and the number of notes involved.
 - **If the owner of the evidence of debt is a Qualified Holder**, as described in C.R.S. 38-38-100.3 (20)(a-l), the Public Trustee may accept, in lieu of the Promissory Note, **a Request for a Release of Deed of Trust and Release Without Production of Evidence of Debt form**.
 - For non-qualified holders, if the original promissory note has been lost, a **Lost Instrument Bond (see Lost Instrument Bond Checklist)** must be furnished.
- ☐ The original recorded **Deed of Trust** or a legible recorded copy of the full Deed of Trust document, including the legal description and recording information. Recorded copies may be obtained from the [Weld County Recorder's Office](https://www.weld.gov/Government/Departments/Clerk-and-Recorder/Recording-Department). They may be reached at 970-400-3065. <https://www.weld.gov/Government/Departments/Clerk-and-Recorder/Recording-Department>
- ☐ **\$73.00 payment** for recording the Release of Deed of Trust form (includes a \$30 Public Trustee fee and a \$43 recording fee.) Please make checks payable to the **Weld County Public Trustee**.
- ☐ **If the original note and Deed of Trust do not match exactly**, an affidavit of discrepancy must be presented with the release documents.
- ☐ **If the holder of the note is a private party and deceased**, a copy of the Death Certificate must be provided, as well as a copy of the Letter of Testamentary.
 - The individual appointed by the Letter of Testamentary would be required to sign the Release of Deed of Trust form.
 - If "Joint Tenants" is specifically written in the note, then the other note holder may sign the release and only a copy of the Death Certificate is required.
- ☐ **If the request has been mailed**, an addressed envelope with proper postage for returning the canceled Original Promissory Note and Deed of Trust is required.