

Common Title Transfer Issues Impacting the Assessor's Ownership Records

The Assessor's Office updates its ownership records based on documents recorded with the Gunnison County Clerk & Recorder. However, in the course of this process we occasionally come across an issue with a recorded document that prevents us from updating our records. In these situations we always send a letter to the interested parties alerting them to the problem.

If you receive such a letter, please be aware that we will normally be unable to update our ownership records until the issue has been resolved, typically by the recording of some additional documentation. If you need help deciding what action to take, we strongly recommend that you contact an attorney or title company. The Assessor's Office is not permitted to give legal advice.

Below is a list of the most commonly occurring title transfer issues that impact our ownership records. We have reviewed this list with the County Attorney's Office, and they have confirmed that it is appropriate for us not to update our records when any of these issues exist and remain unresolved:

- Transfer of ownership due to death of a joint tenant, holder of life estate, or grantor of beneficiary deed (see § 38-31-102, C.R.S.)
 - No Death Certificate recorded for a current owner of record.
 - No Supplemental Affidavit recorded.
 - Supplemental Affidavit recorded, but signed by someone who has a current interest in the property.
- Transfer of ownership by Personal Representative Deed (see § 38-30-108, C.R.S.)
 - No Letters Testamentary or Letters of Administration recorded.
 - Name on Letters does not match vesting deed (beyond what is acceptable per name variance statute, see § 38-35-116, C.R.S.).
- Issues with grantor on a deed
 - Grantor has no recorded interest in the property.
 - Grantor's name does not match the vesting deed for the property (beyond what is acceptable according to the name variance statute, see § 38-35-116, C.R.S.).
- Issues with the legal description on a deed (see § 38-30-113, C.R.S.)
 - Legal description is abbreviated (typically the abbreviated legal description from the Assessor's website). This is a problem if the abbreviated legal description is ambiguous or insufficient to completely and accurately identify the property.
 - Legal description relies on the book and page or reception number of a prior deed, without stating a complete and unambiguous reference to that document.
 - Legal description contains typographical errors that render it incomplete or ambiguous.
 - Legal description is missing altogether (typically because the required exhibit was not attached to a deed at the time of recording).

- Issues with signatures on a deed
 - Deed has not been signed.
 - Deed does not have an original signature (this typically happens when an original deed has been altered to correct a mistake and then rerecorded without new signatures).

- Issues with Correction Deeds
 - Correction Deed attempts to correct the grantee's name.
 - Correction Deed attempts to correct the legal description in such a way that property conveyed in the original deed is no longer included.

- Issues with Plats (including Boundary Line Adjustments)
 - Plat is not signed by all the current owners of record for the property being platted.
 - Plat is missing governmental approval (City Council, Board of County Commissioners, etc.).
 - Boundary Line Adjustment has no associated conveyances, either on the face of the Boundary Line Agreement itself or in the form of accompanying deeds). Without associated conveyances, a Boundary Line Adjustment alone does not change the ownership of property.