

NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

2001



HOUSE BILL 01-1321

BY REPRESENTATIVE(S) Decker, Cadman, Garcia, and White;
also SENATOR(S) Linkhart.

CONCERNING THE EFFECT OF THE EXECUTION OF A TAX DEED ON A
PREEXISTING EQUITABLE SERVITUDE THAT RUNS WITH LAND.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 39-11-136 (3), Colorado Revised Statutes, is amended to read:

39-11-136. Treasurer to execute deed - effect. (3) Execution of a deed pursuant to this section shall not affect the existence of any public or private roads, rights-of-way, ~~or~~ other easements, ~~OR EQUITABLE SERVITUDES THAT RUN WITHLAND AND HAVE BOTH BENEFITS AND BURDENS,~~ ALL AS claimed or existing prior to the execution of such deed.

SECTION 2. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Doug Dean
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Stan Matsunaka
PRESIDENT OF
THE SENATE

Judith Rodrigue
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Karen Goldman
SECRETARY OF
THE SENATE

APPROVED _____

Bill Owens
GOVERNOR OF THE STATE OF COLORADO