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# ELBERT COUNTY

## OFFICE OF THE COUNTY ASSESSOR



“Fair, Uniform, & Equitable Assessments, Within the Law”

### MINERAL RIGHT RESERVATIONS

**According to Colorado §39-1-104.5, a complete patent to present title search must be completed for the Assessor’s office to place the severed mineral interest on the tax roll.**

In order to place severed mineral interests on the tax roll, you must complete a certificate of proof of mineral right ownership. The above statute references compliance with providing the necessary paperwork/certificate for proof of mineral right ownership.

#### **§39-1-104.5 Severed Mineral Interest-placement on tax roll**

**Any owner of the surface estate from which a mineral interest has been severed, on behalf of himself and any other owners of such interest in the surface, may require the assessor of the county wherein such real estate is situate to place such severed mineral interest, without regard to value, on the tax roll of the county if the owner of the surface estate provides proof of ownership of the severed mineral interest and a record of the creation of the severed mineral interest as shown by the records of the county clerk and recorder. Proof of ownership and the record of creation of the severed mineral interest shall be provided in the form of a certificate prepared by an attorney, a title insurance company, or a title insurance agent authorized to do business in this state.**

- A complete chain of title from patent to present has been completed for this Mineral Right. You must include reception number and Book/Page for each link in the chain.
- The fully executed certificate must include a perjury statement and a notarized signature. Example: I declare under penalty of perjury, under the laws of the State of Colorado that all statements contained in this Certificate and any accompanying documents is true and correct.
- Owner’s name and address
- Legal description
- Severed mineral interest fraction or percentage
- Net mineral acreage contained in the severed mineral interest

The Certificate must be prepared by an agent authorized to do business in the State of Colorado.

- An attorney
- A title insurance company
- A title insurance agent

The Assessor’ office cannot recommend one person and/or firm.

*It is the role of the assessor’s office to provide you with the best customer service in a fair, courteous and respectful manner. We are here to serve the community and will work to make our interactions as stress-free as possible.*