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How to Complete a Termination of Easement

Ending a Recorded Easement and Clearing It From Title

INSTRUCTIONS — KEEP FOR YOUR RECORDS. DO NOT ATTACH THIS PAGE TO YOUR TERMINATION OF EASEMENT.

About this form. An easement stays on the title of the burdened property — even if no one uses it — until it is formally ended. This form lets the **easement holder** release (quitclaim) the easement back to the owner of the burdened property, in full or in part. Recording it clears the title for a sale, refinance, or new construction.

1. **Get the recorded easement**
   Find the document that created the easement (a grant of easement, deed, or map) and copy its recording details, purpose, and the legal descriptions exactly.
2. **Identify who must sign**
   The current **holder** of the easement signs — usually the owner(s) of the benefited property, or a utility or company. If the benefited property is co-owned, every owner should sign.
3. **Choose full or partial termination**
   Release the whole easement, or only part of it (for example, a strip no longer needed). Attach a surveyor's description for a partial release.
4. **Complete the tax and fee boxes**
   If nothing is paid, write "$0 – no consideration." Mark the $75 recording fee box that fits.
5. **Sign in front of a notary**
   Do **not** sign ahead of time. Each signer brings a current government-issued photo ID. We come to you.
6. **Record it**
   Record the notarized termination in the county where the burdened property is located, and give both owners a copy.

Good to Know

- If the benefited property has a mortgage, its lender may need to consent, because the easement can be part of its security.
- Easements can sometimes end in other ways (for example, by merger of ownership), but a recorded release is the clearest proof.
- Disputed or unclear easements should be reviewed by an attorney or title company before signing.

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SCAN TO BOOK

Questions about this document? Talk to an attorney. Gavrilov & Brooks Law Firm has attorneys licensed in California, Nevada, and other states. Phone and video consultations are available. **(916) 504-0529** · **www.gavrilovlaw.com**

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YOUR FORM BEGINS ON THE NEXT PAGE

Recording Requested By:

_____

When Recorded Mail This Document To:

Name: _____

Address: _____

City, State, ZIP: _____

Space Above This Line For Recorder's Use

TERMINATION AND QUITCLAIM OF EASEMENT

_____ _____

Documentary transfer tax $ (or "$0 – no consideration") | If exempt, R&T Code § and reason

DECLARATION OF EXEMPTION FROM GOV. CODE § 27388.1 FEE (Building Homes and Jobs Act)

☐ Exempt per GC § 27388.1(a)(2): recorded "in connection with" a transfer of a residential dwelling to an owner-occupier

☐ Exempt per GC § 27388.1(a)(1): fee cap of $225 reached

☐ Not exempt — fee to be paid at recording

1. Easement holder. The undersigned

_____

(name(s) of current easement holder(s) — usually the owner(s) of the benefited property)

owns the easement described below.

2. The easement. The easement was created by the following recorded document:

_____ _____ _____

(type of document, e.g., Grant of Easement or Grant Deed) | (date of document) | (recording date)

_____ _____ _____

Instrument / Document No. | Book / Page (if any) | (county where recorded)

for the purpose of

_____

(purpose, e.g., ingress and egress, utilities, driveway)

3. Burdened property. The easement is over the following real property (the "Burdened Property"):

_____ _____

(owner(s) of this property) | Assessor's Parcel Number (APN)

_____ _____ _____

(street address) | (city, or "unincorporated area") | (county)

Legal description (copy exactly from the deed, or write "See Exhibit A" and attach it):

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4. Benefited property (if any). The easement benefited the following real property:

(owner(s) of this property) _____ Assessor's Parcel Number (APN) _____

(street address) _____ (city, or "unincorporated area") _____ (county) _____

Legal description (copy exactly from the deed, or write "See Exhibit A" and attach it):

5. Termination (mark one):

☐ **Entire easement.** The easement holder releases, remises, and forever **quitclaims** to the owner(s) of the Burdened Property all right, title, and interest in the easement described above, and the easement is **terminated in full**.

☐ **Part of the easement.** The easement is terminated and quitclaimed only as to the following portion; the rest remains in effect:

_____

(describe the portion released, or write "See Exhibit B")

Dated: _____

(signature of easement holder) _____ (signature of second easement holder, if any) _____

(printed name) _____ (printed name) _____

_____

If signing for a company, trust, or utility: entity name and signer's title

Every holder of the easement signs in front of the notary public, who will complete the acknowledgment on the next page.

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CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)

County of _____)

On _____ before me, _____

(here insert name and title of the officer)

personally appeared _____

, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

Signature _____

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