

**DISTRICT COURT, LARIMER COUNTY, STATE OF COLORADO
CIVIL CASE NO.: 2019CV30042, COURTROOM 5A
SHERIFF SALE NO. 19000676**

COMBINED NOTICE OF SALE, RIGHT TO CURE, AND RIGHT TO REDEEM

Plaintiff(s): **KURT JAMES**

v.

Defendant: **JAMES H. ELLIOTT**

TO THE ABOVE NAMED DEFENDANTS, YOU ARE NOTIFIED AS FOLLOWS:

This is to notify you that a Sheriff's Sale Proceeding has been commenced in the office of the undersigned Sheriff under a Decree of Foreclosure entered February 25, 2019, regarding the above entitled action. These proceedings have been initiated by Kurt James, the current holder of the Deed of Trust Note executed on January 22, 2016 by James H. Elliott and Lisa S. Vanderbilt (Original Grantors) for the benefit of Kurt James (Original Beneficiary), which Deed of Trust was executed January 22, 2016 and filed on January 25, 2016 at Reception No. 20160004550 of the records of the Clerk and Recorder of Larimer County, Colorado. Defendant, James H. Elliott is the owner of the above mentioned real property known as 2146 Elkridge Road, Red Feather Lakes, Colorado, Larimer County, Colorado (the "Subject Property").

The original principal balance of the secured indebtedness was **\$57,000.00**.

The covenants of said Deed of Trust have been violated as follows: failure to make payments on said indebtedness when the same were due and owing, and the legal holder of the indebtedness has accelerated the same and declared the same immediately fully due and payable.

Legal Description of the Subject Property

The legal description of the Subject Property that is the subject of this Combined Notice is as follows:

Residual Lot O, Elk Ridge Ranches R.L.U.P. 03-S2199 (20060009650)
Red Feather Lakes, County of Larimer, State of Colorado

Also Known as: 2146 Elkridge Road, Red Feather Lakes, Colorado 80545

NOTICE OF RIGHTS

YOU MAY HAVE AN INTEREST IN THE REAL PROPERTY BEING FORECLOSED, OR HAVE CERTAIN RIGHTS OR SUFFER CERTAIN LIABILITIES PURSUANT TO COLORADO STATUTES AS A RESULT OF SAID FORECLOSURE. YOU MAY HAVE THE RIGHT TO REDEEM SAID REAL PROPERTY OR YOU MAY HAVE THE RIGHT TO CURE A DEFAULT UNDER THE DEED OF TRUST BEING FORECLOSED. A COPY OF THE STATUTES WHICH MAY AFFECT YOUR RIGHTS ARE ATTACHED HERETO.

A NOTICE OF INTENT TO CURE PURSUANT TO § 38-38-104, C.R.S., SHALL BE FILED WITH THE SHERIFF AT LEAST FIFTEEN (15) CALENDAR DAYS PRIOR TO THE FIRST SCHEDULED SALE DATE OR ANY DATE TO WHICH THE SALE IS CONTINUED.

A NOTICE OF INTENT TO REDEEM FILED PURSUANT TO § 38-38-302, C.R.S., SHALL BE FILED WITH THE SHERIFF NO LATER THAN EIGHT (8) BUSINESS DAYS AFTER THE SALE.

THE LIEN BEING FORECLOSED MAY NOT BE THE FIRST LIEN.

Further, you are advised that the parties liable thereon, the owner of the property described above, or those with an interest in the Subject Property, may take appropriate and timely action under Colorado statutes.

In order to be entitled to take advantage of any rights provided for under Colorado law, you must **strictly** comply and adhere to provisions of the law. Further, you are advised that the attached Colorado statutes merely set forth the applicable portions of Colorado statutory law related to curative and redemptive rights; therefore, you should **read and review all the applicable statutes and law** in order to determine the requisite provisions and procedures which control your rights in the Subject Property.

**Name, Address, Business Telephone Number, and Bar Registration of Attorney
Representing Judgment Creditor**

Erik G. Fischer, #16856
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Fort Collins, Colorado 80521
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NOTICE OF SALE

THEREFORE, NOTICE IS HEREBY GIVEN that the undersigned Officer will, at 10 o'clock 27th, on the date of June, 2019, at the Larimer County Sheriff's Office, 2501 Midpoint Drive, Fort Collins, Colorado 80525, sell the Property at public auction to the highest bidder who has submitted bid funds to the undersigned Officer as specified by Colorado law to pay the

Judgment and certain other sums, all as provided by applicable law, and will deliver to the purchaser a certificate of purchase as provided by law.

All telephone inquiries for information should be directed to the office of the undersigned Sheriff at (970) 498-5155.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED MAY BE USED FOR THAT PURPOSE.

Dated: March 20, 2019

Justin Smith, Sheriff
County of Larimer, State of Colorado

By: Melissa Persing, Civil Process Specialist

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