

DISTRICT COURT, COUNTY OF ARCHULETA, COLORADO Court Address: 109 Harman Park Drive, Pagosa Springs, CO 81147	
Petitioner: United States of America acting through the Rural Housing Service or successor agency, United States Department of Agriculture, its successors and assigns vs. Respondents: Kirk J. Chipps	DATE FILED December 30, 2024 11:10 AM
Attorneys for Petitioner: Amanda Ferguson, #44893 Heather L. Deere, #28597 <i>Halliday, Watkins & Mann, P.C.</i> 355 Union Blvd., Suite 250 Lakewood, CO 80228 Ph: 303-274-0155 Fx: 303-274-0159 E-mail: infoco@hwmlawfirm.com File No: CO23617	COURT USE ONLY <hr/> Case Number: 2024CV30073 Division: 1
AMENDED NOTICE OF RESPONSE DEADLINE	

IF NO RESPONSE IS FILED BY JANUARY 23, 2025, at 08:00 AM, THE COURT MAY ENTER THE ORDER AUTHORIZING THE PUBLIC TRUSTEE'S FORECLOSURE SALE WITHOUT FURTHER HEARING OR NOTICE.

United States of America acting through the Rural Housing Service or successor agency, United States Department of Agriculture (“Applicant”) has filed a Motion with this Court, claiming to be the holder of a Promissory Note in the original amount of \$122,865.00, dated October 13, 2005, and a Deed of Trust containing the power of sale to the Public Trustee of Archuleta County, Colorado dated October 13, 2005, signed by Kirk J. Chipps and recorded October 13, 2005, at Reception No. 20510839 of the records of Archuleta County, State of Colorado.

The Motion claims that Applicant has the right to foreclose the Deed of Trust because of the failure to make timely payments as required under the Evidence of Debt and Deed of Trust. The Motion requests a Court Order authorizing the Public Trustee to sell the following real property in Archuleta, State of Colorado.

Lot 6, Pagosa Overlook, a Planned Unit Development Phase One & Future Development Phase Two, Lot 6X Block 53 and 54, according to the plat thereof filed August 31, 2005, as Reception No. 20509150, in the office of the Clerk and Recorder, Archuleta County, Colorado.

Purported Common Address: 454 South Seventh Street, Pagosa Springs, CO 81147.

Any interested person who disputes, on grounds within the scope of the hearing provided for in section (d), the moving party's right to an order authorizing sale may file and serve a response to the motion. The response must describe the facts the respondent relies on in objecting to the issuance of an order authorizing sale and may include copies of documents which support the respondent's position. The response shall include contact information for the respondent including name, mailing address, telephone number, and if applicable, an e-mail address.

The Response must be filed with the Clerk of this Court at 109 Harman Park Drive, Pagosa Springs, CO 81147, no later than January 23, 2025, at 08:00 AM. A copy of the Response must also be mailed or delivered by the same date to Halliday, Watkins & Mann, P.C., 355 Union Blvd., Suite 250, Lakewood, CO 80228.

If a response is filed, the court shall set the matter for hearing at a later date. The clerk shall clear available hearing dates with the parties and counsel, if practical, and shall give notice to counsel and any self-represented parties who have appeared in the matter, in accordance with the rules applicable to e-filing, no less than 14 days prior to the new hearing date.

If this case is not filed in the county where your property or a substantial part of your property is located, you have the right to ask the court to move the case to that county. If you file a response and the court sets a hearing date, your request to move the case must be filed with the court at least 7 days before the date of the hearing unless the request was included in your response.

If you believe that a lender or servicer has violated the requirements for a single point of contact in C.R.S. § 38-38-103.1 or the prohibition on dual tracking in C.R.S. § 38-38-103.2, the borrower may file a complaint with the Colorado Attorney General's office at the Ralph L. Carr Colorado Judicial Center, 1300 Broadway, 7th floor, Denver, Colorado 80203 and the Consumer Financial Protection Bureau at P.O. Box 4503, Iowa City, Iowa 52244, or both. The filing of a complaint will not stop the foreclosure process.

December 30, 2024

By /s/ Amanda Ferguson
Amanda Ferguson #44893

Pursuant to C.R.C.P. 121, 1-26(9), original signature on file at Halliday, Watkins & Mann, P.C. And made available for inspection upon request. A copy of C.R.C.P. 120 is attached.

Address of Applicant:
USDA /Rural Development
PO Box 790170
St. Louis MO 63179-0170