

DISTRICT COURT, WELD COUNTY, STATE OF COLORADO Address: 901 9th Ave Greeley, CO 80631 (970) 475-2400	DATE FILED December 19, 2024 1:17 PM
In the Matter of the Application of Weinberg Servicing, LLC for an Order Authorizing the Public Trustee of Weld County, State of Colorado, to Sell Certain Property Under a Power of Sale Contained in a Deed of Trust.	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
Attorneys for Weinberg Servicing, LLC: TIMMINS LLC Edward P. Timmins, #11719 Amy K. Hunt, #37160 450 East 17 th Avenue, Suite 210 Denver, Colorado 80203 Telephone: (303) 592-4500 Facsimile: (303) 592-4515 Emails: et@timminslaw.com ah@timminslaw.com	Case Number: 24CV31172 Division/Courtroom: 3 Response Deadline: 01/17/2025
NOTICE OF RESPONSE DEADLINE – JANUARY 17, 2025	

TAKE NOTICE THAT YOU MAY BE AFFECTED BY THE FORECLOSURE OF A DEED OF TRUST ON THE PROPERTY DESCRIBED BELOW:

Weinberg Servicing, LLC (the “Applicant”), is the owner and holder of a Promissory Note executed by Triple Palm Trust, a Nevada asset protection trust (“Grantor”), dated June 16, 2022, in the original principal amount of \$400,000.00 (the “Promissory Note”), secured by a Deed of Trust, Assignment of Rents and Leases, Security Agreement and Financing Statement executed by the Grantor effective as of June 16, 2022, recorded June 20, 2022, at Reception No. 4836404, in the real property records of Weld County, State of Colorado (the “Deed of Trust”).

The Verified Motion for Order Authorizing Sale (the “Motion”) claims that Applicant has the right to foreclose the lien of the Deed of Trust because the covenants of the Deed of Trust have been violated as follows: defaults have occurred under the Deed of Trust, including, but not limited to, the failure to timely make payments as required under the Deed of Trust and the Promissory Note secured thereby, and, therefore, Applicant has elected to accelerate the entire indebtedness.

The Motion requests a Court Order authorizing the Public Trustee to sell the real property situated in Weld County, State of Colorado, more particularly described as follows:

Lot 15, Block 3, Dos Rios Estates Second Filing, County of Weld, State of Colorado.

Property address (for information only):

50 Coyote Trail
Greeley, CO 80634

If you dispute the default or other facts claimed by Applicant to justify this foreclosure, or if you are entitled to protection against the foreclosure under the Servicemembers Civil Relief Act of 2003, as amended, you must make a written response to the Motion, stating under oath the facts upon which you rely and attaching copies of all documents which support your position. This response must be filed with the Clerk of this Court, at 901 9th Ave., Greeley, CO 80631, on or before January 17, 2025 at 5 p.m., and a copy of the response must also be mailed or delivered on or before the same date to Timmins LLC, at 450 East 17th Avenue, Suite 210, Denver, Colorado 80203, Attn: Edward P. Timmins, Attorney for Applicant Weinberg Servicing, LLC. This is also the return address of the moving party. A copy of Rule 120 of the Colorado Rules of Civil Procedure is attached hereto as **Exhibit A**.

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 NO RESPONSE IS FILED BY JANUARY 17, 2025, THE COURT MAY AUTHORIZE THE FORECLOSURE AND PUBLIC TRUSTEE'S SALE WITHOUT FURTHER NOTICE.

If a response is filed stating grounds for opposition to the motion within the scope of this Rule as provided for in section (d), 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.

Any person who files a response may be required to pay a docket fee of \$192.00 at the time of the filing.

RESPECTFULLY SUBMITTED this 19th day of December 2024.

TIMMINS LLC

/s/Edward P. Timmins

Edward P. Timmins, #11719

Attorneys for Applicant Weinberg Servicing, LLC

Address of Applicant:

3535 Roswell Road, Ste 57

Marietta, GA 30062