

District Court Boulder County, Colorado 1777 6 th St. Boulder, CO 80302	
In the Matter of the Application of Bank of Estes Park for an Order Authorizing the Public Trustee of Boulder County, State of Colorado, to Sell Certain Real Estate under a Power of Sale Contained within a Deed of Trust (Reception No. 03581070)	▲ COURT USE ONLY ▲
John O'Brien #15183 Scott C. Sandberg #33566 Spencer Fane LLP 1700 Lincoln Street, Suite 2000 Denver, Colorado 80203 (303) 839-3800 jobrien@spencerfane.com ; ssandberg@spencerfane.com	Case Number: 2024CV31053 Div: 2
NOTICE OF RESPONSE DEADLINE	

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

The Bank of Estes Park (the “Applicant”) has filed a Motion with this Court claiming to be the owner and holder of a Home Equity Line of Credit Consumer Open-End Agreement executed by Marian Louise Boll and Michael Thomas Boll dated March 16, 2017, in the principal amount of \$227,000, as modified by a Modification Agreement dated March 31, 2020, as further modified by a Consumer Open-End Agreement Modification dated March 16, 2022, and as further modified by a Consumer Open-End Agreement Modification dated June 15, 2022 (the “Line of Credit”). The Line of Credit is secured by a deed of trust executed by Norman Thomas Boll, Marian Louise Boll and Michael Thomas Boll dated March 16, 2017, and recorded on March 17, 2017, with the Boulder County, Colorado, Recording Division at #03581070 (the “Deed of Trust”)

The Motion claims that Applicant has the right to foreclose the lien on 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 Line of Credit secured thereby and therefore the Applicant has elected to accelerate the entire indebtedness.

The Motion requests a Court Order authorizing the Public Trustee to sell the following described property situated in Boulder County, Colorado (the "Property"):

THE FOLLOWING DESCRIBED PROPERTY LOCATED IN
THE COUNTY OF BOULDER, STATE OF COLORADO:

THAT PART OF THE NORTHWEST ONE-QUARTER OF SECTION 2, TOWNSHIP 3 NORTH, RANGE 73 WEST OF THE 6TH PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 2 BEARS NORTH 58 DEGREES 25 MINUTES WEST, 749.1 FEET; THENCE SOUTH 0 DEGREES 35 MINUTES EAST, 140 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 86 DEGREES 16 MINUTES WEST, 435 FEET; THENCE SOUTH 0 DEGREES 35 MINUTES EAST, 841.34 FEET TO THE NORTH LINE OF A TRACT DESCRIBED IN DEED RECORDED AUGUST 21, 1946 IN BOOK 788 AT PAGE 437; THENCE SOUTH 82 DEGREES 40 MINUTES EAST, 227.1 FEET TO THE SOUTHWEST CORNER OF THE JADEN TRACT AS DESCRIBED IN DEED RECORDED SEPTEMBER 11, 1959 IN BOOK 1122 AT PAGE 36; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID JADEN TRACT TO A POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 2 BEARS NORTH 28 DEGREES 57 MINUTES WEST, 1082.5 FEET; THENCE SOUTH 86 DEGREES 16 MINUTES EAST, 120 FEET TO THE WEST LINE OF A TRACT DESCRIBED IN DEED RECORDED SEPTEMBER 30, 1937 IN BOOK 644 AT PAGE 351; THENCE NORTH 0 DEGREES 35 MINUTES WEST, 422 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF BOULDER, STATE OF COLORADO.

The property is located in Boulder County at 8451 Peak To Peak Highway 7, Allenspark, Colorado 80510.

Together with all rights, easements, appurtenances, royalties, mineral rights, oil and gas rights, all water and riparian rights, wells, ditches and water stock and all existing and future improvements, structures, fixtures, and replacements that may now, or at any time in the future, be part of the real estate described (all referred to as Property). This Security Instrument will remain in effect until the Secured Debts and all underlying agreements have been terminated in writing by Lender.

Any interested person who disputes, on grounds within the scope of the hearing provided for in C.R.C.P. 120(d), Applicant's right to an order authorizing sale may file and serve a response to the Motion, as provided in C.R.C.P. 120(c). 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.

This response must be filed with the Clerk of this Court, at District Court, Boulder County, 1777 6th St., Boulder, CO 80302 on or before Thursday, January 16, 2025 and a copy of the response must also be mailed or delivered on or before the same date to John O'Brien, Spencer Fane LLP, 1700 Lincoln Street, Suite 2000, Denver, Colorado 80203-4554.

A COPY OF C.R.C.P. 120 IS ATTACHED TO THIS NOTICE.

If a response is filed stating grounds for opposition to the Motion within the scope of Rule 120(d), the Court shall set the matter for hearing at a later date. The Clerk of the Court shall clear available 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 NO RESPONSE IS FILED BY THURSDAY, JANUARY 16, 2025, AND IF THE COURT IS SATISFIED THAT VENUE IS PROPER AND APPLICANT IS ENTITLED TO AN ORDER AUTHORIZING SALE, THE COURT SHALL FORTHWITH ENTER AN ORDER AUTHORIZING SALE.

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 the lender or servicer of this mortgage has violated the requirements for a single point of contact in section 38-38-103.1, Colorado Revised Statutes, or the prohibition on dual tracking in section 38-38-103.2, Colorado Revised Statutes, you may file a complaint with the Colorado Attorney General, the Federal Consumer Financial Protection Bureau, or both, at:

Office of the Attorney General Ralph L. Carr Colorado Judicial Center 1300 Broadway, 10th Floor Denver, CO 80203 Phone: (800) 222-4444 www.coloradoattorneygeneral.gov	Consumer Financial Protection Bureau P.O. Box 4503 Iowa City, IA 52244 Phone: (855) 411-2372 www.consumerfinance.gov
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THE FILING OF A COMPLAINT WILL NOT STOP THE FORECLOSURE PROCESS.

Dated December 26, 2024.

Respectfully submitted,

SPENCER FANE LLP

/s/John O'Brien

John O'Brien #15183

Scott C. Sandberg #33566

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Attorneys for Bank of Estes Park

Mailing Address of Applicant:

Bank of Estes Park
255 Park Lane
Estes Park, CO 80517

A copy of C.R.C.P. 120 is attached to this Notice.

THIS COMMUNICATION CONCERNS A DEBT WHICH SPENCER FANE LLP IS ATTEMPTING TO COLLECT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

IMPORTANT NOTICE: THE NOTICE AND MOTION IN THIS MATTER ARE BEING FILED SIMULTANEOUSLY WITH THE MAILING OF THIS NOTICE. YOU MAY OBTAIN THE COURT'S CASE/CIVIL ACTION NUMBER BY CONTACTING THE COURT OR OUR OFFICE.

TO THE EXTENT YOUR OBLIGATION HAS BEEN DISCHARGED OR IS SUBJECT TO THE AUTOMATIC STAY IN A BANKRUPTCY PROCEEDING, THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE A DEMAND FOR PAYMENT OR AN ATTEMPT TO COLLECT INDEBTEDNESS AS YOUR PERSONAL OBLIGATION. IF YOU ARE REPRESENTED BY AN ATTORNEY, PLEASE PROVIDE US WITH THE ATTORNEY'S NAME, ADDRESS AND TELEPHONE NUMBER.

CERTIFICATE OF MAILING

I hereby certify that on December 26, 2024 a true and correct copy of the foregoing was placed in the U.S. mail, first class postage prepaid, addressed to the following:

John O'Brien
Spencer Fane LLP
1700 Lincoln Street, Suite 2000
Denver, CO 80203

Anita L. Nissly
Spencer Fane LLP
1700 Lincoln Street, Suite 2000
Denver, CO 80203

Dwight Pfeiffer
Chief Credit Officer
Bank of Estes Park
PO Box 2390
255 Park Lane
Estes Park, CO 80517

8451 Peak To Peak Highway 7
Allenspark, CO 80510

Occupant
8451 Peak To Peak Highway 7
Allenspark, CO 80510

Tenant
8451 Peak To Peak Highway 7
Allenspark, CO 80510

Marian Louise Boll
8401 South Kolb Road, Unit 200
Tuscan, AZ 85756

Michael Thomas Boll
2820 Lone Street
Sacramento, CA 95821

Norman Boll
8401 South Kolb Road
Tuscan, AZ 85756

Norman Boll
2311 Pine Meadow Rd.
Estes Park, CO 80517

Loretta Marie Cooper
8451 Peak To Peak Highway 7
Allenspark, CO 80510

Kevin Bruce Cooper
8451 Peak To Peak Highway 7
Allenspark, CO 80510

Christine Ann Rusch
8451 Peak To Peak Highway 7
Allenspark, CO 80510

David K. Bailey
390 Interlocken Crescent #350
Broomfield, CO 80021

David W. Knapp
Chief Title Officer
Land Title Guarantee Company
5975 Greenwood Plaza Blvd.
Greenwood Village, CO 80111

Some Beach, LLC
895 Carr St.
Lakewood, CO 80214

Mortgage Electronic Registration Systems, Inc.
P.O. Box 2026
Flint, MI 48501-2026

MERS
P.O. Box 2026
Flint, MI 48501-2026

Specialized Loan Servicing LLC
601 Office Center Drive, Suite 100
Fort Washington, PA 19034

Specialized Loan Servicing LLC
8742 Lucent Blvd.
Suite 300
Highlands Ranch, CO 80129

Johnston Sanitation Services
Attn: Evan Welting
33429 County Road 33
Greeley, CO 80631

Johnston Sanitation Services
P.O. Box 7816
Loveland, CO 80537

Envoy Mortgage, LTD
5100 Westheimer Rd.
Ste. 320
Houston, TX 77056

Ace Roofing and Construction
1795 W. Yale
Denver, CO 80110

/s/Anita L. Nissly

Anita L. Nissly