

DISTRICT COURT, MONTEZUMA COUNTY, COLORADO Court Address: 109 W. Main, Room 210 Cortez, CO 813213190	DATE FILED: June 21, 2013 6:13 PM
IN THE MATTER OF THE MOTION OF DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2007-NC3 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-NC3 FOR AN ORDER AUTHORIZING THE PUBLIC TRUSTEE TO SELL CERTAIN REAL ESTATE UNDER A POWER OF SALE CONTAINED WITHIN A DEED OF TRUST	▲ COURT USE ONLY ▲
Attorneys for Petitioner: HELLERSTEIN AND SHORE, P.C. Address: 5347 South Valentia Way, Suite 100 Greenwood Village, CO 80111 Phone Number: (303) 573-1080 Fax Number: (303) 571-1271 E-mail: dshore@shoreattys.com Atty. Reg. #: 19973 (David A. Shore)	Case Number: Division:
NOTICE OF HEARING July 12, 2013	

THE PEOPLE OF THE STATE OF COLORADO, TO THE GRANTOR(S) IN THE DEED OF TRUST DESCRIBED HEREIN, TO THE PERSONS PERSONALLY LIABLE ON THE INDEBTEDNESS SECURED THEREBY, AND TO THE CURRENT RECORD OWNER(S) OF AND THOSE PERSONS WHO APPEAR TO HAVE ACQUIRED A RECORD INTEREST IN THE REAL ESTATE THEREIN DESCRIBED SUBSEQUENT TO THE RECORDING OF SUCH DEED OF TRUST, GREETINGS:

WHEREAS, Russel E Kirkpatrick, Grantor(s) by Deed of Trust dated February 21, 2007, recorded March 8, 2007 at Reception No. 546948, Re-Recorded May 7, 2010 at Reception No. 570655 in the records of the County of Montezuma, Colorado (“Deed of Trust”), to secure to Mortgage Electronic Registration Systems, Inc., as nominee for New Century Mortgage Corporation the payment of a promissory note of even date therewith for the principal sum of \$175,000.00 (“Note”) as provided in said Deed of Trust, conveyed to the Montezuma County Public Trustee, on the terms set forth in said Note and Deed of Trust, the following described real property (“Property”) situate in said County to-wit:

LOT 23 OF VALLEY VISTA, A SUBDIVISION SITUATE IN THE N 1/2 SW 1/4 OF SECTION 4 AND THE SE 1/4 OF SECTION 5, TOWNSHIP 35 NORTH, RANGE 16 WEST, N.M.P.M., AS PER THE PLAT OF RECORD IN THE OFFICE OF THE CLERK AND RECORDER, COUNTY OF MONTEZUMA, STATE OF COLORADO. TOGETHER WITH FIVE (5) SHARES OF THE CAPITAL STOCK OF VALLEY VISTA WATER COMPANY.

which has the address of **7352 County Road 22 .9, Cortez, CO 81321**

NOTICE is hereby given that DEUTSCHE BANK NATIONAL TRUST COMPANY, as trustee for the registered holders of MORGAN STANLEY ABS CAPITAL I INC. TRUST 2007-NC3 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-NC3, Petitioner herein, has filed its Motion with this Court seeking an Order of this Court authorizing a Public Trustee's sale under the power of sale contained in said Deed of Trust on the grounds that the Note secured thereby is in default for nonpayment, which default is also a default under the terms of said Deed of Trust justifying invocation of the power of sale.

NOTICE is also given that any interested party who disputes the existence of such default under the terms of said Deed of Trust and Note secured thereby, or who otherwise disputes the existence of circumstances authorizing the exercise of the power of sale contained in said Deed of Trust, or who desires to raise such other grounds for the objection to the issuance of an Order Authorizing Sale which may exist pursuant to the Servicemembers Civil Relief Act, as amended, must file a response to Petitioner's Motion for Order Authorizing Sale, verified by the oath of such person, setting forth the facts upon which such person relies and attaching copies of all documents support such person's position. Unless the Court shall otherwise order, any person filing a response to Petitioner's Motion for Order Authorizing Sale shall pay, at the time of the filing of such response, a docket fee in the amount specified by law for a defendant or respondent in a civil action under C.R.S. § 13-32-101(1)(d). Said response must be in writing and filed with the Clerk of the District Court in and for the County of Montezuma, State of Colorado, whose office is located at the court's street address set forth below, and a copy of said response also shall be served upon the Petitioner pursuant to Rule 5(b) of the Colorado Rules of Civil Procedure at the office of HELLERSTEIN AND SHORE, P.C., 5347 S. Valentia Way, Suite 100 Greenwood Village, CO 80111, telephone (303) 573-1080, not less than seven (7) days prior to the date set for hearing on Petitioner's Motion for Order Authorizing Sale unless the last such day so computed falls on a Saturday, Sunday or court-recognized legal holiday in which event the period is extended to the next succeeding day which is not a Saturday, Sunday or court-recognized legal holiday.

If this case is not filed in the County where your property is located, you have the right to ask the Court to move the Case to that County. Your request may be made as a part of your response or any paper you file with the Court at least seven days before the hearing.

Be advised that the Clerk of this Court has set the hearing at the time and place set forth below when and where any interested person may appear if they so desire, with or without an attorney.

Date and Time of Hearing: **July 12, 2013 at 8:30 am**

Place of Hearing: **District Court of Montezuma County**
109 W. Main, Room 210
Cortez, CO 813213190

IF NO RESPONSE IS FILED BY July 5, 2013 THE COURT MAY WITHOUT ANY HEARING AUTHORIZE THE FORECLOSURE AND PUBLIC TRUSTEE'S SALE WITHOUT FURTHER NOTICE.

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

DATED: June 19, 2013

Hellerstein and Shore, P.C.

*Original signature on file at offices of
Hellerstein and Shore, P.C.*

/S/ David A Shore

David A. Shore, Registration No. 19973
Attorney for DEUTSCHE BANK
NATIONAL TRUST COMPANY, as
trustee for the registered holders of
MORGAN STANLEY ABS CAPITAL I
INC. TRUST 2007-NC3 MORTGAGE
PASS-THROUGH CERTIFICATES,
SERIES 2007-NC3

Kirkpatrick / 13-00030SH

Petitioners Address: 12650 Ingenuity Drive
Orlando, FL 32826

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