

DISTRICT COURT, MORGAN COUNTY, COLORADO 400 WARNER STREET, FORT MORGAN, CO 80701	▲ Court Use Only ▲
In the Matter of the Motion of DEUTSCHE BANK NATIONAL TRUST COMPANY, AS INDENTURE TRUSTEE , FOR NEW CENTURY HOME EQUITY LOAN TRUST 2005-1 for an Order Authorizing the Public Trustee of MORGAN County Colorado, to Sell Certain Property Under a Power of Sale Contained in a Deed of Trust.	
Attorneys: Janeway Law Firm, P.C. 9800 S. Meridian Blvd., Suite 400 Englewood, CO 80112 Phone No: (855) 263-9295 Fax No: (303) 706-9994 Atty Reg#15592 Lynn M. Janeway (lynn@janewaylaw.com) Atty Reg#40042 David R. Doughty (david@janewaylaw.com) Atty Reg#34531 Alison L. Berry (alisonberry@janewaylaw.com)	Case No: <i>2021CV30009</i> Div: <i>C</i>
NOTICE OF RESPONSE DEADLINE	

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

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS INDENTURE TRUSTEE , FOR NEW CENTURY HOME EQUITY LOAN TRUST 2005-1 (“Moving Party”) has filed a Motion with this Court, as the holder of an evidence of debt pursuant to C.R.S. 38-38-100.3 (the “Evidence of Debt”), and deed of trust containing the power of sale in the original amount of \$93,500.00, executed by or on behalf of Grantor(s)/Borrower(s) YVONNE HENRY AND RICK W. HENRY dated DECEMBER 7, 2004 and recorded December 16, 2004 at reception number 823239 in the real property records of MORGAN County, Colorado (the “Deed of Trust”).

The Motion claims that Moving Party is entitled to foreclose the lien of the Deed of Trust and to have the property described therein sold by the Public Trustee pursuant to statute because the covenants of the Deed of Trust have been violated and/or Grounds for Acceleration of the Debt and invocation of the power of sale exist. The facts giving rise to the default include, but are not expressly limited to, the following: Borrower’s failure to make monthly installment payments due OCTOBER 1, 2020, and each month thereafter, as required under the Evidence of Debt and Deed of Trust.

The Motion requests an order authorizing the Public Trustee to sell this property at foreclosure:
SEE ATTACHED LEGAL DESCRIPTION

PARCEL ID NUMBER: 1231-032-20-001

Purported Address: 925 EDISON STREET, BRUSH, CO 80723

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, as provided in section (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.

The response shall be filed with the Clerk of this Court, at MORGAN COUNTY DISTRICT COURT, 400 Warner Street, Fort Morgan, CO 80701 and served on Janeway Law Firm, P.C., 9800 S. Meridian Blvd., Suite 400, Englewood, CO 80112, fax: (303) 706-9994, not later than APRIL 21, 2021. The response shall include contact information for the respondent including, name, mailing address, telephone number, and, if applicable, an e-mail address. Service of the response on the moving party shall be made in accordance with C.R.C.P. 5(b).

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 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 APRIL 21, 2021, AND IF THE COURT IS SATISFIED THAT VENUE IS PROPER AND THE MOVING PARTY 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 (720) 508-6000
www.coloradoattorneygeneral.gov

Consumer Financial Protection Bureau
P.O. Box 4503
Iowa City, Iowa 52244
Phone (855) 411-2372.
www.consumerfinance.gov

THE FILING OF A COMPLAINT WILL NOT STOP THE FORECLOSURE PROCESS.

Notice issued: MARCH 25, 2021

Attorneys for Moving Party
JANEWAY LAW FIRM, P.C.

/s/ David R. Doughty

Lynn M. Janeway #15592

David R. Doughty #40042

Alison L. Berry #34531

JLF# 16-011059

Mailing Address of Moving Party: C/O CARRINGTON MORTGAGE SERVICES, LLC 1600
SOUTH DOUGLASS ROAD, SUITE 200-A, ANAHEIM, CA 92806

The notice and motion are being filed contemporaneously with the service of this notice. You
may obtain the court's case/civil action number by contacting the court or our office.

**THIS FIRM IS DEEMED TO BE A DEBT COLLECTOR ATTEMPTING TO COLLECT
A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT
PURPOSE. IF YOU ARE IN BANKRUPTCY OR THIS DEBT HAS BEEN
DISCHARGED IN BANKRUPTCY, THE COLLECTION ACTION DESCRIBED IN
THIS NOTICE SHALL BE AGAINST THE REAL PROPERTY THAT SECURES THE
DEBT AND NOT AGAINST YOU PERSONALLY.**

PT # 2021-003

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