

DISTRICT COURT, COUNTY OF SAN MIGUEL, STATE OF COLORADO

CIVIL ACTION NO. 2017CV030039

SHERIFF'S SALE NO. 18-067

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

HABITAT FORT HUMANTIY OF THE SAN JUANS

Plaintiff/Judgment Creditor,

v.

DONA LONG, now known as DONA L. MURPHY; BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY; TOWN OF TELLURIDE; TOWN OF MOUNTAIN VILLAGE; TOWN OF NORWOOD; A-1 COLLECTION AGENCY LLC; AND JANICE M. STOUT, IN HER CAPACITY AS THE SAN MIGUEL COUNTY PUBLIC TRUSTEE,

Defendants.

Under an Order of Default Judgment, Decree of Foreclosure, and Order for Sale entered on April 3, 2018, in the above-entitled action, I am ordered to sell certain real property as follows:

Original Lienee:	Dona Long
Original Lienor:	Habitat for Humanity of Telluride Region, Inc.
Current Holder of Evidence of Debt:	Habitat for Humanity of the San Juans
Date of Lien Being Foreclosed:	August 11, 2014
Date of Recording of Lien Being Foreclosed:	September 4, 2014
County of Recording:	San Miguel
Reception No.:	434371
Original Principal Balance of Secured Indebtedness:	\$118,000.00
Current Outstanding Principal Balance:	\$115,396.43
Amount of Judgment Entered April 3, 2018	\$115,396.43
Description of Property Being Foreclosed:	

Lot 1, Final Plat and P.U.D. for Pine Street Gardens, Phase A, a Habitat for Humanity Neighborhood, Recorded August 8, 2008, in Plat Book 1 at Page 3980, at Reception No. 403183,

County of San Miguel, State of Colorado

Also known as 1510 Naturita Street, Norwood, CO 81423 (the Property)

THE PROPERTY BEING FORECLOSED AND DESCRIBED HEREIN IS ALL OF THE PROPERTY CURRENTLY ENCUMBERED BY THE LIEN.

THE LIEN BEING FORECLOSED MAY NOT BE A FIRST LIEN.

The covenant that has been violated is the failure to make payments on said indebtedness when the same were due and owing.

NOTICE OF SALE

THEREFORE, NOTICE IS HEREBY GIVEN that I shall offer for public sale to the highest qualified bidder, for cash, at public auction, all the right, title and interest of the Defendants in said property **on July 11, 2018, at 10 o'clock, a.m., on the front steps of the San Miguel County Court house, 305 W Colorado Ave, Telluride, San Miguel County, Colorado**, and to apply the proceeds as directed in the Order of Default Judgment, Decree of Foreclosure, and Order of Sale; the amount of the judgment entered against Defendant in the above Default Judgment and Decree of Foreclosure is \$115,396.43, plus all fees, costs and expenses incurred in connection with the sale.

PLEASE FURTHER NOTE THAT THE PROPERTY IS SUBJECT TO A RESALE AGREEMENT, AND THEREFORE ANY PURCHASER AT THE SHERIFF'S SALE, OTHER THAN THE JUDGMENT CREDITOR, MUST MEET THE FOLLOWING ELIGIBILITY REQUIREMENTS AS SET FORTH IN THE RESALE AGREEMENT RECORDED AT RECEPTION NO. 434372 OF THE SAN MIGUEL COUNTY REAL ESTATE RECORDS:

- 1. PURCHASER MUST BE A FIRST-TIME HOMEBUYER, MEANING A HOMEBUYER WHO HAS NOT HAD AN OWNERSHIP INTEREST IN REAL ESATE AT ANY TIME DURING THE PREVIOUS THREE (3) YEARS;**
- 2. PURCHASER MUST WARRANT THAT HE OR SHE WILL OCCUPY THE PREMISES AS HIS OR HER PRINCIPAL RESIDENCE;**
- 3. PURCHASE MUST WARRANT THAT HE OR SHE SHALL NOT RENT OR LEASE THE PREMISES; AND**
- 4. PURCHASER MUST WARRANT THAT AT THE TIME OF HIS OR HER QUALIFICATION, THE COMBINED MAXIMUM INCOME FOR ALL HOUSEHOLD MEMBERS OF THE PURCHASER DOES NOT EXCEED FIFTY PERCENT (50%) OF THE MEDIAN YEARLY INCOME ADJUSTED FOR FAMILY SIZE FOR A FAMILY IN SAN MIGUEL COUNTY AS PUBLISHED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FROM TIME TO TIME, OR SUCH OTHER INCOME LIMIT AS HABITAT FOR HUMANITY OF THE SAN JUANS, THE COUNTY**

OF SAN MIGUEL, OR THE TOWNS OF TELLURIDE, MOUNTAIN VILLAGE, AND NORWOOD MAY DETERMINE. IN THE EVENT SUCH INCOME DETERMINATION IS NO LONGER PUBLISHED, OR HAS NOT BEEN UPATED FOR A PERIOD OF AT LEAST EIGHTEEN (18) MONTHS, HABITAT, THE TOWNS OR THE COUNTY MAY USE OR DEVELOP SUCH OTHER REASONABLE METHOD AS THEY MAY CHOOSE IN ORDER TO DETERMINE THE INCOME FOR FAMILIES IN THE COUNTY AT THE MEDIAN YEARLY INCOME FOR THE COUNTY ADJUSTED FOR FAMILY SIZE; IN SUCH EVENT, PURCHASER MUST WARRANT THAT THE COMBINED MAXIMUM INCOME FOR ALL HOUSEHOLD MEMBERS OF THE PURCHASER DOES NOT EXCEED THE INCOME SO ESTABLISHED.

TO SEE THE CURRENT INCOME QUALIFICATIONS, GO TO <https://buildinglives.org/san-miguel-county-eligibility-criteria/> OR CALL DEIDRE BECKER AT HABITAT FOR THE HUMANITY OF THE SAN JUANS AT 970-252-9303 x 9.

NOTICE OF RIGHTS

YOU MAY HAVE AN INTEREST IN THE REAL PROPERTY BEING FORECLOSED, OR HAVE CERTAIN RIGHTS, OR SUFFER CERTAIN LIABILITIES PURSUANT TO COLORADO LAW AS A RESULT OF SAID FORECLOSURE AND SALE. YOU MAY HAVE THE RIGHT TO REDEEM SAID REAL PROPRETY OR YOU MAY HAVE THE RIGHT TO CURE A DEFAULT UNDER THE LIENT BEING FORECLOSED. COLORADO STATUTES MAY AFFECT YOUR PROPERTY RIGHTS IN RELATION TO THIS PROCEEDING. YOU MAY WISH TO SEEK THE ADVICE OF YOUR OWN PRIVATE ATTORNEY CONCERNING YOUR RIGHTS IN RELATION TO THIS FORECLOSURE SALE;

IF THE SALE DATE IS CONTINUED TO A LATER DATE, THE DEADLINE TO FILE A NOTICE OF INTENT TO CURE BY THOSE PARTIES ENTITLED TO CURE MAY ALSO BE EXTENDED;

If the borrower believes that a lender or servicer has violated the requirements for a single point of contact in section 38-38-103.1 or the prohibition on dual tracking in section 38-38-103.2, the borrower may file a complaint with the Colorado attorney general, the CFPB, or both, but the filing of a complaint will not stop the foreclosure process.


COLORADO ATTORNEY GENERAL
1300 BROADWAY, 10TH FLOOR
DENVER, CO 80203
(800)222-4444
www.coloradoattorneygeneral.gov

FEDERAL CONSUMER FINANCIAL PROTECTION BUREAU
PO BOX 4503
IOWA CITY, IA 52244
(855)411-2372
www.consumerfinance.gov

The name, address and telephone number of the attorney representing the holder of the evidence of debt is as follows: Carol A. Viner, Masters & Viner, P.C., 152 Colorado Avenue, Montrose, CO 81401; 970-249-2622.

DATED this ____1st____ day of May, 2018, at Telluride, San Miguel County, Colorado.

SHERIFF IN AND FOR THE COUNTY OF SAN
MIGUEL, COLORADO

Signed: 

William S. Masters

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**THE LAW FIRM OF MASTERS & VINER, P.C., IS ACTING AS A DEBT COLLECTOR AND ATTEMPTING TO
COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**