

<b>DISTRICT COURT, BOULDER COUNTY, COLORADO</b> Boulder County Justice Center, 1777 6 <sup>th</sup> Street, Boulder, CO 80302	DATE FILED: June 5, 2024 11:34 AM
In the Matter of the Application of First Interstate Bank for an Order Authorizing the Public Trustee of the County of Boulder, State of Colorado, to Sell Certain Property Under a Power of Sale Contained in a Deed of Trust granted by 2150 Folsom, LLC.	▲ <b>COURT USE ONLY</b> ▲
Edward J. Adkins, Atty. Reg. #27858 Armstrong Teasdale LLP 4643 South Ulster Street, Suite 800 Denver, Colorado 80237 Phone Number: (720) 722-7192 Facsimile Number: (720) 200-0679 Email: <a href="mailto:eadkins@atllp.com">eadkins@atllp.com</a>	Case Number: <a href="#">2024CV30493</a>  Division: <a href="#">2</a>
<p style="text-align: center;"><b>NOTICE OF RESPONSE DEADLINE JUNE 28, 2024</b></p>	

TO: The grantors in the Deed of Trust described herein, the current record holders, any other persons personally liable, and to those persons who appear to have acquired a record interest in the real property described in the Deed of Trust subsequent to the recording of such Deed of Trust, and prior to the recording of the Notice of Election and Demand for Sale,

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

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 RESPONSE DEADLINE UNLESS THE REQUEST WAS INCLUDED IN YOUR RESPONSE.

1. First Interstate (“Applicant”) has filed a Motion with this Court, claiming to be the owner and holder of a promissory note (the “Evidence of Debt”) executed by 2150 Folsom, LLC dated November 8, 2021, in the original principal amount of \$9,720,000.00, secured by a deed of trust executed by 2150 Folsom, LLC (“Grantor”) dated November 8, 2021, recorded November 8, 2021, at Reception No. 03926844, in the records of the County of Boulder, State of Colorado (the “Deed of Trust”).

2. 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 pay real estate taxes as required under the Deed of Trust and the Evidence of Debt secured thereby.

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

Condominium Units 2110 and 2150, The Flatirons Vista Condominiums, according to the Condominium Map thereof recorded in the records of the Clerk and Recorder of Boulder County, Colorado on June 20, 2023 at Reception No. 04011258 and as defined and described in the Condominium Declaration of The Flatirons Vista Condominiums recorded in the records of the Clerk and Recorder of Boulder County, Colorado on June 23, 2023 at Reception No. 04011257.

Purported address: 2110 and 2150 Folsom Street, Boulder, Colorado 80302.

4. 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, 50 App. U.S.C. § 501 *et seq.*, 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 Boulder County Justice Center, 1777 6<sup>th</sup> Street, Boulder, CO 80302, on or before June 28, 2024, and a copy of the response must also be mailed or delivered on or before the same date to Armstrong Teasdale LLP, 4643 South Ulster Street, Suite 800, Denver, Colorado 80237, Attn: Edward J. Adkins. In some cases, a docket fee may be required.

**IF NO RESPONSE IS FILED BY JUNE 28, 2024 THE COURT MAY, WITHOUT ANY HEARING, AUTHORIZE THE FORECLOSURE AND PUBLIC TRUSTEE'S SALE WITHOUT FURTHER NOTICE.**

**A COPY OF C.R.C.P. 120 IS INCLUDED WITH THIS NOTICE.**

DATED this 5<sup>th</sup> day of June, 2024.

Armstrong Teasdale LLP

By: /s/ Edward J. Adkins  
Edward J. Adkins

Attorneys for First Interstate Bank

Address of Applicant:  
First Interstate Bank  
c/o Michael Phelps  
9290 West Dodge Road, Suite 401  
Omaha, NE 68114

Boulder County  
Public Trustee Foreclosure No. 24-28426