

CORRECTIVE AFFIDAVIT RE: SCRIVENER'S ERROR PURSUANT TO C.R.S §38-35-109(5)

I, Elizabeth S. Marcus, Esq., being first duly sworn upon oath under penalty of perjury, states and avers as follows:

1. I am an Attorney at Castle Stawiarski, LLC. I have personal knowledge of and can testify in a court of competent jurisdiction regarding the facts set forth herein.
2. The legal description of the land affected hereby is the following:

LOT 36, BLOCK 1, RAMPART STATION FILING NO. 1, AMENDMENT NO. 2, COUNTY OF DOUGLAS, STATE OF COLORADO.
3. The record owner of the land affected hereby is:

Robert F. Kerner and Laura L. Kerner
4. The instrument affecting the land which contains a Scrivener's Error:

The Deed of Trust dated December 27, 2004 and recorded on January 19, 2005, in the County of Douglas, at Reception No. 2005005947 for the benefit of Mortgage Electronic Registration Systems, Inc. as nominee for America's Wholesale Lender.
5. The title affected may be with respect to any party taking an interest junior to the Deed of Trust which contains the scrivener's error.
6. The Scrivener's Error, which is to be corrected by this affidavit:

Said Deed of Trust inadvertently states the legal description as:


LOT 36, **BLOCI** 1, RAMPART STATION FILING NO. 1, AMENDMENT NO. 2, COUNTY OF DOUGLAS, STATE OF COLORADO.

The correct legal description is:

LOT 36, **BLOCK** 1, RAMPART STATION FILING NO. 1, AMENDMENT NO. 2, COUNTY OF DOUGLAS, STATE OF COLORADO.

7. Affiant herein acknowledges that she is, by this instrument, testifying under penalty of perjury.

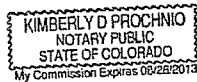
Done under penalty of perjury this 29th day of March, 2012.

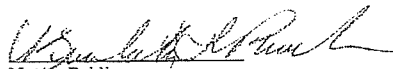

Elizabeth S. Marcus, Esq.

STATE OF COLORADO)
) ss.
COUNTY OF DENVER)

Subscribed and sworn to before me this 29th day of March, 2012, by Elizabeth S. Marcus, Esq., for Castle Stawiarski, LLC.

Witness my hand and official seal.
My commission expires: August 2012




Notary Public

[Seal]

When recorded return to:
Castle Stawiarski, LLC
999 18th Street, Suite 2301
Denver, CO 80202
CS File: 11-15788 // C.Hinton

**NOTICE OF ELECTION AND DEMAND FOR SALE
BY PUBLIC TRUSTEE**

No. _____ **2012-0533** _____

TO THE PUBLIC TRUSTEE IN THE COUNTY OF DOUGLAS, COLORADO

The covenants of the following described Deed of Trust have been violated:

Original Grantor(s): Robert F Kerner and Laura L Kerner
Original Beneficiary: Mortgage Electronic Registration Systems, Inc., as nominee for America's Wholesale Lender
Holder of Evidence of Debt: THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2005-1
Date of Deed of Trust: December 27, 2004
Recording Date of Deed of Trust: January 19, 2005
Original Principal Amount of Evidence of Debt: \$256,000.00
Outstanding Principal Amount of Evidence of Debt as of the date hereof: \$244,265.53
County of Recording: Douglas
Book and Page No. or Reception No. of Recorded Deed of Trust: at Reception No. 2005005947

Legal Description of Real Property:

LOT 36, BLOCK 1, RAMPART STATION FILING NO. 1, AMENDMENT NO. 2, COUNTY OF DOUGLAS, STATE OF COLORADO.

***SCRIVENER'S ERROR AFFIDAVIT RECORDED ON MARCH 30, 2012 AT RECEPTION NO. 2012023419 TO CORRECT THE LEGAL DESCRIPTION ERROR.

WHICH HAS THE ADDRESS OF 11609 Wilson Circle, Parker, CO 80134-7137

THE PROPERTY DESCRIBED HEREIN IS ALL OF THE PROPERTY ENCUMBERED BY THE LIEN OF THE DEED OF TRUST.

THE LIEN FORECLOSED MAY NOT BE A FIRST LIEN.

The covenants of said Deed of Trust have been violated as follows: Failure to pay principal and interest when due together with all other payments provided for in the Evidence of Debt secured by the Deed of Trust and other violations of the terms thereof.

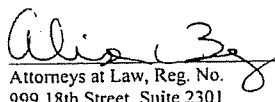
The undersigned therefore declares a violation of the covenants of said Deed of Trust. Demand is hereby made that you as Public Trustee named in said Deed of Trust, give notice, advertise for sale and sell said property for the purpose of paying all or part of the indebtedness thereby secured and the expense of making said sale, all as provided by law and the terms of said Deed of Trust.

CASTLE STAWIARSKI, LLC MAY BE ACTING AS A DEBT COLLECTOR AND IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Dated: April 5, 2012.

THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC., ASSET-BACKED CERTIFICATES, SERIES 2005-1, Holder of Evidence of Debt, as the term is defined in C.R.S. 38-38-100.3(10)

By: Castle Stawiarski, LLC
Attorneys for Holder of Evidence of Debt

By: 
Attorneys at Law, Reg. No. _____
999 18th Street, Suite 2301
Denver, CO 80202
(303) 865-1400

Alison L. Berry
#34531

Kerner / 11-15788
CONV

Result Row: ◀ Prev 560 of 567 Next ▶

Instrument # ◀ Prev 2012023419 Next ▶

Document Type:	(AFFI) AFFIDAVIT
Record Date :	3/30/2012 10:11:01 AM
SIGNER(S):	CASTLE STAWIARSKI LLC
OTHER PARTIES:	KERNER ROBERT F KERNER LAURA L AMERICAS WHOLESale LENDER MERS INC
Book Type:	OPR
# of Pages:	1
Legal:	SUB RAMPART STATION F 1 L 36 BL 1
Case Number:	2012023419
Future Related Docs:	2012028524
Previous Related Docs:	2005005947

Note: Empty fields are not shown
[Direct External Link to this Document](#)