

ADAMS COUNTY PUBLIC TRUSTEE

Electronic Foreclosure Documents Policy

Pursuant to CR.S. 38-38-112, as amended, any document or record related to a foreclosure may be accepted by the Public Trustee in an electronic format if the attorney is on ACH. Any document filed electronically with the Public Trustee **must** be signed with a legally-acceptable signature presenting an "electronic signed image" not merely stamped "signed electronically"

If the attorney's firm is submitting documents to the Public Trustee's office via GTS or PUSH, this office **MUST** receive an emailed notification to our eforeclosures@adcogov.org address advising us there is a document(s) in the doc queue to be accepted. If no email notification is received advising this office of a document in the doc queue, the document is not considered delivered until such email notification is received by the Public Trustee.

Any document may be made available to the Public by the Public Trustee in an electronic format. Also, the Public Trustee shall establish and uniformly apply policies determining whether and the extent to which the Public Trustee shall accept documents or records in electronic format. If a paper file is submitted to the Public Trustee, funds must be presented at the time of filing.

Therefore, it is the policy of the Adams County Public Trustee to accept the following foreclosure documents in electronic (TIF image) form:

1. A **Notice of Election and Demand** for sale signed and acknowledged by the holder of the evidence of debt or signed by the attorney for the holder
2. A **Copy or Electronic Image** (TIF) of the original **Evidence of Debt, with Certification and Indemnification** if being filed by a "qualified holder" of the original evidence of debt
3. A **Copy or Electronic Image** (TIF) with Clerk and Recorder's indicia of the original **Deed of Trust**, or a copy of the Deed of Trust, with certification signed by the "qualified holder" or the attorney for the holder
4. **If the Evidence of Debt and/or the Deed of Trust are ORIGINALS that are NOT certified or indemnified**, they will **NOT** be accepted as electronic images-original hard copies must be delivered to the Public Trustee's office.
5. An **Assignment(s) or Allonge(s)**
6. **If a Modification and/or a Partial Release is RECORDED but are NOT certified or indemnified**, they will **NOT** be accepted as electronic images
7. All **Mailing Lists** and **Amended Mailing Lists**
8. The **Combined Notice of Rights and of Sale** (this is not a required document in Adams County)
9. A **Statement of Ownership** noting the current owner(s) name and address
10. A **Written Statement** from the city, town or city and county clerk and/or zoning authority for purposes of determining whether a property is agricultural or non-agricultural
11. A **Written Statement** from the County Assessor for purposes of determining whether a property is agricultural or non-agricultural
12. **Deferment** documents
13. **Scrivener's Error Affidavit**
14. **Court Orders**
15. **Monetary Judgment** in lieu of an evidence of debt
16. **Power of Attorney**
17. **Cover Letter** from an attorney
18. **Affirmation of Omitted Party**
19. **Publication Affidavit**
20. **Attorney Name Change**

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22. **Lender Mergers or FDIC Closing of Lenders**
23. **Substitution of Counsel Notice**
24. **Notice of Intent to Cure**
25. **Cure Statement**
26. **Withdrawal of Election and Demand**
27. The **Initial Bid** and an **Amended Bid**
28. **Transfer of Debt**
29. **Order Authorizing Sale** indicating signature by the Court and date filed
30. Requests for **Continuance of Sale**
31. **Notice of Rescission of Sale**
32. **Notice of Intent to Redeem** by a lienor
33. A **Redemption Statement**
34. Copies of the **Recorded Instruments** (with Recorder's indicia) evidencing the Junior Lien
35. A **Written Authorization** from the holder of the certificate of purchase allowing for a "short redemption"
36. A **Certificate of Lienor** stating the amount necessary to redeem by the following junior lien holder
37. An Assignment of a **Certificate of Purchase**
38. An Assignment of a **Certificate of Redemption**
39. Request for **Public Trustee's Confirmation Deed**
40. An **Excess Funds Claim**
41. **Notice of Bankruptcy** and/or **Bankruptcy Relief**
42. **Temporary Restraining Order** or **Preliminary Injunction** indicating a date and signature by the court

The Public Trustee of Adams County *shall not require* the use of an electronic format for any purpose.