

RECORDING REQUESTED BY:  
U.S. BANK NATIONAL ASSOCIATION  
WHEN RECORDED MAIL DOCUMENT TO:  
Global Corporate Trust Services 190 S  
LaSalle St 7<sup>th</sup> Floor Chicago, IL 60603

14024179 B: 11376 P: 7037 Total Pages: 3  
10/03/2022 09:38 AM By: kkennington Fees: \$40.00  
Rashelle Hobbs, Recorder, Salt Lake County, Utah  
Return To: DEEDS.COM, INC.  
P.O. BOX 5264FAIRLAWN, OH 44334

Parcel ID #28-09-178-009

NOTICE TO ALL INTERESTED PARTIES

**NOTICE OF CANCELLATION OF FORECLOSURE  
SALE AND DEMAND FOR RESCISSION BETWEEN  
PARTIES**

This notice is in regards and in the interest of a certain Deed of Trust dated July 27th, 2004, executed by Michelle A. Earl and James P. Earl as Trustors, and First American Title of Utah as Trustee, file for record on July 30, 2004,  
Property Address: 1630 E. Ridgemark Drive, Sandy, Utah, 84092

**ARTICLE I  
RECITALS AND DEFINITIONS**

1.1 Deed of Trust dated July 27th, 2004, executed by Michelle A. Earl and James P. Earl as Trustors, to First American Title of Utah as Trustee, file for record on July 30, 2004, with recorder's entry No. 9134314 in book 9020 at page 5826, Salt Lake County, Utah, and covering real property situated in said county described as follows: *All of lot 17 Sandridge No.1, according to the official plat thereof as recorded in the office of the County Recorder of Salt Lake County in book 76-11 page 245*

1.2 The listed Beneficiary was U.S. Bank as Trustee for Structured Asset Investment Loan 2004-10.

1.3 The Borrower was not in default.

1.4 The Servicer Select Portfolio Servicing through their Attorneys Lundberg and Associates without proper authorization cause the Property to be sold at a foreclosure sale on September 30<sup>th</sup>, 2022. At the sale the property was awarded to the highest bidder at \$606,000.00.

**ARTICLE II  
FACTS OF THE NOTICE**

2.0 Select Portfolio Servicing was presented by personal Messenger to its Legal Department a

Cease-and-Desist letter, as receive by a Gina Tolman, know to be an administrator in the Legal Department.

2.1 The Cease-and-Desist letter, ordered Select Portfolio Servicing to:

*This letter is served upon you due to continued claims that you are collecting and foreclosing in the name of U.S. Bank as beneficiary for the property 1630 E Ridgemark Drive, Sandy Utah. U.S. Bank has never had an interest in this property. You were informed that we are not party to any legal action or foreclosure. Your company has repeatedly signed and recorded documents as Attorney in Fact without a signed Power of Attorney document relating to the above-mentioned property. Your company and your legal representatives have exposed U.S. Bank to potential civil lawsuits and criminal charges. The Letter was signed by an Attorney for U.S. Bank.*

2.2 Despite this order and ignoring the law, Select Portfolio Servicing and Lundberg and Associates illegally proceeded with the foreclosure sale.

2.3 Select Portfolio Servicing, acting as attorney in fact, assigned Lundberg and Associates as substitute Trustee in 2019 and 2021. Both assignments were recorded with the Salt Lake County Recorder.

2.4 These assignments are void, because Select Portfolio Servicing at the time of signing did not have Power of Attorney for U.S. Bank relating to the above-mentioned Deed of Trust. No Power of Attorney was recorded with the Salt Lake County Recorder.

2.5 U.S. Bank recorded a correction to an assignment file by E Title -Lundberg and Associates in 2015. That assignment released all rights to Nationstar Mortgage LLC Master Servicing. Nationstar Mortgage LLC had acquired the servicing rights to the Loan by a purchase and acquisition of Aurora Bank in 2012. Select Portfolio Servicing claims it became Servicer of the loan in 2017.

2.6 Nationstar Mortgage review the Loan and determined that it was satisfied. The loan was conveyed back to the Trustors Michelle A. Earl and James P. Earl. on May 4<sup>th</sup>, 2022, where it remains undisputed today.

2.7 Select Portfolio Servicing through its representatives maintains that it will pay U.S. Bank the proceeds from the foreclosure's sale.

### ARTICLE III UNDERSTANDING OF DEMANDS

3.1 U.S. Bank cannot legally accept the funds from the sale of the Property because as we have always maintained, *WE ARE NOT THE BENEFICIARIES OF THE LOAN AND HAVE NEVER HAD AN INTEREST IN THE ABOVE-MENTIONED PROPERTY.*

3.2 Select Portfolio Servicing and Lundberg and Associates are not authorized to enter into any agreement or contract naming U.S. Bank in any capacity.

3.4 Any agreements or contracts signed or executed since the unauthorized foreclosure must be rescinded by both parties as they are void.

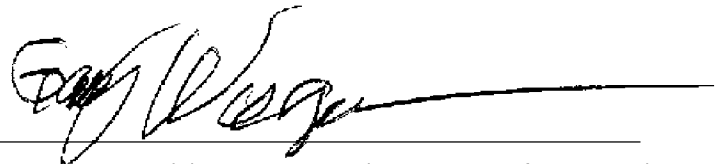
3.5 U.S. Bank orders and demands compliance with this notice and all aspects within. It also warns any parties not to again consider any agreement or contracts related to the Property 1630 E Ridgemark Drive, Sandy Utah.

3.6 Nationstar Mortgage LLC is the legal servicer as registered with the SEC. They conveyed the loan to the trustors.

3.7 To protect U.S. Bank and its interests, all documents related to this matter will be forwarded to the FBI for review concerning possible slander of title.

Gary Wagner  
Senior Vice President & Associate General Counsel U.S. BANK

Dated September 30, 2022



Senior Vice President & Associate General Counsel  
Gary Wagner

STATE OF ILLINOIS) SS  
COUNTY OF COOK

On September 30, 2022, before me, Abigail Rivera, Notary Republic, personally appeared before me:

Gary Wagner Senior Vice President and Associate General Counsel, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within instrument and acknowledged to me that he executed the same in his authorized capacity and that by his signature on the instrument the person or the entity upon behalf of which the person acted, executed the instrument.

I Certify under PENALTY OF PERJURY under the laws of the State of Illinois that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

Signature

