

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 20-CV-81205-RAR**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

COMPLETE BUSINESS SOLUTIONS  
GROUP, INC. d/b/a PAR FUNDING, et al.,

Defendants.

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**RECEIVER’S MOTION TO LIFT LITIGATION INJUNCTION TO ALLOW  
COMMENCEMENT OF PROCEEDINGS INVOLVING COLORADO FARMS LLC**

Ryan K. Stumphauzer, Esq., Court-Appointed Receiver (the “Receiver”) of the  
Receivership Entities,<sup>1</sup> by and through his undersigned counsel, hereby files this Motion to Lift

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<sup>1</sup> The “Receivership Entities” are Complete Business Solutions Group, Inc. d/b/a Par Funding (“Par Funding”); Full Spectrum Processing, Inc. (“Full Spectrum”); ABetterFinancialPlan.com LLC d/b/a A Better Financial Plan; ABFP Management Company, LLC f/k/a Pillar Life Settlement Management Company, LLC; ABFP Income Fund, LLC; ABFP Income Fund 2, L.P.; United Fidelis Group Corp.; Fidelis Financial Planning LLC; Retirement Evolution Group, LLC; RE Income Fund LLC; RE Income Fund 2 LLC; ABFP Income Fund 3, LLC; ABFP Income Fund 4, LLC; ABFP Income Fund 6, LLC; ABFP Income Fund Parallel LLC; ABFP Income Fund 2 Parallel; ABFP Income Fund 3 Parallel; ABFP Income Fund 4 Parallel; ABFP Income Fund 6 Parallel; ABFP Multi-Strategy Investment Fund LP; ABFP Multi-Strategy Investment Fund 2 LP; MK Corporate Debt Investment Company LLC; Capital Source 2000, Inc.; Fast Advance Funding LLC; Beta Abigail, LLC; New Field Ventures, LLC; Heritage Business Consulting, Inc.; Eagle Six Consultants, Inc.; 20 N. 3rd St. Ltd.; 118 Olive PA LLC; 135-137 N. 3rd St. LLC; 205 B Arch St Management LLC; 242 S. 21st St. LLC; 300 Market St. LLC; 627-629 E. Girard LLC; 715 Sansom St. LLC; 803 S. 4th Street, LLC; 861 N. 3rd St. LLC; 915-917 South 11th Street, LLC; 1250 N. 25th St LLC; 1427 Melon St. LLC; 1530 Christian St. LLC; 1635 East Passyunk LLC; 1932 Spruce St. LLC; 4633 Walnut St. LLC; 1223 N. 25th St. LLC; Liberty Eighth Avenue LLC; The LME 2017 Family Trust; Blue Valley Holdings, LLC; LWP North LLC; 500 Fairmount Avenue, LLC; Recruiting and Marketing Resources, Inc.; Contract Financing Solutions, Inc.; Stone Harbor Processing LLC; and LM Property Management LLC; and the Receivership also includes the properties located at 568 Ferndale Lane, Haverford PA 19041; 105 Rebecca Court, Paupack, PA 18451; 107 Quayside Dr., Jupiter FL 33477; 2413 Roma Drive, Philadelphia, PA 19145.

Litigation Injunction to Allow Commencement of Proceedings Involving Colorado Farms LLC (the “Motion to Lift Litigation Injunction”).

**MEMORANDUM OF LAW**

As this Court is aware through various other motions and filings (*see, e.g.*, ECF No. 872), Colorado Farms LLC (“Colorado Farms”), Colorado Homes, LLC, United by ECH LLC, and Colorado World Resorts, LLC (collectively, the “Colorado Homes Entities”) are companies that entered into merchant cash advance agreements with Par Funding. As collateral for these agreements, the Colorado Homes Entities granted Par Funding liens on their properties, including on property owned by Colorado Farms.

In an Order dated October 29, 2021 (ECF No. 897), the Court lifted the Litigation Injunction<sup>2</sup> to allow certain litigation to proceed against the Colorado Homes Entities, including two lenders seeking to foreclose on property owned by Colorado Farms in Elbert County, Colorado (the “Lender Foreclosure Actions”). In the underlying motion seeking this relief (ECF No. 872), the Receiver explained that appraisals the Receiver has reviewed reflect that the senior debt to Par Funding’s liens on Colorado Farms’ property exceeds the value of the property in its current state.

Counsel for an individual by the name of Branko Mocevic recently approached the Receiver and indicated that Branko Mocevic previously recorded eight (8) Statements of Lien against several parcels of property owned by Colorado Farms (the “Statements of Lien”). These Statements of Lien reflect that Branko Mocevic has not been paid for labor and materials he provided in connection with construction activity on the Colorado Farms properties. Copies of these Statements of Lien are attached as Composite Exhibit 1.

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<sup>2</sup> *See* Amended Order Appointing Receiver dated August 13, 2020 [ECF No. 141], at ¶¶ 32-34.

Branko Mocevic advised the Receiver that he intends to file lawsuits in Colorado to perfect and foreclose his Statements of Lien. Those lien foreclosure actions cannot proceed, however, in light of the pending Litigation Injunction. Given that the Court has already lifted the Litigation Injunction to allow the Lender Foreclosure Actions to proceed, the Receiver believes it would be appropriate to allow Mr. Moecevic to proceed with his lawsuits to foreclose his Statements of Lien that involve some of the same properties. Accordingly, the Receiver requests the Court to lift the Litigation Injunction to allow Branko Mocevic to pursue his proposed lawsuits to perfect and foreclose his Statements of Lien on the properties owned by Colorado Farms.

**LEGAL ARGUMENT IN SUPPORT OF MOTION TO LIFT**

Receivership courts generally rely on a three-factor test to adjudicate requests to lift a litigation stay injunction. These factors include:

(1) whether refusing to lift the stay genuinely preserves the status quo or whether the moving party will suffer substantial injury if not permitted to proceed; (2) the time in the course of the receivership at which the motion for relief from the stay is made; and (3) the merit of the moving party's underlying claim.

*S.E.C. v. Byers*, 592 F. Supp. 2d 532, 536 (S.D.N.Y. 2008), *aff'd*, 609 F.3d 87 (2d Cir. 2010). The three factors weigh in favor of lifting the Litigation Injunction to allow Branko Mocevic to pursue his proposed lawsuits to perfect and foreclose his Statements of Lien on the properties owned by Colorado Farms.

Regarding the first element, the Receiver has evaluated the proposed lawsuit from Branko Mocevic and, as described in the Prior Motion to Lift, the Receiver does not believe it is necessary to stay these proceedings for the purpose of maintaining the status quo. Second, the timing is appropriate in this instance to lift the Litigation Injunction. The Receiver was engaged in negotiations with the Colorado Homes Entities for more than a year, but did not receive any

payments from or reach any definitive agreement with the Colorado Homes Entities. As a result, it is appropriate to allow these actions to proceed.

Finally, the underlying claims appear to have merit. The Statements of Lien reflect that Branko Mocevic provided labor and materials in connection with construction activities on the properties owned by Colorado Farms, totaling \$10,874,000.00. Colorado law provides that the Statements of Lien “shall relate back to the time of the commencement of work under the contract between the owner and the first contractor . . .” Colo. Rev. Stat. § 38-22-106. Based on this statutory language, counsel for Branko Mocevic has indicated that the Statements of Lien are superior to the liens of the lenders that are the subject of the Lender Foreclosure Actions. The Receiver takes no position on whether Branko Mocevic is correct on this issue, but does not believe there is any reason why the Lender Foreclosure Actions, but not Mr. Mocevic’s proposed actions to foreclose on the Statements of Lien, should be permitted to proceed. Rather, the Receiver believes that these actions should be permitted to proceed simultaneously.

Accordingly, the Court should grant the Receiver’s Motion to Lift Litigation Injunction and allow Branko Mocevic to pursue his proposed lawsuits to perfect and foreclose his Statements of Lien on the properties owned by Colorado Farms. A proposed Order granting the Receiver’s Motion to Lift Litigation Injunction for the Court’s consideration is attached as Exhibit 2.

### **CONCLUSION**

WHEREFORE, the Receiver respectfully requests the Court to lift the Litigation Injunction for the limited purpose of allowing Branko Mocevic to commence his proposed lawsuits to perfect and foreclose his Statements of Lien on the properties owned by Colorado Farms.

**CERTIFICATION REGARDING PRE-FILING CONFERENCE**

The undersigned counsel has conferred with all counsel of record in this matter regarding the relief sought through this motion and certifies that: (a) the SEC does not oppose the requested relief; and (b) counsel of record for the Defendants either have not responded to the Receiver's meet-and-confer requests, or have indicated that they do not oppose or take no position with respect to the requested relief.

Dated: December 17, 2021

Respectfully Submitted,

**STUMPHAUZER FOSLID SLOMAN  
ROSS & KOLAYA, PLLC**  
Two South Biscayne Blvd., Suite 1600  
Miami, FL 33131  
Telephone: (305) 614-1400  
Facsimile: (305) 614-1425

By: /s/ Timothy A. Kolaya  
TIMOTHY A. KOLAYA  
Florida Bar No. 056140  
[tkolaya@sfslaw.com](mailto:tkolaya@sfslaw.com)

*Co-Counsel for Receiver*  
**PIETRAGALLO GORDON ALFANO  
BOSICK & RASPANTI, LLP**  
1818 Market Street, Suite 3402  
Philadelphia, PA 19103  
Telephone: (215) 320-6200  
Facsimile: (215) 981-0082

By: /s/ Gaetan J. Alfano  
GAETAN J. ALFANO  
Pennsylvania Bar No. 32971  
*(Admitted Pro Hac Vice)*  
[GJA@Pietragallo.com](mailto:GJA@Pietragallo.com)  
DOUGLAS K. ROSENBLUM  
Pennsylvania Bar No. 90989  
*(Admitted Pro Hac Vice)*  
[DKR@Pietragallo.com](mailto:DKR@Pietragallo.com)

*Co-Counsel for Receiver*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on December 17, 2021, I electronically filed the foregoing document with the clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on counsel of record via transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Timothy A. Kolaya  
TIMOTHY A. KOLAYA

# Exhibit “1”

599756 B: 808 P: 375 LIEN  
10/01/2020 11:01:54 AM Page: 1 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co

Prepared By and Return To:  
Branko Moevic  
5010 Hunt Cir  
Elizabeth CO

**STATEMENT OF LIEN**  
CRS §§ 38-22-109

The **Claimant:** (Name & Address)  
Branko Moevic  
5010 Hunt Cir  
Elizabeth CO

The **Property** to be charged with Lien:

Municipal Address:  
5370 Hunt Cir  
Elizabeth CO

The **Property Owner:** (Name & Address)  
Colorado Farms LLC  
10460 S Quebec St  
Centennial CO 80111

Legal / Other Description:  
See attached

The **Prime Contractor:** (Name & Address)  
(If Claimant is the Prime Contractor, Just Write "the Claimant." If the Claimant is not a Prime Contractor, the Statement of Lien must identify the Prime Contractor)

County of Elbert

State of Colorado

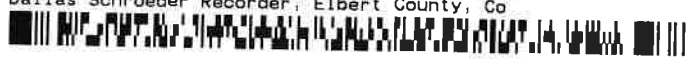
THE CLAIMANT avails itself of the provisions of CRS § 38-22-109 by filing this Statement of Lien.

- The name and address of the owner of the property being liened is above-identified as the Property Owner;
- The name and address of the person making this Statement of Lien and claiming this lien is above-identified as the Claimant. The Claimant is the party who actually furnished the material or performed the labor or services, or supplied the machinery, tools or equipment, for which this lien is claimed. The Claimant is a:

Prime Contractor     Subcontractor     Supplier  
 Laborer     Other \_\_\_\_\_



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10/01/2020 11:01:54 AM Page: 2 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co



- 3. The property being charged with the lien is above-described as the "Property." The labor, materials, services and/or equipment furnished by the Claimant has been incorporated into the Property.
- 4. If the Claimant is not the Prime Contractor, the Prime Contractor has been above-identified as the "Prime Contractor."
- 5. The indebtedness due and owing to the Claimant for said labor, materials services and/or equipment is \$ 2,750,000.00, as of the date this Statement of Lien is recorded.

SIGNATURE OF CLAIMANT, AND VERIFICATION

STATE OF Colorado  
COUNTY OF Arapahoe

I, Branko Mocevic, being of lawful age and being first duly sworn upon oath, I am a disclosed agent of the Claimant named herein, appointed for the express purposes of signing this statement of lien; that I have read the statement of lien and know the contents thereof; that to the best of my knowledge, information and belief, the same is true and correct, and made on behalf of the Claimant.

Branko Mocevic  
Agent of Claimant  
Signed by: [Signature]

Sworn to and subscribed before me, undersigned Notary Public, on this 7<sup>th</sup> day of September, 2020.

Lynne Becker  
Notary Public

LYNNE BECKER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20184011653  
MY COMMISSION EXPIRES MARCH 3, 2022

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10/01/2020 11:01:54 AM Page: 3 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co

5370 Hunt Cir.



EXHIBIT "A"

The following described property to wit:

A portion of Section 28, Township 6 South, Range 64 West of the 6th pm, County of Elbert, State of Colorado, shown and described as Parcel B1 of the hunt administrative lot line adjustment exhibit recorded on September 20, 2007 at Reception No. 488871, together with and subject to a 60.00 foot wide non-exclusive ingress-egress easement, said easement being 30.00 Feet on each side of the following described centerline; beginning at the Northeast corner of Parcel A as described in deed recorded June 22, 1999 in Book 566 at Page 524, Elbert County Records; thence N88°11'54"W along said centerline a distance 623.56 feet to a point of curve; thence along the arc of a curve to the left and along said centerline a distance of 211.28 Feet to a point of tangent, said curve has a radius of 2000.00 feet and a central angle of 06°03'10"; thence S85°44'56"W along said centerline a distance of 576.94 feet to a point of curve; thence along the arc of a curve to the right and along said centerline a distance of 393.29 feet to a point of tangent, said curve has a radius 900.00 feet and a central angle of 25°02'15"; thence N69°12'49"W along said centerline a distance of 244.14 feet to a point of curve; thence along the arc of a curve to the right and along said centerline a distance of 322.26 feet to a point of tangent, said curve has a radius of 1500.00 feet and a central angle of 12°18'34" thence N56°54'15"W along said centerline a distance of 383.10 feet to a point of curve; thence along the arc of a curve to the left and along said centerline a distance of 111.77 feet; said curve has a radius of 192.00 feet and a central angle of 33°21'13" to a point on the East right of way line of county road and to the point of terminus, and subject to a 30.00 foot easement situated in Section 28, Township 6 South, Range 64 West of the 6th P.M., Elbert County, Colorado, the centerline of which is more particularly described as follows: Commencing at the Southwest corner of Section 28 and considering the West line of said Section 28 to bear N 00°08'09"E with all bearing contained herein relative thereto, thence N 00°08'09"E along said West line a distance of 1759.78 feet; thence S 83°22'14"E a distance of 1187.97 feet; thence N 00°08'09"E a distance of 1050.19 feet to the true point of beginning of subject centerline; thence N 15°50'14"E a distance of 62.25 feet; thence N 14°14'06"E a distance of 89.84 feet; thence N 41°40'07" a distance of 71.02 feet; thence N 59°11'10"E a distance of 65.86 feet; thence N 40°06'36"E a distance of 42.73 feet; thence N 02°17'50"E a distance of 160.39 feet; thence N 04°14'22"W a distance of 132.58 feet; thence N 05°44'38"W a distance of 131.60 feet to the centerline of a 60.00 foot wide ingress-egress easement and to the point of terminus, county of Elbert, State of Colorado.

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10/01/2020 11:01:54 AM Page: 4 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co



**NOTICE OF INTENT TO LIEN**

**Notice To:**

Property Owner  
Colorado Farms LLC  
6460 S Quebec St  
Centennial CO 80111

Sent to Property Owner Via Certified Mail No:  
\_\_\_\_\_

Prime Contractor  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sent to Prime Contractor Via Certified Mail No:  
\_\_\_\_\_

Name and Mailing Address of Party Providing Notice ("Noticing Party"):

Branko Moevic  
5010 Hunt Cir Elizabeth CO

Description of Services or Materials Provided by Noticing Party:

Labor & Materials

Total Amount Owed to Notifying Party ("Debt"):

\$ 2,750,000.00

Address Where Materials Delivered ("Property"):

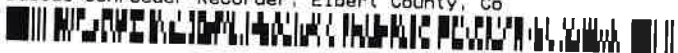
5370 Hunt Cir  
Elizabeth CO

A Statement of Lien is attached to this Notice, wherein the Noticing Party claims a mechanics lien for the materials, equipment, labor and/or services above-described, performed on a construction project at the Property.

This notice is provided to you in accordance with C.R.S. §§ 38-22-109(3). If payment is not made to the Noticing Party within ten (10) days, the Noticing Party intends to record the attached Statement of Lien in the appropriate county's recording office.

Branko Moevic  
Agent for Noticing Party  
Signed by [Signature]

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10/01/2020 11:01:54 AM Page: 5 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co



**AFFIDAVIT OF MAILING NOTICE OF INTENT TO LIEN**

Identification of Parties:

Noticing Party: <u>Branko Mocerivic</u> <u>5010 Hunt Cir Elizabeth CO</u> Hereinafter ("Claimant")	<input type="checkbox"/> Property Owner: <u>Colorado Farms LLC</u> <u>10460 S Quebec St</u> <u>Centennial CO 80111</u> <input type="checkbox"/> Prime Contractor:    
---	---

I, Branko Mocerivic, declare that on the \_\_\_ day of September, 2020, pursuant to Section 38-22-109(3) C.R.S., I served copies of the Notice of Intent to the following parties above identified:

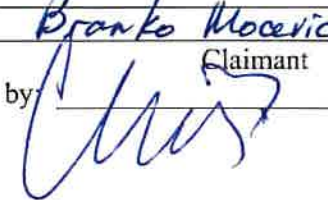
Property Owner       Prime Contractor

I served the Notice of Intent to Lien:

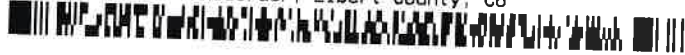
By personally delivering the notice to the identified parties;

By First Class Certified or Registered Mail service, postage prepaid, with return receipt requested, addressed to the party at the above-identified address, which is the last known address of the Property Owner and/or Prime Contractor.

I declare under penalty of perjury that the foregoing is true and correct.

Sworn to and subscribed before me, Notary Public for the State of <u>Colorado</u> and Parish / County of <u>Arapahoe</u> , on this <u>7<sup>th</sup></u> day of <u>September</u> , 20 <u>20</u> .  <u>Lynne Becker</u>	Signed by <u>Branko Mocerivic</u> Claimant 
LYNNE BECKER NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20184011653 MY COMMISSION EXPIRES MARCH 3, 2022	

599757 B: 808 P: 376 LIEN  
10/01/2020 11:01:54 AM Page: 1 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co



Prepared By and Return To:  
Branko Moevic  
5010 Hunt Cir  
Elizabeth CO

**STATEMENT OF LIEN**  
CRS §§ 38-22-109

The **Claimant:** (Name & Address)  
Branko Moevic  
5010 Hunt Cir  
Elizabeth CO

The **Property** to be charged with Lien:

Municipal Address:  
5010 Hunt Cir  
Elizabeth CO

The **Property Owner:** (Name & Address)  
Colorado Farms LLC  
6460 S Quebec St  
Centennial CO 80111

Legal / Other Description:  
See attached

The **Prime Contractor:** (Name & Address)  
(If Claimant is the Prime Contractor, Just Write "the Claimant." If the Claimant is not a Prime Contractor, the Statement of Lien must identify the Prime Contractor)

County of Elbert

State of Colorado

THE CLAIMANT avails itself of the provisions of CRS § 38-22-109 by filing this Statement of Lien.

1. The name and address of the owner of the property being liened is above-identified as the Property Owner;
2. The name and address of the person making this Statement of Lien and claiming this lien is above-identified as the Claimant. The Claimant is the party who actually furnished the material or performed the labor or services, or supplied the machinery, tools or equipment, for which this lien is claimed. The Claimant is a:

Prime Contractor     Subcontractor     Supplier  
 Laborer     Other \_\_\_\_\_

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Dallas Schroeder Recorder, Elbert County, Co



- 3. The property being charged with the lien is above-described as the "Property." The labor, materials, services and/or equipment furnished by the Claimant has been incorporated into the Property.
- 4. If the Claimant is not the Prime Contractor, the Prime Contractor has been above-identified as the "Prime Contractor."
- 5. The indebtedness due and owing to the Claimant for said labor, materials services and/or equipment is \$ 910,000.00, as of the date this Statement of Lien is recorded.

SIGNATURE OF CLAIMANT, AND VERIFICATION

STATE OF Colorado  
COUNTY OF Arapahoe

I, Branko Mocevic, being of lawful age and being first duly sworn upon oath, I am a disclosed agent of the Claimant named herein, appointed for the express purposes of signing this statement of lien; that I have read the statement of lien and know the contents thereof; that to the best of my knowledge, information and belief, the same is true and correct, and made on behalf of the Claimant.

Branko Mocevic  
Agent of Claimant  
Signed by: [Signature]

Sworn to and subscribed before me, undersigned Notary Public, on this 7th day of September, 2020.

Lynne Becker  
Notary Public

LYNNE BECKER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20184011653  
MY COMMISSION EXPIRES MARCH 3, 2022

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Dallas Schroeder Recorder, Elbert County, Co

5010 Hunt Cir

Exhibit A

Parcel A:

A parcel of land located in Section 28, Township 6 South, Range 64 West, of the 6th Principal Meridian, County of Elbert, State of Colorado, more particularly described as follows:

Commencing at the Southwest Corner of Said Section 28; thence N00°12'57"E Along the West Line of Said Section 28, A Distance of 1760.05 feet, to the Point of Beginning;

thence S83°17'26"E, a distance of 1208.50 feet;

thence N00°12'57"E, a distance of 582.77 feet;

thence N82°05'33"W, a distance of 314.55 feet;

thence N00°12'57"E, a distance of 95.72 feet;

thence N89°47'03"W, a distance of 136.30 feet;

thence N03°36'32"E, a distance of 1138.49 feet;

thence N69°08'01"W, a distance of 81.02 feet;

Thence along the Arc of a curve to the right, having a central angle of 12° 18'54", a radius of 1500.00 feet An Arc length of 322.41 feet and whose

chord bears N62°58'34"W, a distance of 321.79 feet;

thence N56°49'14"W, a distance of 382.95 feet;

thence along the Arc of a curve to the left, having a central angle of 33°21'24", a radius of 192.00 feet an Arc length of 111.78 feet and whose chord

bears N73°30'32"W, a distance of 110.21 feet;

thence S89°48'45"W, a distance of 30.00 feet, to a point that is on the

west line of Said Section 28;

thence S00°12'57"W along said west line of section 28, a distance of 2133.15 feet to the point of Beginning,

County of Elbert, State of Colorado.

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10/01/2020 11:01:54 AM Page: 4 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co

**NOTICE OF INTENT TO LIEN**

**Notice To:**

Property Owner  
Colorado Farms LLC  
60460 S Quebec St  
Centennial CO 80111

Sent to Property Owner Via Certified Mail No:  
\_\_\_\_\_

Prime Contractor  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sent to Prime Contractor Via Certified Mail No:  
\_\_\_\_\_

Name and Mailing Address of Party Providing Notice ("Noticing Party"):

Branko Mocerivic  
5010 Hunt Cir Elizabeth CO

Description of Services or Materials Provided by Noticing Party:

Labor & Materials

Total Amount Owed to Notifying Party ("Debt"):

\$ 910,000.00

Address Where Materials Delivered ("Property"):

5010 Hunt Cir  
Elizabeth CO

A Statement of Lien is attached to this Notice, wherein the Noticing Party claims a mechanics lien for the materials, equipment, labor and/or services above-described, performed on a construction project at the Property.

This notice is provided to you in accordance with C.R.S. §§ 38-22-109(3). If payment is not made to the Noticing Party within ten (10) days, the Noticing Party intends to record the attached Statement of Lien in the appropriate county's recording office.

Branko Mocerivic  
Agent for Noticing Party  
Signed by [Signature]



599757 B: 808 P: 376 LIEN  
10/01/2020 11:01:54 AM Page: 5 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co

**AFFIDAVIT OF MAILING NOTICE OF INTENT TO LIEN**

Identification of Parties:

Noticing Party: <u>Branko Moevic</u> <u>5010 Hunt Cir Elizabeth CO</u> Hereinafter ("Claimant")	<input type="checkbox"/> Property Owner: <u>Colorado Farms LLC</u> <u>6460 S Quebec St</u> <u>Centennial CO 80111</u> <input type="checkbox"/> Prime Contractor:   
--	--

I, Branko Moevic, declare that on the \_\_\_ day of September, 2020, pursuant to Section 38-22-109(3) C.R.S., I served copies of the Notice of Intent to the following parties above identified:

Property Owner       Prime Contractor

I served the Notice of Intent to Lien:

By personally delivering the notice to the identified parties;

By First Class Certified or Registered Mail service, postage prepaid, with return receipt requested, addressed to the party at the above-identified address, which is the last known address of the Property Owner and/or Prime Contractor.

I declare under penalty of perjury that the foregoing is true and correct.

Sworn to and subscribed before me, Notary Public for the State of <u>Colorado</u> and Parish / County of <u>Arapahoe</u> , on this <u>7th</u> day of <u>September</u> , 20 <u>20</u> . <u>Lynne Becker</u>	<u>Branko Moevic</u> Claimant Signed by: <u>[Signature]</u>
---	---

LYNNE BECKER  
 NOTARY PUBLIC  
 STATE OF COLORADO  
 NOTARY ID 20184011653  
 MY COMMISSION EXPIRES MARCH 3, 2022



599782 B: 808 P: 401 LIEN  
310/01/2020 03:23:30 PM Page: 2 of 6 R 38.00 D  
Dallas Schroeder Recorder, Elbert County, Co

- 3. The property being charged with the lien is above-described as the "Property." The labor, materials, services and/or equipment furnished by the Claimant has been incorporated into the Property.
- 4. If the Claimant is not the Prime Contractor, the Prime Contractor has been above-identified as the "Prime Contractor."
- 5. The indebtedness due and owing to the Claimant for said labor, materials services and/or equipment is \$ 3,150,000.00, as of the date this Statement of Lien is recorded.

SIGNATURE OF CLAIMANT, AND VERIFICATION

STATE OF Colorado  
 COUNTY OF Arapahoe

I, Branko Moceriv, being of lawful age and being first duly sworn upon oath, I am a disclosed agent of the Claimant named herein, appointed for the express purposes of signing this statement of lien; that I have read the statement of lien and know the contents thereof; that to the best of my knowledge, information and belief, the same is true and correct, and made on behalf of the Claimant.

Branko Moceriv  
Agent of Claimant

Signed by: [Signature]

Sworn to and subscribed before me, undersigned Notary Public, on this 7<sup>th</sup> day of September, 2020.

Lynne Becker  
Notary Public

LYNNE BECKER  
 NOTARY PUBLIC  
 STATE OF COLORADO  
 NOTARY ID 20184011653  
 MY COMMISSION EXPIRES MARCH 3, 2022

599782 B: 808 P: 401 LIEN  
10/01/2020 03:23:30 PM Page: 3 of 6 R 38.00 D  
Dallas Schroeder Recorder, Elbert County, Co



THENCE NORTH 56 DEGREES 54 MINUTES 15 SECONDS WEST ALONG SAID CENTERLINE A DISTANCE OF 383.10 FEET TO A POINT OF CURVE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT AND ALONG SAID CENTERLINE A DISTANCE OF 111.77 FEET, SAID CURVE HAS A RADIUS OF 192.00 FEET AND A CENTRAL ANGLE OF 33 DEGREES 21 MINUTES 13 SECONDS TO A POINT ON THE EAST RIGHT OF WAY

Tract 10  
LINE OF COUNTY ROAD AND TO THE POINT OF TERMINUS, COUNTY OF ELBERT, STATE OF COLORADO.

**5. 43585 County Road 17/21, Elizabeth, CO 80107**

E1/2 E1/2 OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
COUNTY OF ELBERT, STATE OF COLORADO.

**6. 5390 Hunt Circle, Elizabeth, CO 80107**

A PARCEL OF LAND IN THE SOUTHWEST QUARTER AND IN THE WEST HALF SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, ELBERT COUNTY COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 28 AND CONSIDERING THE SOUTH LINE TO BEAR NORTH 89 DEGREES 42 MINUTES 14 SECONDS EAST WITH ALL BEARINGS HEREIN CONTAINED RELATIVE THERETO; THENCE NORTH 89 DEGREES 42 MINUTES 14 SECONDS EAST ALONG SAID SOUTH LINE A DISTANCE OF 3952.55 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF SOUTHEAST QUARTER; THENCE NORTH 0 DEGREES 13 MINUTES 46 SECONDS WEST ALONG THE EAST LINE OF THE WEST HALF SOUTHEAST QUARTER FOR 1465.06 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 14 SECONDS WEST A DISTANCE OF 1529.80 FEET; THENCE NORTH 83 DEGREES 22 MINUTES 14 SECONDS WEST A DISTANCE OF 2428.91 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER; THENCE SOUTH 0 DEGREES 08 MINUTES 09 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 1759.78 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PORTION DESCRIBED IN DEED RECORDED NOVEMBER 4, 2003 IN BOOK 652 AT PAGE 579, COUNTY OF ELBERT, STATE OF COLORADO

**7. 43160 County Road 21, Elizabeth, CO 80107**

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ELBERT, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 28 AND CONSIDERING THE SOUTH LINE TO BEAR NORTH 89 DEGREES 42 MINUTES 14 SECONDS EAST WITH ALL BEARINGS HEREIN CONTAINED RELATIVE THERETO; THENCE NORTH 89 DEGREES 42 MINUTES 14 SECONDS EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 1608.05 FEET; THENCE NORTH 00 DEGREES 13 MINUTES 46 SECONDS WEST, A DISTANCE OF 1564.62 FEET; THENCE NORTH 83 DEGREES 22 MINUTES 14 SECONDS WEST, A DISTANCE OF 1618.38 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28; THENCE SOUTH 00 DEGREES 08 MINUTES 09 SECONDS WEST, A DISTANCE OF 1759.78 FEET TO THE POINT OF BEGINNING, EXCEPT THE WESTERLY 30.00 FEET THEREOF FOR COUNTY ROAD, COUNTY OF ELBERT, STATE OF COLORADO.

**8. 43993 County Road 29, Elizabeth, CO 80107**

ALL OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ELBERT, STATE OF COLORADO

**9. Rights to all nontributary and not nontributary groundwater of the following properties:**

**[Tract 13]**

THE EAST 1/2 OF THE EAST 1/2 OF SECTION 20, TOWNSHIP 6 SOUTH, RANGE 63 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ELBERT, STATE OF COLORADO.

**[Tract 14]**

THE SOUTHWEST 1/4 AND THE NORTH 1/2 OF SECTION 21, LESS AND EXCEPT THAT PORTION CONVEYED IN WARRANTY DEED RECORDED AUGUST 23, 1996 IN BOOK 553 AT PAGE 199 AND THE SOUTHEAST 1/4 AND THE NORTH 1/2 OF SECTION 22, ALL IN TOWNSHIP 6 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ELBERT, STATE OF COLORADO.

**[Tract 15]**

PARCEL A:

A PARCEL OF LAND IN SECTION 21, TOWNSHIP 6 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, ELBERT COUNTY, COLORADO, DESCRIBED AS:  
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 21,  
THENCE NORTH 00 DEGREES 36 MINUTES 44 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 21, A DISTANCE OF 2130.09 FEET TO THE POINT OF BEGINNING;  
THENCE CONTINUING NORTH 00 DEGREES 36 MINUTES 44 SECONDS EAST ALONG SAID EAST SECTION LINE, A DISTANCE OF 802.67 FEET;  
THENCE SOUTH 87 DEGREES 05 MINUTES 12 SECONDS WEST, A DISTANCE OF 588.52 FEET;  
THENCE NORTH 84 DEGREES 45 MINUTES 55 SECONDS WEST, A DISTANCE OF 575.41 FEET;  
THENCE NORTH 89 DEGREES 39 MINUTES 58 SECONDS WEST, A DISTANCE OF 2104.53;  
THENCE SOUTH 00 DEGREES 36 MINUTES 44 SECONDS WEST, A DISTANCE OF 802.64 FEET;  
THENCE SOUTH 89 DEGREES 23 MINUTES 16 SECONDS EAST, A DISTANCE OF 3265.45 FEET TO THE POINT OF BEGINNING,  
COUNTY OF ELBERT, STATE OF COLORADO.

599782 B: 808 P: 401 LIEN  
10/01/2020 03:23:30 PM Page: 5 of 6 R 38.00 D  
Dallas Schroeder Recorder, Elbert County, Co

**NOTICE OF INTENT TO LIEN**

**Notice To:**

Property Owner  
Colorado Farms LLC  
6460 S Quebec St  
Centennial CO 80111

Sent to Property Owner Via Certified Mail No:  
\_\_\_\_\_

Prime Contractor  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sent to Prime Contractor Via Certified Mail No:  
\_\_\_\_\_

Name and Mailing Address of Party Providing Notice ("Noticing Party"):

Branko Moevic  
5010 Hunt Cir Elizabeth CO

Description of Services or Materials Provided by Noticing Party:

Labor & Materials

Total Amount Owed to Notifying Party ("Debt"):

\$ 3,150,000.00

Address Where Materials Delivered ("Property"):

43585 CR 17/21 Elizabeth CO 80107  
43160 CR 21 Elizabeth CO 80107

A Statement of Lien is attached to this Notice, wherein the Noticing Party claims a mechanics lien for the materials, equipment, labor and/or services above-described, performed on a construction project at the Property.

This notice is provided to you in accordance with C.R.S. §§ 38-22-109(3). If payment is not made to the Noticing Party within ten (10) days, the Noticing Party intends to record the attached Statement of Lien in the appropriate county's recording office.

Branko Moevic  
Agent for Noticing Party  
Signed by [Signature]

599782 B: 808 P: 401 LIEN  
10/01/2020 03:23:30 PM Page: 6 of 6 R 38.00 D  
Dallas Schroeder Recorder, Elbert County, Co



**AFFIDAVIT OF MAILING NOTICE OF INTENT TO LIEN**

Identification of Parties:

Noticing Party: <u>Branko Mocerivic</u> <u>5010 Hunt Cir Elizabeth CO</u> Hereinafter ("Claimant")	<input type="checkbox"/> Property Owner: <u>Colorado Farms LLC</u> <u>6460 S Quebec St</u> <u>Centennial CO 80111</u> <input type="checkbox"/> Prime Contractor:    
---	--

I, Branko Mocerivic, declare that on the 7th day of September, 2020, pursuant to Section 38-22-109(3) C.R.S., I served copies of the Notice of Intent to the following parties above identified:

Property Owner       Prime Contractor

I served the Notice of Intent to Lien:

By personally delivering the notice to the identified parties;

By First Class Certified or Registered Mail service, postage prepaid, with return receipt requested, addressed to the party at the above-identified address, which is the last known address of the Property Owner and/or Prime Contractor.

I declare under penalty of perjury that the foregoing is true and correct.

Sworn to and subscribed before me, Notary Public for the State of <u>Colorado</u> and Parish / County of <u>Arapahoe</u> , on this <u>7th</u> day of <u>September</u> , 20 <u>20</u> .  <u>Lynne Becker</u> LYNNE BECKER NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20184011653 MY COMMISSION EXPIRES MARCH 3, 2022	<u>Branko Mocerivic</u> Claimant Signed by:
---	---

60334 B: 808 P: 947 NOTLN  
10/15/2020 09:11:15 AM Page: 1 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co



**NOTICE OF INTENT TO LIEN**

**Notice To:**

Property Owner  
Colorado Farms LLC  
6460 S Quebec St  
Centennial CO 80111

Sent to Property Owner Via Certified Mail No:  
\_\_\_\_\_

Prime Contractor  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sent to Prime Contractor Via Certified Mail No:  
\_\_\_\_\_

Name and Mailing Address of Party Providing Notice ("Noticing Party"):

Branko Moevic  
5010 Hunt Cir Elizabeth CO

Description of Services or Materials Provided by Noticing Party:

Labor and Materials

Total Amount Owed to Notifying Party ("Debt"):

\$ 290,000<sup>00</sup>

Address Where Materials Delivered ("Property"):

5381 Hunt Cir  
Elizabeth CO

A Statement of Lien is attached to this Notice, wherein the Noticing Party claims a mechanics lien for the materials, equipment, labor and/or services above-described, performed on a construction project at the Property.

This notice is provided to you in accordance with C.R.S. §§ 38-22-109(3). If payment is not made to the Noticing Party within ten (10) days, the Noticing Party intends to record the attached Statement of Lien in the appropriate county's recording office.

Branko Moevic  
Agent for Noticing Party  
Signed by [Signature]



600334 B: 808 P: 947 NOTLN  
10/15/2020 09:11:15 AM Page: 2 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co

**AFFIDAVIT OF MAILING NOTICE OF INTENT TO LIEN**

Identification of Parties:

Noticing Party: <u>Branko Moevic</u> <u>5010 Hunt Cir Elizabeth CO</u> Hereinafter ("Claimant")	<input type="checkbox"/> Property Owner: <u>Colorado Farms LLC</u> <u>6460 S Quebec St</u> <u>Centennial CO 80111</u> <input type="checkbox"/> Prime Contractor:    
--	--

I, Branko Moevic, declare that on the 15th day of October, 2020, pursuant to Section 38-22-109(3) C.R.S., I served copies of the Notice of Intent to the following parties above identified:

Property Owner       Prime Contractor

I served the Notice of Intent to Lien:

By personally delivering the notice to the identified parties;

By First Class Certified or Registered Mail service, postage prepaid, with return receipt requested, addressed to the party at the above-identified address, which is the last known address of the Property Owner and/or Prime Contractor.

I declare under penalty of perjury that the foregoing is true and correct.

Sworn to and subscribed before me, Notary Public for the State of <u>Colorado</u> and Parish / County of <u>Arapahoe</u> , on this <u>15th</u> day of <u>October</u> , 20 <u>20</u> . <u>Lynne Becker</u>	Signed by: <u>Branko Moevic</u> Claimant <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;">           LYNNE BECKER            NOTARY PUBLIC            STATE OF COLORADO            NOTARY ID 20184011653            MY COMMISSION EXPIRES MARCH 3, 2022         </div>
--	--

607334 B: 808 P: 947 NOTLN  
10/15/2020 09:11:15 AM Page: 3 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co



Prepared By and Return To:  
Branko Mocevic  
5010 Hunt Cir  
Elizabeth CO

**STATEMENT OF LIEN**  
CRS §§ 38-22-109

The **Claimant:** (Name & Address)  
Branko Mocevic  
5010 Hunt Cir  
Elizabeth CO ?

The **Property** to be charged with Lien:  
  
Municipal Address:  
5381 Hunt Cir  
Elizabeth CO

The **Property Owner:** (Name & Address)  
Colorado Farms LLC  
6460 S Quebec St  
Centennial CO 80111

Legal / Other Description:  
see attached

The **Prime Contractor:** (Name & Address)  
(If Claimant is the Prime Contractor, Just Write "the Claimant." If the Claimant is not a Prime Contractor, the Statement of Lien must identify the Prime Contractor)

County of Elbert  
  
State of Colorado

THE CLAIMANT avails itself of the provisions of CRS § 38-22-109 by filing this Statement of Lien.

1. The name and address of the owner of the property being liened is above-identified as the Property Owner;
2. The name and address of the person making this Statement of Lien and claiming this lien is above-identified as the Claimant. The Claimant is the party who actually furnished the material or performed the labor or services, or supplied the machinery, tools or equipment, for which this lien is claimed. The Claimant is a:

Prime Contractor     Subcontractor     Supplier  
 Laborer     Other \_\_\_\_\_

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Dallas Schroeder Recorder, Elbert County, Co



- 3. The property being charged with the lien is above-described as the "Property." The labor, materials, services and/or equipment furnished by the Claimant has been incorporated into the Property.
- 4. If the Claimant is not the Prime Contractor, the Prime Contractor has been above-identified as the "Prime Contractor."
- 5. The indebtedness due and owing to the Claimant for said labor, materials services and/or equipment is \$ 290,000.00, as of the date this Statement of Lien is recorded.

SIGNATURE OF CLAIMANT, AND VERIFICATION

STATE OF Colorado  
COUNTY OF Arapahoe

I, Branko Moevic, being of lawful age and being first duly sworn upon oath, I am a disclosed agent of the Claimant named herein, appointed for the express purposes of signing this statement of lien; that I have read the statement of lien and know the contents thereof; that to the best of my knowledge, information and belief, the same is true and correct, and made on behalf of the Claimant.

Branko Moevic  
Agent of Claimant  
Signed by: [Signature]

Sworn to and subscribed before me, undersigned Notary Public, on this 15 day of October, 2020.

Lynne Becker  
Notary Public

LYNNE BECKER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20184011653  
MY COMMISSION EXPIRES MARCH 3, 2022

TRACT IX - 3381 Hunt Circle, Elizabeth, CO:

**Tract IX-A (Fee Simple):**

A tract of land located in Section 28, Township 6 South, Range 64 West of the 6th Principal Meridian, County of Elbert, State of Colorado, more particularly described as follows:

Beginning at the North 1/4 corner of said Section 28;  
 Thence South 89 degrees 21 minutes 06 seconds East along the north line of said section 28 a distance of 1306.58 feet to the northeast corner of the northwest quarter of the northeast quarter of said Section 28;  
 Thence South 00 degrees 06 minutes 18 seconds East along the east line of the northwest quarter of the northeast quarter of said section 28, a distance of 1000 feet;  
 Thence South 89 degrees 46 minutes 14 seconds West, a distance of 1000 feet;  
 Thence South 10 degrees 39 minutes 22 seconds West, a distance of 859.35 feet to the centerline of a 60 foot wide ingress and egress easement;

---

Thence North 88 degrees 11 minutes 54 seconds West along said centerline, a distance of 623.56 feet;  
 Thence North 00 degrees 42 minutes 40 seconds East a distance of 1848.96 feet to a point on the north line of the northwest 1/4;  
 Thence South 89 degrees 21 minutes 06 seconds east along said north line a distance of 450.90 feet to the point of Beginning, County of Elbert, State of Colorado.

**600334 B: 808 P: 947 NOTLN**  
 10/15/2020 09:11:15 AM Page: 5 of 5 R 33.00 D  
 Dallas Schroeder Recorder, Elbert County, Co



600355 88808 FLSA NOTEN  
10/15/2020 09:11:15 AM Page: 1 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co

**NOTICE OF INTENT TO LIEN**

**Notice To:**

Property Owner  
Colorado Farms LLC  
6460 S Quebec St  
Centennial CO 80111

Sent to Property Owner Via Certified Mail No:  
\_\_\_\_\_

Prime Contractor  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sent to Prime Contractor Via Certified Mail No:  
\_\_\_\_\_

Name and Mailing Address of Party Providing Notice ("Noticing Party"):

Branko Moevitic  
5010 Hunt Cir Elizabeth CO

Description of Services or Materials Provided by Noticing Party:

Labor and Materials

Total Amount Owed to Notifying Party ("Debt"):

\$ 475,000<sup>00</sup>

Address Where Materials Delivered ("Property"):

43993 County Road 29  
Elizabeth CO

A Statement of Lien is attached to this Notice, wherein the Noticing Party claims a mechanics lien for the materials, equipment, labor and/or services above-described, performed on a construction project at the Property.

This notice is provided to you in accordance with C.R.S. §§ 38-22-109(3). If payment is not made to the Noticing Party within ten (10) days, the Noticing Party intends to record the attached Statement of Lien in the appropriate county's recording office.

Branko Moevitic  
Agent for Noticing Party  
Signed by [Signature]

600335 B: 808 P: 948 NOTLN  
10/15/2020 09:11:15 AM Page: 2 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co



**AFFIDAVIT OF MAILING NOTICE OF INTENT TO LIEN**

Identification of Parties:

Noticing Party: <u>Branko Mocerivic</u> <u>5010 Hunt Cir Elizabeth CO</u> Hereinafter ("Claimant")	<input type="checkbox"/> Property Owner: <u>Colorado Farms LLC</u> <u>6400 S Quebec St</u> <u>Centennial CO 80111</u> <input type="checkbox"/> Prime Contractor:    
---	--

I, Branko Mocerivic, declare that on the 1st day of October, 20 20, pursuant to Section 38-22-109(3) C.R.S., I served copies of the Notice of Intent to the following parties above identified:


Property Owner       Prime Contractor

I served the Notice of Intent to Lien:

By personally delivering the notice to the identified parties;

By First Class Certified or Registered Mail service, postage prepaid, with return receipt requested, addressed to the party at the above-identified address, which is the last known address of the Property Owner and/or Prime Contractor.

I declare under penalty of perjury that the foregoing is true and correct.

Sworn to and subscribed before me, Notary Public for the State of <u>Colorado</u> and Parish / County of <u>Arapahoe</u> , on this <u>1st</u> day of <u>October</u> , 20 <u>20</u> . <u>Lynne Becker</u>	Signed by: <u>Branko Mocerivic</u> Claimant 
LYNNE BECKER NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20184011653 MY COMMISSION EXPIRES MARCH 3, 2022	

600335 B: 808 P: 948 NOTLN  
10/15/2020 09:11:15 AM Page: 3 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co



Prepared By and Return To:  
Branko Moevic  
5010 Hunt Cir  
Elizabeth CO

**STATEMENT OF LIEN**  
CRS §§ 38-22-109

The **Claimant:** (Name & Address)  
Branko Moevic  
5010 Hunt Cir  
Elizabeth CO

The **Property** to be charged with Lien:  
  
Municipal Address:  
43993 County Road 29  
Elizabeth CO

The **Property Owner:** (Name & Address)  
Colorado Farms LLC  
10460 S Quebec St  
Centennial CO 80111

Legal / Other Description:  
see attached

The **Prime Contractor:** (Name & Address)  
(If Claimant is the Prime Contractor, Just Write "the Claimant." If the Claimant is not a Prime Contractor, the Statement of Lien must identify the Prime Contractor)

County of Elbert  
State of Colorado

THE CLAIMANT avails itself of the provisions of CRS § 38-22-109 by filing this Statement of Lien.

1. The name and address of the owner of the property being liened is above-identified as the Property Owner;
2. The name and address of the person making this Statement of Lien and claiming this lien is above-identified as the Claimant. The Claimant is the party who actually furnished the material or performed the labor or services, or supplied the machinery, tools or equipment, for which this lien is claimed. The Claimant is a:

Prime Contractor     Subcontractor     Supplier  
 Laborer     Other \_\_\_\_\_

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Dallas Schroeder Recorder, Elbert County, Co



- 3. The property being charged with the lien is above-described as the "Property." The labor, materials, services and/or equipment furnished by the Claimant has been incorporated into the Property.
- 4. If the Claimant is not the Prime Contractor, the Prime Contractor has been above-identified as the "Prime Contractor."
- 5. The indebtedness due and owing to the Claimant for said labor, materials services and/or equipment is \$ 475,000.00, as of the date this Statement of Lien is recorded.

SIGNATURE OF CLAIMANT, AND VERIFICATION

STATE OF Colorado  
COUNTY OF Arapahoe

I, Branko Moevic, being of lawful age and being first duly sworn upon oath, I am a disclosed agent of the Claimant named herein, appointed for the express purposes of signing this statement of lien; that I have read the statement of lien and know the contents thereof; that to the best of my knowledge, information and belief, the same is true and correct, and made on behalf of the Claimant.

Branko Moevic  
Agent of Claimant  
Signed by: [Signature]

Sworn to and subscribed before me, undersigned Notary Public, on this 1st day of October, 2020.

Lynne Becker  
Notary Public

LYNNE BECKER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20184011653
MY COMMISSION EXPIRES MARCH 3, 2022



✓ TRACT V (Fee Simple) - 43993 County Road 25, Elizabethtown, CO  
37  
All of Section 27, Township 6 South, Range 64 West of the 6th Principal Meridian, County of Elbert, State of Colorado.

LESS AND EXCEPT Water Rights vested in Rady Lee Dyer by Quitclaim Deed (Sale of Water Rights) recorded on August 2, 2017 in Book 779 Page 838.

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Dallas Schroeder Recorder, Elbert County, Co



600336 B: 808 P: 949 NOTLN  
10/15/2020 09:11:15 AM Page: 1 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co



**NOTICE OF INTENT TO LIEN**

**Notice To:**

Property Owner

Colorado Farms LLC  
6460 S Quebec St  
Centennial CO 80111

Sent to Property Owner Via Certified Mail No:  
\_\_\_\_\_

Prime Contractor

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sent to Prime Contractor Via Certified Mail No:  
\_\_\_\_\_

Name and Mailing Address of Party Providing Notice ("Noticing Party"):

Branko Mocevic  
5010 Hunt Cir Elizabeth CO

Description of Services or Materials Provided by Noticing Party:

Labor and Materials

Total Amount Owed to Notifying Party ("Debt"):

\$ 1,750,000.00

Address Where Materials Delivered ("Property"):

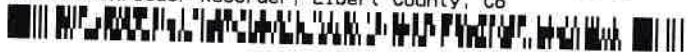
43625 County Road 29  
Elizabeth CO

A Statement of Lien is attached to this Notice, wherein the Noticing Party claims a mechanics lien for the materials, equipment, labor and/or services above-described, performed on a construction project at the Property.

This notice is provided to you in accordance with C.R.S. §§ 38-22-109(3). If payment is not made to the Noticing Party within ten (10) days, the Noticing Party intends to record the attached Statement of Lien in the appropriate county's recording office.

Branko Mocevic  
Agent for Noticing Party  
Signed by [Signature]

600336 B: 808 P: 949 NOTLN  
10/13/2020 09:11:15 AM Page: 2 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co



**AFFIDAVIT OF MAILING NOTICE OF INTENT TO LIEN**

Identification of Parties:

Noticing Party: <u>Branko Moevic</u> <u>5010 Hunt Cir Elizabeth CO</u>  Hereinafter ("Claimant")	<input checked="" type="checkbox"/> Property Owner: <u>Colorado Farms LLC</u> <u>6460 S Quebec St</u> <u>Centennial CO 80111</u>  <input type="checkbox"/> Prime Contractor:    
--	---

I, Branko Moevic, declare that on the      day of October, 2020, pursuant to Section 38-22-109(3) C.R.S., I served copies of the Notice of Intent to the following parties above identified:

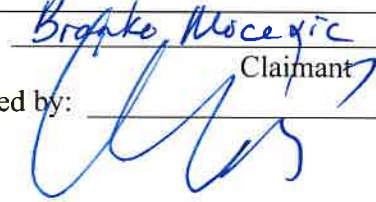
Property Owner       Prime Contractor

I served the Notice of Intent to Lien:

By personally delivering the notice to the identified parties;

By First Class Certified or Registered Mail service, postage prepaid, with return receipt requested, addressed to the party at the above-identified address, which is the last known address of the Property Owner and/or Prime Contractor.

I declare under penalty of perjury that the foregoing is true and correct.

Sworn to and subscribed before me, Notary Public for the State of <u>Colorado</u> and Parish / County of <u>Arapahoe</u> , on this <u>1st</u> day of <u>October</u> , 20 <u>20</u> .  <u>Lynne Becker</u>	Signed by: <u>Branko Moevic</u> Claimant  LYNNE BECKER NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20184011653 MY COMMISSION EXPIRES MARCH 3, 2022
---	---

600336 B: 808 P: 949 NOTLN  
10/15/2020 09:11:15 AM Page: 3 of 5 R 33.00 D  
Dallas Schroeder Recorder, Elbert County, Co



Prepared By and Return To:

Branko Mocevic  
5010 Hunt Cir  
Elizabeth CO

**STATEMENT OF LIEN**

CRS §§ 38-22-109

The **Claimant:** (Name & Address)

Branko Mocevic  
5010 Hunt Cir  
Elizabeth CO

The **Property** to be charged with Lien:

Municipal Address:

43625 County Road 29  
Elizabeth CO

The **Property Owner:** (Name & Address)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Legal / Other Description:

see attached

The **Prime Contractor:** (Name & Address)

(If Claimant is the Prime Contractor, Just Write "the Claimant." If the Claimant is not a Prime Contractor, the Statement of Lien must identify the Prime Contractor)

\_\_\_\_\_  
\_\_\_\_\_

County of Elbert

State of Colorado

THE CLAIMANT avails itself of the provisions of CRS § 38-22-109 by filing this Statement of Lien.

1. The name and address of the owner of the property being liened is above-identified as the Property Owner;
2. The name and address of the person making this Statement of Lien and claiming this lien is above-identified as the Claimant. The Claimant is the party who actually furnished the material or performed the labor or services, or supplied the machinery, tools or equipment, for which this lien is claimed. The Claimant is a:

Prime Contractor   
  Subcontractor   
  Supplier  
 Laborer   
  Other \_\_\_\_\_

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Dallas Schroeder Recorder, Elbert County, Co



- 3. The property being charged with the lien is above-described as the "Property." The labor, materials, services and/or equipment furnished by the Claimant has been incorporated into the Property.
- 4. If the Claimant is not the Prime Contractor, the Prime Contractor has been above-identified as the "Prime Contractor."
- 5. The indebtedness due and owing to the Claimant for said labor, materials services and/or equipment is \$ 1,750,000.00, as of the date this Statement of Lien is recorded.

SIGNATURE OF CLAIMANT, AND VERIFICATION

STATE OF Colorado  
COUNTY OF Arapahoe

I, Branko Moceriv, being of lawful age and being first duly sworn upon oath, I am a disclosed agent of the Claimant named herein, appointed for the express purposes of signing this statement of lien; that I have read the statement of lien and know the contents thereof; that to the best of my knowledge, information and belief, the same is true and correct, and made on behalf of the Claimant.

Branko Moceriv  
Agent of Claimant  
Signed by: [Signature]

Sworn to and subscribed before me, undersigned Notary Public, on this 1<sup>st</sup> day of October, 2020.

Lynne Becker  
Notary Public  
LYNNE BECKER  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20184011653  
MY COMMISSION EXPIRES MARCH 3, 2022

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**TRACT VIII – 43625 County Road 29, Elizabeth, CO:**

**Tract VIII-A (Fee Simple):**

A parcel of land located in Section 28, Township 6 South, Range 64 West of the 6th Principal Meridian, more particularly described as follows:

Commencing at the southwest corner of said Section 28;

Thence North 00 degrees 12 minutes 57 seconds East along the west line of said Section 28, a distance of 1760.05 feet;

Thence South 83 degrees 17 minutes 26 seconds East, a distance of 1208.50 feet to the Point of Beginning;

Thence North 00 degrees 12 minutes 57 seconds East, a distance of 582.77 feet;

Thence South 82 degrees 05 minutes 33 seconds East, a distance of 705.79 feet;

Thence North 12 degrees 49 minutes 05 seconds East, a distance of 1336.04 feet;

Thence South 88 degrees 07 minutes 06 seconds East, a distance of 577.21 feet;

Thence South 10 degrees 44 minutes 10 seconds West, a distance of 1946.12 feet;

Thence North 83 degrees 17 minutes 26 seconds West, a distance of 1220.41 feet to the Point of Beginning;

County of Elbert, State of Colorado.

**TRACT II – 43625 County Road 29, Elizabeth, CO:**

**Tract II-A (Fee Simple):**

A tract of land in the West 1/2, East 1/2, Northeast 1/4, Southwest 1/4 of Section 28, Township 6 South, Range 64 West of the 6th Principal Meridian, more particularly described as follows:

Commencing at the Northeast corner of the Northwest 1/4 of the Northeast 1/4 of said Section 28 and considering the East line of the West 1/2, East 1/2 of said Section 28 to bear South 00 degrees 13 minutes 46 seconds East with all bearings herein contained relative thereto;

Thence South 00 degrees 13 minutes 46 seconds East along the East line, a distance of 1000.00 feet to the point of Beginning;

Thence South 89 degrees 46 minutes 14 seconds West, 1000.00 feet;

Thence South 10 degrees 39 minutes 22 seconds West, 2805.47 feet;

Thence North 89 degrees 46 minutes 14 seconds East, 1529.80 feet to the east line of the West 1/2, East 1/2 of Section 28;

Thence North 00 degrees 13 minutes 46 seconds West, 2754.99 feet to the point of Beginning.

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**NOTICE OF INTENT TO LIEN**

**Notice To:**

Property Owner

Colorado Farms LLC  
5650 Greenwood Plaza Blvd #103  
Greenwood Village CO 80111

Sent to Property Owner Via Certified Mail No:  
\_\_\_\_\_

Prime Contractor

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Sent to Prime Contractor Via Certified Mail No:  
\_\_\_\_\_

Name and Mailing Address of Party Providing Notice ("Noticing Party"):

Branko Moevic  
5010 Hunt Cir Elizabeth CO 80107

Description of Services or Materials Provided by Noticing Party:

Labor & Materials

Total Amount Owed to Notifying Party ("Debt"):

\$ 99,000.00

Address Where Materials Delivered ("Property"):

5390 Hunt Cir Elizabeth CO  
Elbert County

A Statement of Lien is attached to this Notice, wherein the Noticing Party claims a mechanics lien for the materials, equipment, labor and/or services above-described, performed on a construction project at the Property.

This notice is provided to you in accordance with C.R.S. §§ 38-22-109(3). If payment is not made to the Noticing Party within ten (10) days, the Noticing Party intends to record the attached Statement of Lien in the appropriate county's recording office.

Branko Moevic  
Agent for Noticing Party  
Signed by



**AFFIDAVIT OF MAILING NOTICE OF INTENT TO LIEN**

Identification of Parties:

Noticing Party: <u>Branko Moevic</u> <u>5010 Hunt Cir Elizabeth CO</u> Hereinafter ("Claimant")	<input checked="" type="checkbox"/> Property Owner: <u>Colorado Farms LLC</u> <u>5650 Greenwood Plaza Blvd #103</u> <u>Greenwood Village CO 80111</u> <input type="checkbox"/> Prime Contractor:    
--	--

I, Branko Moevic, declare that on the 17<sup>th</sup> day of June, 2021, pursuant to Section 38-22-109(3) C.R.S., I served copies of the Notice of Intent to the following parties above identified:


Property Owner       Prime Contractor

I served the Notice of Intent to Lien:

By personally delivering the notice to the identified parties;

By First Class Certified or Registered Mail service, postage prepaid, with return receipt requested, addressed to the party at the above-identified address, which is the last known address of the Property Owner and/or Prime Contractor.

I declare under penalty of perjury that the foregoing is true and correct.

Sworn to and subscribed before me, Notary Public for the State of <u>Colorado</u> and Parish / County of <u>Arapahoe</u> , on this <u>17<sup>th</sup></u> day of <u>June</u> , 20 <u>21</u> .  <u>Lynne Becker</u>	Signed by: <u>Branko Moevic</u> Claimant 
LYNNE BECKER NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20184011653 MY COMMISSION EXPIRES MARCH 3, 2022	



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Prepared By and Return To:

Branko Moevic  
5010 Hunt Cir  
Elizabeth CO

**STATEMENT OF LIEN**

CRS §§ 38-22-109

The **Claimant:** (Name & Address)

Branko Moevic  
5010 Hunt Cir  
Elizabeth CO

The **Property** to be charged with Lien:

Municipal Address:

5390 Hunt Cir  
Elizabeth CO

The **Property Owner:** (Name & Address)

Colorado Farms LLC  
5650 Greenwood Plaza Blvd #103  
Greenwood Village CO 80111

Legal / Other Description:

See attached

The **Prime Contractor:** (Name & Address)

(If Claimant is the Prime Contractor, Just Write "the Claimant." If the Claimant is not a Prime Contractor, the Statement of Lien must identify the Prime Contractor)

\_\_\_\_\_  
\_\_\_\_\_

County of Elbert

State of Colorado

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1. The name and address of the owner of the property being liened is above-identified as the Property Owner;
2. The name and address of the person making this Statement of Lien and claiming this lien is above-identified as the Claimant. The Claimant is the party who actually furnished the material or performed the labor or services, or supplied the machinery, tools or equipment, for which this lien is claimed. The Claimant is a:

Prime Contractor   
  Subcontractor   
  Supplier  
 Laborer   
  Other \_\_\_\_\_

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- 3. The property being charged with the lien is above-described as the "Property." The labor, materials, services and/or equipment furnished by the Claimant has been incorporated into the Property.
- 4. If the Claimant is not the Prime Contractor, the Prime Contractor has been above-identified as the "Prime Contractor."
- 5. The indebtedness due and owing to the Claimant for said labor, materials services and/or equipment is \$ 99,000.00, as of the date this Statement of Lien is recorded.

SIGNATURE OF CLAIMANT, AND VERIFICATION

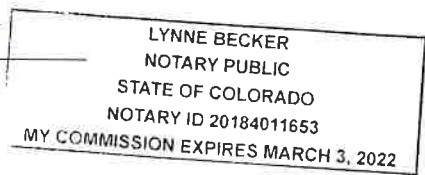
STATE OF Colorado  
COUNTY OF Arapahoe

I, Branko Mocevic, being of lawful age and being first duly sworn upon oath, I am a disclosed agent of the Claimant named herein, appointed for the express purposes of signing this statement of lien; that I have read the statement of lien and know the contents thereof; that to the best of my knowledge, information and belief, the same is true and correct, and made on behalf of the Claimant.

Branko Mocevic  
Agent of Claimant  
Signed by: [Signature]

Sworn to and subscribed before me, undersigned Notary Public, on this 17<sup>th</sup> day of June, 2021.

Lynne Becker  
Notary Public



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**Exhibit 1  
to  
Deed of Trust  
Legal Description**

**A PARCEL OF LAND IN THE SOUTHWEST QUARTER AND IN THE WEST HALF SOUTHEAST QUARTER OF SECTION 28, TOWNSHIP 6 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, ELBERT COUNTY COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 28 AND CONSIDERING THE SOUTH LINE TO BEAR NORTH 89 DEGREES 42 MINUTES 14 SECONDS EAST WITH ALL BEARINGS HEREIN CONTAINED RELATIVE THERETO; THENCE NORTH 89 DEGREES 42 MINUTES 14 SECONDS EAST ALONG SAID SOUTH LINE A DISTANCE OF 3952.55 FEET TO THE SOUTHEAST CORNER OF THE WEST HALF SOUTHEAST QUARTER; THENCE NORTH 0 DEGREES 13 MINUTES 46 SECONDS WEST ALONG THE EAST LINE OF THE WEST HALF SOUTHEAST QUARTER FOR 1465.06 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 14 SECONDS WEST A DISTANCE OF 1529.80 FEET; THENCE NORTH 83 DEGREES 22 MINUTES 14 SECONDS WEST A DISTANCE OF 2428.91 FEET TO THE WEST LINE OF THE SOUTHWEST QUARTER; THENCE SOUTH 0 DEGREES 08 MINUTES 09 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 1759.78 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THAT PORTION DESCRIBED IN DEED RECORDED NOVEMBER 4, 2003 IN BOOK 652 AT PAGE 579, COUNTY OF ELBERT, STATE OF COLORADO.**

For informational purposes only: 5390 Hunt Circle; Elizabeth. Colorado 80107

# Exhibit “2”

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
CASE NO.: 20-CV-81205-RAR**

SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

COMPLETE BUSINESS SOLUTIONS  
GROUP, INC. d/b/a/ PAR FUNDING, et al.,

Defendants.

\_\_\_\_\_ /

**[PROPOSED] ORDER GRANTING RECEIVER’S MOTION TO  
LIFT LITIGATION INJUNCTION TO ALLOW COMMENCEMENT  
OF PROCEEDINGS INVOLVING COLORADO FARMS LLC**

**THIS CAUSE** comes before the Court upon the Receiver’s Motion to Lift Litigation Injunction to Allow Commencement of Proceedings Involving Colorado Farms LLC [ECF No. \_\_\_\_] (“Motion”), filed on December 17, 2021.

In the Motion, the Receiver seeks to modify the Court’s Amended Order Appointing Receiver dated August 13, 2020 [ECF No. 141], so as to lift the litigation injunction provided for in that Order to allow Branko Mocevic to file lawsuits in Colorado to perfect and foreclose eight (8) previously recorded Statements of Lien on properties owned by Colorado Farms, LLC for labor and materials Mr. Mocevic claims to have provided but not been paid for in connection with construction activity on these properties (the “Lien Foreclosure Litigation”).

The Receiver has made a sufficient and proper showing in support of the relief requested. Accordingly, it is hereby

**ORDERED AND ADJUDGED** that Receiver’s Motion is **GRANTED**. Specifically, the litigation injunction set forth in the Court’s Amended Order Appointing Receiver dated August

13, 2020 [ECF No. 141] is hereby lifted to allow Branko Mocevic to pursue the Lien Foreclosure Litigation.

**DONE AND ORDERED** in Fort Lauderdale, Florida, this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
**RODOLFO A. RUIZ II**  
**UNITED STATES DISTRICT JUDGE**

Copies to: Counsel of record