

David M. Swartley, ISB No. 5230  
McCarthy & Holthus, LLP  
702 W. Idaho St., Suite 1100  
Boise, ID 83702  
Telephone: (208) 947-7264  
Facsimile: (208) 947-5910  
dswartley@mccarthyholthus.com

Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

U.S. BANK NATIONAL ASSOCIATION,  
NOT IN ITS INDIVIDUAL CAPACITY  
BUT SOLELY AS TRUSTEE FOR THE  
RMAC TRUST, SERIES 2016-CTT,

Plaintiff,

vs.

KIRBY A. KINDALL (Deceased) and  
Unknown Heirs, Assigns and Devisees of  
KIRBY A. KINDALL; DOROTHY E.  
KINDALL (Deceased) and Unknown Heirs,  
Assigns and Devisees of DOROTHY E.  
KINDALL; SECRETARY OF HOUSING  
AND URBAN DEVELOPMENT; PIONEER  
TITLE; and Does 1-10 as individuals with an  
interest in the property legally described as:

THIS PARCEL IS A PORTION OF THE  
SOUTHEAST QUARTER OF THE  
NORTHWEST QUARTER OF SECTION  
10, TOWNSHIP 4 NORTH, RANGE 3  
WEST OF THE BOISE MERIDIAN,  
CANYON COUNTY, IDAHO, AND IS  
MORE PARTICULARLY DESCRIBED AS  
FOLLOWS:

COMMENCING AT THE NORTHWEST  
CORNER OF SAID SOUTHEAST

Case No.: CV-2017-10625

NOTICE OF SHERIFF'S SALE

QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 00°29'29" WEST ALONG THE WEST BOUNDARY OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 1,154.84 FEET; THENCE NORTH 79°53'33" EAST A DISTANCE OF 244.50 FEET (RECORD NORTH 79°53'59" EAST A DISTANCE OF 244.58 FEET) TO AN EXISTING 1/2 -INCH DIAMETER REBAR, WHICH POINT IS THE TRUE POINT OF BEGINNING; THENCE NORTH 01°51 '55" EAST A DISTANCE OF 287.82 FEET (RECORD NORTH 01°51 '50". EAST A DISTANCE OF 287.84 FEET) TO AN EXISTING 1/2 -INCH DIAMETER REBAR; THENCE SOUTH 89°16'01" EAST A DISTANCE OF 348.03 FEET TO A POINT IN THE CENTERLINE OF AN EXISTING DRAIN DITCH; THENCE SOUTH 00°44'45" WEST A DISTANCE OF 108.92 FEET; THENCE SOUTH 87°08'08" WEST A DISTANCE OF 282.23 FEET; THENCE SOUTH 08°55'42" EAST A DISTANCE OF 144.75 FEET; THENCE SOUTH 79°53'59" WEST A DISTANCE OF 98.07 FEET TO THE TRUE POINT OF BEGINNING.

Commonly known as: 14670 River Rd.,  
Caldwell, ID 83607.

Defendants.

Under and by virtue of an Order for Sale of Foreclosure executed on 3/21/2018 and entered with the Court on 3/21/2018 and Writ of Execution issued on 8/14/2018, out of and under the seal of the above-entitled Court on a Judgment and Decree of Foreclosure recovered in said Court in the above-entitled action on 3/21/2018, in favor of the above-named Plaintiff, I am commanded and required to proceed to notice for sale to sell at public auction the real property described in said Order of Sale of Foreclosure and Writ of Execution and to apply the proceed of

such sale to the satisfaction of said Judgment and Decree of Foreclosure with interest thereon and my fees and costs.

The property directed to be sold is situate in Canyon County, State of Idaho, and is described as follows to wit:

THIS PARCEL IS A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN, CANYON COUNTY, IDAHO, AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 00°29'29" WEST ALONG THE WEST BOUNDARY OF SAID SOUTHEAST QUARTER OF THE NORTHWEST QUARTER A DISTANCE OF 1,154.84 FEET; THENCE NORTH 79°53'33" EAST A DISTANCE OF 244.50 FEET (RECORD NORTH 79°53'59" EAST A DISTANCE OF 244.58 FEET) TO AN EXISTING 1/2-INCH DIAMETER REBAR, WHICH POINT IS THE TRUE POINT OF BEGINNING; THENCE NORTH 01°51'55" EAST A DISTANCE OF 287.82 FEET (RECORD NORTH 01°51'50" EAST A DISTANCE OF 287.84 FEET) TO AN EXISTING 1/2-INCH DIAMETER REBAR; THENCE SOUTH 89°16'01" EAST A DISTANCE OF 348.03 FEET TO A POINT IN THE CENTERLINE OF AN EXISTING DRAIN DITCH; THENCE SOUTH 00°44'45" WEST A DISTANCE OF 108.92 FEET; THENCE SOUTH 87°08'08" WEST A DISTANCE OF 282.23 FEET; THENCE SOUTH 08°55'42" EAST A DISTANCE OF 144.75 FEET; THENCE SOUTH 79°53'59" WEST A DISTANCE OF 98.07 FEET TO THE TRUE POINT OF BEGINNING.

The above-described property is commonly known as 14670 RIVER ROAD, CALDWELL, ID 83607.

NOTICE IS HEREBY GIVEN that on the 1<sup>st</sup> day of May, 2019, at the hour of 9:00 o'clock a.m. of said day, at the location of the main lobby of the of Canyon County Courthouse, 1115 Albany St., Caldwell, Idaho, I will attend, offer and sell at public auction all or so much of the above-described property thus directed to be sold as may be necessary to raise sufficient

funds to pay and satisfy the Judgment and Decree of Foreclosure as set out in said Order for Sale of Foreclosure to the highest bidder, for cash or certified funds in lawful money. The time period for redemption of the above property is six (6) months from the date of sale herein.

The Sheriff, by a Certificate of Sale, will transfer right, title and interest of the judgment debtor in and to the property. The Sheriff will also give possession but does not guarantee clear title nor continue possessory right to the purchaser.

DATED this 11<sup>th</sup> day of March, 2019.

KIERAN DONAHUE  
Sheriff of Canyon County

By: T. Krein #5988  
Civil Deputy

PLAINTIFF HAS THE RIGHT TO SUBMIT A CREDIT BID. SALE MAY BE CANCELLED WITHOUT NOTICE.  
NOTE: THE SHERIFF'S OFFICE DOES NOT GUARANTEE CLEAR TITLE OR GUARANTEE CONTINUED POSSESSORY RIGHTS. THE CANYON COUNTY SHERIFF'S OFFICE DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY IN THE ADMISSION OF OR ACCESS TO, OR PARTICIPATION IN ITS PROGRAMS OR ACTIVITIES. REQUEST FOR REASONABLE ACCOMMODATION MUST BE MADE NO LESS THAN 48 HOURS BEFORE THE SCHEDULED SALE. REQUEST FOR REASONABLE ACCOMMODATION FORMS ARE AVAILABLE FROM THE SHERIFF'S OFFICE, 1115 ALBANY STREET, CALDWELL, IDAHO.