



December 7, 2012

ADAM C STEWART  
3286 FAIRWAY PL  
CRESTVIEW, FL 325399041

**Subject:** Pending short sale transaction

Dear ADAM C STEWART:

The Servicemembers Civil Relief Act (SCRA) provides a wide range of legal and financial protections to military personnel and their dependents.

As a condition of the short sale transaction:

- the attached document titled "Important Notice Affecting Military Servicemembers" must be reviewed, and
- the attached document titled "Waiver of Rights Under Servicemembers Civil Relief Act" must be reviewed and signed by the sellers and returned to Wells Fargo.

This waiver only relates to a short sale of the property address listed above. It will not become effective until Wells Fargo completes the short sale transaction. And if, for any reason, the transaction does not go through, the waiver will be invalid for any other use. Please sign the enclosed form and return to the address above.

**Before you waive your rights and protections**

You should consult an attorney about how best to exercise your rights or whether it is in your interest to waive these rights as part of a short sale transaction. In addition:

- Servicemembers and their dependents with questions about the SCRA should contact their unit's Judge Advocate, or their installation's Legal Assistance Officer. A military legal assistance office locator for all branches of the Armed Forces is available at <http://legalassistance.law.af.mil/content/locator.php>
- "Military OneSource" is the U.S. Department of Defense's information resource. Go to [www.militaryonesource.com](http://www.militaryonesource.com)

**I'm here to help**

As an active duty military member, your service matters to our country. And as a Wells Fargo customer, you matter to us. If you have any questions about the information in this letter, please call me at the phone number listed below.

Sincerely,  
FERMECA MURPHY LEE  
Home Preservation Specialist  
Phone: 1-877/709-8291

Enclosure

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**Account Information Box**

Online: wells Fargo.com  
Fax: 1-866-969-0103  
Telephone: 1-800-416-1472  
Correspondence: PO Box 10335  
Des Moines, IA 50306  
Hours of Operation:  
Mon-Fri, 6:00 a.m. – 10:00 p.m.  
Sat, 8:00 a.m. – 2:00 p.m. CT  
Loan Number: 0220692685  
Property Address: 627 HAILEY GLENN VIEW  
COLORADO SPRINGS, CO



## IMPORTANT NOTICE AFFECTING MILITARY SERVICEMEMBERS

### WAIVER OF RIGHTS AND PROTECTIONS AFFORDED UNDER THE SERVICEMEMBERS CIVIL RELIEF ACT

Attached to this notice you will find a waiver of rights and protections that may be applicable to you and your dependents pursuant to the Servicemembers Civil Relief Act, 50 App. U.S.C. § 501, *et seq.* (the “SCRA”). The SCRA provides military personnel and their dependents with a wide range of legal and financial protections. Among other benefits and protections, the SCRA:

- Upon request by the servicemember, imposes a maximum rate of interest that may be charged on debt obligations incurred by an eligible servicemember before the servicemember began his or her current military service.
- May restrict or prohibit the sale, foreclosure, or seizure of real estate pursuant to a pre-service debt obligation, except where the lender has obtained a valid court order approving the sale, foreclosure, or seizure of the real estate.
- May prohibit a landlord or lender from evicting a servicemember or the servicemember’s dependents from his/her residence, except where the lender has obtained a valid court order approving the eviction.
- May, in a court action, give the servicemember the right to postpone the case under certain conditions.
- May, in a court action, give the servicemember the right to have the terms of the mortgage obligation adjusted under certain conditions.

If you choose to sign the waiver, the bank will have the option to proceed with a foreclosure, sale and eviction without going to court. If you do not sign this waiver, the bank will be required to obtain a court order in order to foreclose (if you incurred your debt before you went into military service) or to evict you from your home. You may be able to seek a postponement of any foreclosure or eviction action, and, in the case of foreclosure, an adjustment of the mortgage obligation. Additionally, the court should take steps to ensure that a judgment is not entered against you if you are unable to appear.

**For Short Sale Transactions:** If the waiver is signed as part of a short sale transaction, the waiver does not impact SCRA protections as to foreclosure or eviction actions. In a short sale transaction, the waiver allows the lender to approve the short sale and does not become effective until the short sale is executed and completed. If for any reason, the short sale is not executed and completed, this waiver shall become null and void.

**Before waiving these important statutory rights, you should consult an attorney regarding how best to exercise your rights or whether it is in your interest to waive these rights under the conditions offered by the bank.**

As an alternative to foreclosure, the bank may offer its borrowers the options of pursuing a short sale of their property or executing a deed in lieu of foreclosure. Borrowers in default may find these options to be preferable to foreclosure. Any negotiation for a short sale or deed in lieu of foreclosure is not a threat of current or future litigation, and should not be considered as such.

Together we'll go far



**For More Information:**

- **CONSULT AN ATTORNEY:** To fully understand your rights under the law, and before waiving your rights, you should consult an attorney.
- **JAG / LEGAL ASSISTANCE:** Servicemembers and their dependents with questions about the SCRA should contact their unit's Judge Advocate, or their installation's Legal Assistance Officer. A military legal assistance office locator for all branches of the Armed Forces is available at <http://legalassistance.law.af.mil/content/locator.php>
- **MILITARY ONESOURCE:** "Military OneSource" is the U.S. Department of Defense's information resource. Go to [www.militaryonesource.com](http://www.militaryonesource.com)

Together we'll go far



**WAIVER OF RIGHTS UNDER SERVICEMEMBERS CIVIL RELIEF ACT**

I \_\_\_\_\_ am a [servicemember] [dependent of \_\_\_\_\_, a servicemember], and I am aware that I have protections available to me under the Servicemembers Civil Relief Act (SCRA). This includes, but is not limited to, legal rights relating to the property securing my mortgage loan, including protection against a sale, foreclosure, seizure, eviction or unlawful detainer action related to the property listed below.

627 HAILEY GLENN VIEW COLORADO SPRINGS, CO 809162002

I acknowledge that:

- By signing this waiver, I am waiving the SCRA protections related to the property listed above, including any protections against a sale, foreclosure, seizure, eviction or unlawful detainer action, as well as relating to the right of redemption.
- This waiver applies to any form of proceeding or transaction through which someone else receives ownership and/or possession of the property securing my loan, including a foreclosure, short sale, deed-in-lieu of foreclosure, cash-for-keys, etc. This waiver applies not only to any such proceedings or transactions that are in process at the time I sign this waiver, but also to proceedings or transactions that are started after I sign this waiver.
- The above described property secures my mortgage loan, account number: 0220692685.
- In exchange for waiving my SCRA rights with respect to this property, the Bank has agreed to provide a short sale. This waiver does not become effective until the short sale is executed and completed. If for any reason, the short sale is not executed and completed, this waiver shall become null and void.

Subject to the above provisions, I hereby waive and give up the right to these protections under the SCRA with respect to the above listed property and any right I may have had to a stay of proceedings or adjustment of the mortgage obligation in a foreclosure action.

\_\_\_\_\_  
(Signature)

Date: \_\_\_\_\_

\_\_\_\_\_  
Printed Name