

District Court Pueblo County, Colorado Court Address: Dennis Maes Judicial Building 501 N. Elizabeth Street Pueblo, CO 81003 719-404-8700	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
IN THE MATTER OF THE APPLICATION OF GARY BAKER for an Order authorizing the Public Trustee of the County of Pueblo, State of Colorado, to sell certain real estate under a power of sale contained in a deed of trust.	
Attorney: Montgomery Little & Soran, PC James C. Taravella, Reg. No. #55179 5445 DTC Parkway, Suite 800 Greenwood Village, Colorado 80111 Telephone: 303-773-8100 Fax: 303-220-0412 Email: jtaravella@montgomerylittle.com	Case Number: 2024CV030654 Division: 301
<p style="text-align: center;">SECOND AMENDED NOTICE OF RESPONSE DEADLINE TO VERIFIED MOTION FOR ORDER AUTHORIZING A FORECLOSURE SALE UNDER C.R.C.P. 120</p>	

TO THE PEOPLE OF THE STATE OF COLORADO, TO THE GRANTOR IN THE DEED OF TRUST DESCRIBED HEREIN, AND TO THOSE PERSONS WHO APPEAR TO HAVE ACQUIRED A RECORD INTEREST IN THE REAL ESTATE THEREIN DESCRIBED, SUBSEQUENT TO THE RECORDING OF SUCH DEED OF TRUST, AND THOSE PERSONS WHOSE INTEREST IN THE REAL PROPERTY MAY BE AFFECTED, TAKE NOTICE THAT YOU MAY BE AFFECTED BY THE FORECLOSURE OF A DEED OF TRUST ON THE REAL PROPERTY DESCRIBED BELOW.

1. NOTICE is hereby given that pursuant to C.R.C.P. 120, attached hereto, the Applicant, Gary Baker, has filed its Verified Motion for Order Authorizing a Foreclosure Sale Under C.R.C.P. 120 with this Court on December 19, 2024 (“Motion”), seeking an Order of this Court authorizing a Public Trustee’s sale under a Public Trustee’s sale under a Promissory Note executed by McBDev LLC, dated November 5, 2021, in the original principal sum of \$40,000.00 (“Note”).

2. The Note, originally payable to Larry L. Baker, was assigned to Applicant pursuant to an Allonge dated June 15, 2024 (“Allonge”). The Note is secured by a Deed of Trust dated

November 5, 2021, and recorded on November 15, 2021, at Reception No. 2252322, in the records of the Clerk and Recorder of the County of Pueblo, State of Colorado (“Deed of Trust”). The Deed of Trust was assigned to Applicant pursuant to an Assignment of Deed of Trust dated June 15, 2024, and recorded on June 27, 2024, at Reception No. 2346012, in the records of the Clerk and Recorder of the County of Pueblo, State of Colorado (“Assignment”).

3. The Motion claims that Applicant is entitled to foreclose the Deed of Trust and that the indebtedness secured thereby is in default because of nonpayment. The Motion requests a Court Order authorizing the Public Trustee to sell the real property in Pueblo County as described below.

4. THE DESCRIPTION OF THE PROPERTY TO BE SOLD UNDER THE POWER OF SALE CONTAINED WITHIN THE SAID DEED OF TRUST IS AS FOLLOWS:

Lot 768, Unit 1, Colorado City Amended,
County of Pueblo, State of Colorado.

also known as 5316 Isabella Drive, Colorado City, Colorado 81019

5. “If this case is not filed in the county where your property or a substantial part of your property is located, you have the right to ask the court to move the case to that county. If you file a response and the court sets a hearing date, your request to move the case must be filed with the court at least 7 days before the date of the hearing unless the request was included in your response.”

6. You have the right as an interested party who disputes the existence of such default under the terms of said Deed of Trust and Promissory Note secured thereby, or who otherwise disputes the existence of circumstances authorizing the exercise of the power of sale contained in said Deed of Trust, or who desires to raise such other grounds for objection to the issuance of an Order Authorizing Sale which may exist pursuant to the Servicemembers Civil Relief Act of 2003, as amended, you must file a response to Applicant’s Motion for Order Authorizing Sale, verified by the Oath of such person, setting forth the facts upon which he relies and attaching copies of all documents which support his position. Such response shall include your contact information including your name, mailing address, telephone number, and, if applicable, an email address. Such response(s) must be written and filed with the Clerk of the District Court in and for the County of Pueblo, State of Colorado, at the address set forth below, and a copy of the response shall also be mailed or delivered by the same date to the offices of MONTGOMERY LITTLE & SORAN, James C. Taravella, Esq., 5445 DTC Parkway, Suite 800, Denver, CO 80111. Applicant’s Attorneys’ phone number is (303) 773-8100.

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LAST DAY FOR FILING RESPONSE: JANUARY 29, 2025 AT 8:15 A.M.

PLACE FOR FILING RESPONSE: Pueblo County District Court, Dennis Maes Judicial Building, 501 N. Elizabeth Street, Pueblo, CO 81003.

IF NO RESPONSE IS FILED BY THE ABOVE DATE, THE COURT WILL, WITHOUT ANY HEARING AND WITHOUT FURTHER NOTICE, AUTHORIZE THE FORECLOSURE AND PUBLIC TRUSTEE'S SALE.

A COPY OF RULE 120 IS ATTACHED HERETO.

Dated this 15th day of January, 2025.

MONTGOMERY LITTLE & SORAN, PC

By: James C. Taravella
James C. Taravella, #55179
Attorney for Applicant Gary Baker

Mailing Address of Applicant:

Gary Baker
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