

DISTRICT COURT, PUEBLO COUNTY, COLORADO <b>Court address:</b> 501 N. Elizabeth Street Pueblo, Colorado 81003	
<b>IN THE MATTER OF THE APPLICATION OF          ADOLPH R. PADULA REVOCABLE TRUST AND          BERNADETTE L. PADULA REVOCABLE TRUST          FOR AN ORDER AUTHORIZING THE PUBLIC          TRUSTEE OF THE COUNTY OF PUEBLO, STATE OF          COLORADO, TO SELL CERTAIN REAL PROPERTY          UNDER A POWER OF SALE CONTAINED IN A DEED          OF TRUST</b>  <b>(Debtor(s): JAMES R. HARRISON and NICOLE E.          HARRISON)</b>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
Donald J. Banner, #3026 Banner & Bower, P.C. Attorneys for Applicant 115 E. Riverwalk, Suite 400 Pueblo, CO 81003 (719) 544-5086 (719) 544-2544 (FAX)	Case No. 2023 CV  Division 301
<p style="text-align: center;"><b>AMENDED NOTICE OF HEARING – September 6 2023 8:15 AM</b></p>	

**TAKE NOTICE** that you may be affected by the foreclosure of a Deed of Trust on the real property situate in Pueblo County, Colorado, described as Lot 3, Riverview Mesa Estates, commonly known as 1021 Gale Road, Pueblo, CO 81006.

All of the property encumbered by the Deed of Trust is included in the foreclosure. The property is not agricultural property.

Adolph R. Padula Revocable Trust and Bernadette L. Padula Revocable Trust have filed a Motion with this Court, claiming to be the Owner of a Promissory Note in the original principal amount of \$682,417.13 dated November 23, 2009, signed by James R. Harrison and Nicole E. Harrison and a Deed of Trust to the Public Trustee of Pueblo County, Colorado, dated November 23, 2009, signed by James R. Harrison and Nicole E. Harrison and recorded December 8, 2009 under Reception No. 1826846 of the records of Pueblo County, Colorado.

The Motion claims that Adolph R. Padula Revocable Trust and Bernadette L. Padula Revocable Trust have the right to foreclose the Deed of Trust because failure to pay quarterly installments of principal and interest from February 23, 2010 due on the twenty-third day of each quarter and failure to pay late charges and default interest.

The Motion requests a Court Order authorizing the Public Trustee to sell the real property in Pueblo County, Colorado, described as Lot 3, Riverview Mesa Estates, commonly known as 1021 Gale Road, Pueblo, CO 81006.

If you dispute the default or other facts claimed by Kenneth J. Roehrich to justify this foreclosure, or if you are entitled to protection against this foreclosure under the Servicemembers Civil Relief Act, as amended, you must make a written response to the Motion, stating under oath the facts upon which you rely and attaching copies of all documents which support your position. This response must be filed with the Clerk of this Court at the Pueblo County Judicial Building, 501 N. Elizabeth Street, Pueblo, Colorado 81003 no later than the 6<sup>th</sup> day of September, 2023, and a copy of the Response must also be mailed or delivered by the same date to Banner & Bower, P.C., 115 E. Riverwalk, Suite 400, Pueblo, Colorado 81003.

A hearing on the Motion is scheduled for 8:15 a.m., on the 6<sup>th</sup> day of September, 2023, in Division 301 of this Court at Pueblo County Judicial Building, 501 N. Elizabeth Street, Pueblo, Colorado 81003.

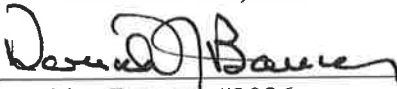
You may attend this hearing, with or without an attorney. **IF NO RESPONSE IS FILED BY THE 6<sup>TH</sup> DAY OF SEPTEMBER, 2023, THE COURT MAY, WITHOUT ANY HEARING, AUTHORIZE THE FORECLOSURE AND PUBLIC TRUSTEE'S SALE WITHOUT FURTHER NOTICE.**

If this case is not filed in a 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.

Your request may be made as a part of your response or any other paper you file with the Court at least five days before the hearing.

**DATED** at Pueblo, Colorado, this 4<sup>th</sup> day of August, 2023.

**BANNER & BOWER, P.C.**

By   
Donald J. Banner #3026  
Attorneys for Applicant

**Address of Applicant:**

4202 Saint Andrews Drive, Pueblo, CO 81001