



Applicant has elected to accelerate the entire indebtedness.

The Motion requests a Court Order authorizing the Public Trustee to sell the property situate in the County La Plata, State of Colorado, more particularly described as follows:

Tract B of CATEGORY 1- PROJECT NO. 85-63, according to the recorded plat thereof filed for record May 3, 1985 as Reception No. 515382, more particularly described as:

A tract of land located in the SW1/4SE1/4 of Section 24 and in the NW1/4NE1/4 of Section 25, Township 35 North, Range 10 West, N.M.P.M., also known as Tract B of Category 1- Project No. 85-63 as recorded in the Office of the La Plata County, Colorado, Clerk and Recorder under Reception Number 515382 being more particularly described as follows:

BEGINNING at a point on the South right-of-way line of U.S. Highway 160, per Colorado Department of Transportation Federal Aid Project No. NH 1601-036, recorded as Reception No. 781032, from which the S1/4 Corner of said Section 24, a marked stone in place, bears South 58° 29' 41" West, a distance of 262.57 feet;

Thence North 82° 03' 28" East along said Highway 160 right-of-way, a distance of 79.40 feet;

“ North 85° 59' 31" East along said Highway 160 right-of-way, a distance of 227.42 feet;

“ North 85° 14' 52" East along said Highway 160 right-of-way, a distance of 111.12 feet;

“ South 03° 50' 00" East, a distance of 301.84 feet;

“ South 87° 05' 41" West, a distance of 210.79 feet to a point on the centerline of Lightner Creek;

“ North 57° 42' 36" West along the centerline of Lightner Creek, a distance of 162.04 feet;

“ North 44° 22' 10" West along the centerline of Lightner Creek, a distance of 103.37 feet;

“ North 08° 12' 28" West, a distance of 116.51 feet to the point of beginning.

TOGETHER WITH a non-exclusive access easement located in the SW1/4SE1/4 of Section 24, Township 35 North, Range 10 West, N.M.P.M., and being more particularly described as follows:

BEGINNING at a point on the South right-of-way line of U.S. Highway 160, from which point the S1/4 Corner of said Section 24, a marked stone in place, bears South 58° 51' 08" West, a distance of 261.83 feet;

Thence South 08° 12' 28" East, a distance of 60.00 feet;

“ South 83° 42' 37" West, a distance of 35.00 feet;

“ North 08° 12' 28" West, a distance of 60.00 feet to a point on the South right-of-way line of U.S. Highway 160;

“ North 83° 42' 37" East, a distance of 35.00 feet along said right-of-way line to the point of beginning.

If you dispute the default or other facts claimed by Applicant to justify this foreclosure, or if you are entitled to protection against the foreclosure under the Servicemembers Civil Relief Act of 2003, as amended, you must make a typewritten 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 1060 E. 2<sup>nd</sup> Avenue, Durango, CO 81301 or before **JULY 30, 2024, BY 4:30 P.M.** and a copy of the response must also be mailed or delivered on or before the same date to Goldman, Nicholson & Mack, P.C., P.O. Box 2270, Durango, CO

81301, Attention: Josh W. Mack.

Any person who files a response may be required to pay a fee of \$192.00 at the time of the filing.

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.

The mailing address of the moving party is 8900 Freeport Parkway, Irving, Texas 75063-2438. The name, mailing address and telephone number of the person authorized to address loss mitigation requests is: James M. Beck, Senior Manager, Special Credit, Nissan Motor Acceptance Company, LLC, a Delaware limited liability company, 8900 Freeport Parkway, Irving, TX 75063, (303)349-2386.

A copy of C.R.C.P. 120 is attached to this Notice.

**IF NO RESPONSE IS FILED ON OR BEFORE JULY 30, 2024, BY 4:30 P.M. THE COURT MAY AUTHORIZE THE FORECLOSURE AND PUBLIC TRUSTEE'S SALE WITHOUT FURTHER NOTICE.**

**If you believe that the lender or servicer of this mortgage has violated the requirements for a single point of contact in section 38-38-103.1, Colorado Revised Statutes, or the prohibition on dual tracking in section 38-38-103.2, Colorado Revised Statutes, you may file a complaint with the Colorado attorney general, the federal Consumer Financial Protection Bureau, or both at: Colorado Attorney General, 1300 Broadway, 10<sup>th</sup> Floor, Denver, CO 80203, (720) 508-6000, <http://www.stopfraudcolorado.gov/about-consumer-protection/complaint-forms/mortgage-complaint-form>; Consumer Financial Protection Bureau, P.O. Box 2900, Clinton, IA 5233-2900, (855) 411-2372, <https://www.consumerfinance.gov/complaint/>. The filing of a complaint will not stop the foreclosure process.**

DATED this 9<sup>th</sup> day of July 2024.

**Goldman, Nicholson & Mack, P.C.**

/s/ Josh W. Mack

Josh W. Mack, Reg. #37858

Post Office Box 2270

Durango, Colorado 81302

(970) 259-8747

Attorney for Nissan Motor Acceptance Company,  
LLC, a Delaware limited liability company

**This communication concerns a debt which Goldman, Nicholson & Mack, P.C., acting as a debt collector, is attempting to collect. Any information obtained will be used for that purpose.**