

DISTRICT COURT, COUNTY OF MONTEZUMA STATE OF COLORADO 865 N. Park Street Cortez, CO 81321 (970) 565-1111	DATE FILED June 24, 2026 3:31 PM
IN THE MATTER OF THE APPLICATION OF JEFFERY L. WELLS AND CAROL I. WELLS, FOR AN ORDER AUTHORIZING THE PUBLIC TRUSTEE OF THE COUNTY OF MONTEZUMA, STATE OF COLORADO, TO SELL CERTAIN REAL PROPERTY UNDER A POWER OF SALE CONTAINED IN A DEED OF TRUST. (Montgomery)	
Attorneys for Applicant: Keenen D. Lovett, #47178 Kelly R. McCabe, #10259 KELLY R. McCABE, P.C. 22 E. Main St., P.O. Box 1296 Cortez, CO 81321 Telephone: (970) 565-7209 Facsimile: (970) 565-6355	<hr/> <p style="text-align: center;">^COURT USE ONLY^</p> <hr/> Case Number: 2026CV _____ Div.: _____ Ctrm.: _____
NOTICE OF RESPONSE DEADLINE	

TAKE NOTICE THAT YOU MAY BE AFFECTED BY THE FORECLOSURE OF A DEED OF TRUST AND MODIFICATIONS OF SAID DEED OF TRUST ON THE REAL PROPERTY DESCRIBED BELOW.

Jeffery L. Wells and Carol I. Wells have filed a Motion with this Court, claiming to be the owner of a Promissory Note in the original amount of \$45,000.00 which is secured by Deed of Trust dated April 22, 2019, and recorded April 22, 2019, as Reception No. 622460 and Amendment to Promissory Note Dated April 22, 2019 Between Jeffery L. Wells Carol I. Wells and Delbert Thomas Montgomery dated February 23, 2022 and recorded February 24, 2022 at Reception No. 643431 of the records of the Clerk and Recorder of Montezuma County, Colorado.

The Motion claims that Applicant has the right to foreclose the Deed of Trust because the maker of said Promissory Note has failed to make payment according to its terms and said Note is presently in default.

The Motion requests a court order authorizing the Public Trustee to sell the following real property in the County of Montezuma, Colorado, to-wit:

A tract of land in the W1/2 of Lot 9 of Section 6, Township 38 North, Range 17 West, N.M.P.M., being more particularly described as follows:

BEGINNING at a point on the East right of way line of U.S. Highway 491, from which point the N1/4 Corner of said Section 6 bears North 32°47'38" West a distance of 345.73 feet; Thence, South 26°49'23" East a distance of 1043.63 feet along said East right of way line to a North-South fenceline accepted as the East line of said W1/2 of said Lot 9; Thence, North 00°02'35" West a distance of 499.42 feet along said accepted fenceline; Thence, North 00°22'11" East a distance of 431.60 feet along said accepted fenceline; Thence, North 89°57'37" West a distance of 473.34 feet to the point of beginning.

Above described property is also known as the South Tract of the Exemption Resolution #P-01-17 Boundary Adjustment Plat recorded April 2, 2017 in Book 19 at Page 17.

Also known by street and number as: 25872 Hwy 491, Pleasant View, Colorado 81331.

If you dispute the default or other facts claimed by Applicant to justify this foreclosure, or if you are entitled to protection against this foreclosure under the Soldiers' and Sailors' Civil Relief Act of 1940, as amended, you must make a typed 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 Montezuma County Courthouse, 865 N. Park Street, Cortez, CO 81321, no later than JULY 23, 2026, accompanied by a filing fee of \$192.00 and a copy of the response must also be mailed or delivered by the same date to Kelly R. McCabe, P.C., 22 East Main, Cortez, CO 81321.

A hearing on the Motion is scheduled for 8:30 a.m., on July 30, 2026, in the District Courtroom of the above-designated Court at Cortez, Colorado. You may attend this hearing with or without your attorney.

If this case is not filed in the county where your property is located, you have the right to ask the court to move the case to that county. Your request may be made as part of your response or any paper you file with the court at least five days before the hearing.

IF NO RESPONSE IS FILED BY July 23, 2026, THE COURT MAY, WITHOUT ANY HEARING, AUTHORIZE THE FORECLOSURE AND PUBLIC TRUSTEE'S SALE WITHOUT FURTHER NOTICE.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

KELLY R. McCABE, P.C.
By: /s/ Keenen D. Lovett
Keenen D. Lovett #47178
Kelly R. McCabe #10259
Bryson C. McCabe #50873
Attorneys for Applicant