DISTRICT COURT, COUNTY OF MONTEZUMA STATE OF COLORADO 865 N. Park Street Cortez, CO 81321 (970) 565-1111 IN THE MATTER OF THE APPLICATION OF THE JACKLYN MARIE BERDZAR LIVING TRUST DATED FEBRUARY 18, 2021, 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. (HSH) **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	DATE FILED November 5, 2026 10:24 AM **^COURT USE ONLY^** 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.

The Jacklyn Marie Berdzar Living Trust Dated February 18, 2021 filed a Motion with this Court, claiming to be the owner of a Promissory Note in the original amount of $260,000.00 which is secured by Deed of Trust dated June 12, 2026, and recorded June 12, 2026, as Reception No. 661776 of the records of the Clerk and Recorder of Montezuma County, Colorado and the Loan Extension Agreement Dated June 16, 2026 between the Jacklyn Marie Berdzar Living Trust Dated February 18, 2021 and HSH Silver Skies Ranch, LLC and dated June 16, 2026.

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 SE1/4 of Section 1, Township 36 North, Range 17 West, N.M.P.M., being more particularly described as follows:

BEGINNING at a point on the East line of the SE1/4 of said Section 1, from which point the E1/4 Corner of said Section 1 bears North 00°02'30" East a distance of 250.81 feet;
Thence, South 89°55'18" West a distance of 1781.02 feet along a fenceline or extension thereof;
Thence, South 00°10'45" West a distance of 405.80 feet;
Thence, South 89°50'20" West a distance of 879.03 feet;
Thence, South 00°09'44" East a distance of 624.31 feet along the West line of the SE1/4 of said Section 1;
Thence, South 89°18'15" East a distance of 1758.75 feet along a fenceline;
Thence, North 00°02'00" East a distance of 995.14 feet along a fenceline;
Thence, North 89°55'18" East a distance of 900.32 feet along a fenceline or extension thereof;
Thence, North 00°02'30" East a distance of 60.00 feet along the East line of the SE1/4 of said Section 1 to the point of beginning.

Also known by street and number as: 13495 Road 21, Cortez, Colorado 81321.

TOGETHER WITH: Thirty (30) Shares of Montezuma Valley Irrigation and a Montezuma Water Company Water Tap.

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 DECEMBER 4, 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.

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 DECEMBER 4, 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