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Attorneys for Defendant, Counterclaimant,
Cross-claimant, and Third-Party Plaintiff,
Builders Capital Loan Acquisition Trust
2024-NPL1

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CANYON

CORY SWAIN and AMANDA FEELY-
SWAIN, husband and wife,

Plaintiff,

vs.

SKYLINE HOMES AND DEVELOPMENT
LLC, an Idaho limited liability company;
ODOM GROUP, LLC, an Idaho limited
liability company; JOHN ODOM, an
individual; TRADE CENTER WAY, LLC, a
Florida limited liability company;
CONSTRUCTION LOAN SERVICES II,
LLC, a Washington limited liability company;
BUILDERS CAPITAL FINANCE LLC, a
Washington limited liability company; HAT
FINANCE LLC, a Washington limited
liability company; BUILDERS CAPITAL
LOAN ACQUISITION TRUST 2024-NPL1, a
Delaware Statutory Trust; RE ONE, LLC, an
Idaho limited liability company; MATRIX
ENGINEERING, INC., an Idaho corporation;
THE MIDDLETON MILL DITCH

Case No. CV14-24-02497

NOTICE OF SHERIFF'S SALE OF
REAL PROPERTY ON FORECLOSURE

Date of Sale: Wednesday, September 17,
2025, and continuing thereafter, from day
to day until all of the Property is sold

Time of Sale: 9:00 A.M., mountain time

Location: Canyon County Courthouse
1115 Albany St.
Caldwell, ID 83605

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY ON FORECLOSURE
(CANYON COUNTY PROPERTY) - 1

56637.0022.4911-5232-8536.1

COMPANY an Idaho corporation;
TRANSNATION TITLE & ESCROW, INC.
d/b/a FIDELITY NATIONAL TITLE
COMPANY; a Delaware corporation;
PIONEER TITLE COMPANY OF ADA
COUNTY d/b/a PIONEER LENDER
TRUSTEE SERVICES, an Idaho corporation;
ALLIANCE TITLE & ESCROW, LLC, a
Delaware limited liability company;
TRUSTEE SERVICES, INC., an Idaho
corporation; KEVIN P. MORAN, an
individual but solely in his capacity as trustee;
GARLAND REICH, an individual; GLORIA
REICH, an individual; BRADLEY HILD, an
individual; DANA HILD, an individual,

Defendants.

BUILDERS CAPITAL LOAN
ACQUISITION TRUST 2024-NPL1, a
Delaware Statutory Trust,

Counterclaimant,

vs.

CORY SWAIN and AMANDA FEELY-
SWAIN, husband and wife,

Counterdefendants.

BUILDERS CAPITAL LOAN
ACQUISITION TRUST 2024-NPL1, a
Delaware Statutory Trust,

Cross-claimant,

vs.

SKYLINE HOMES AND DEVELOPMENT
LLC, an Idaho limited liability company;
JOHN ODOM, an individual; GARLAND
REICH, an individual; GLORIA REICH, an
individual; BRADLEY HILD, an individual;
DANA HILD, an individual; TRADE
CENTER WAY, LLC, a Florida limited
liability company; RE ONE, LLC, an Idaho
limited liability company; and MATRIX
ENGINEERING, INC., an Idaho corporation,

Cross-defendants.

BUILDERS CAPITAL LOAN
ACQUISITION TRUST 2024-NPL1, a
Delaware Statutory Trust,

Third-Party Plaintiff,

vs.

DALE NEWBERRY, an individual;
ENVIRO-TECH IDAHO LLC, an Idaho
limited liability company; C3 CIVIL
ENGINEERING LLC, an Idaho limited
liability company; LAKES AT TELAGA
HOMEOWNERS' ASSOCIATION, INC., an
Idaho non-profit corporation; CRESCENT
LAKE COMMUNITY ASSOCIATION, INC.,
an Idaho non-profit corporation; SNAKE
RIVER KARTERS, LIMITED, an Idaho non-
profit corporation; and any and all unknown
owners or unknown heirs or unknown devisees
of any deceased person claiming any right,
title or interest in and to any or all of the
property, which is the subject of this action,
and any other person or other entity who has
or may have an interest in and to the property,
which is the subject of this action, referred to
for convenience by the fictitious designations
of DOES I through XX,

Third-Party Defendants.

The personal and real property shall be sold at public auction in separate sales of each lot and/or parcel starting first with the Thunder Ridge Project (as defined below); Second, the Crescent Lakes Subdivision (as defined below); and Third, the Fountain Springs Subdivision (as defined below); each sale subject to a right of redemption as applicable under the law. For each of those separate lots or separate parcels sold that are less than twenty (20) acres, the redemption period shall be a period of six (6) months following the date of said sales, pursuant to Idaho Code § 11-402. For those separate lots or separate parcels sold that are greater than twenty (20) acres, the

redemption period shall be a period of one (1) year following the date of said sales, pursuant to Idaho Code § 11-402.

The Sheriff will give possession but does not guarantee clear title or continued possessory right to the purchaser and makes no representations or warranties thereof.

The personal and real property hereinbefore referred to, which is to be sold at the time and place hereinbefore mentioned, is particularly described as follows:

The **Thunder Ridge Project** is defined as follows:

Parcel 3

A parcel of land lying in a portion of the South half of the Southeast quarter of Section 36, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and being more particularly described as follows:

Commencing at the CS 1/16 corner of said Section 36; thence along the Northerly line of said South half of the Southeast quarter North 89°30'29" East, 57.39 feet to the POINT OF BEGINNING; thence Continuing along said Northerly line North 89°30'29" East, 2596.98 feet to the S 1/16 corner of Section 31 and Section 36; thence along the Easterly side of said Section 36, South 00°19'32" East, 518.07 feet; thence leaving said Easterly line South 89°40'28" West, 30.00 feet; thence South 35°20'41" West, 392.13 feet; thence South 89°30'18" West, 989.86 feet; thence South 07°11'14" West, 309.72 feet; thence South 89°30'18" West, 1056.59 feet; thence North 12°44'12" West, 1169.54 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM the right of way for Can Ada Road as granted in Deed recorded October 21, 1977 as Instrument No. 813025, Deed recorded May 11, 1978 as Instrument No. 830498, and Deed recorded August 16, 1991 as Instrument No. 9116187, records of Canyon County, Idaho

And

The South Half of the Northwest Quarter of the Southeast Quarter of Section 36, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

And

The Northeast Quarter of the Southeast Quarter of Section 36, Township 5 North, Range 2 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM the right of way for Can Ada Road as granted in Deed recorded October 21, 1977 as Instrument No. 813025, Deed recorded May 11, 1978 as Instrument No. 830498, Deed recorded December 16, 1981 as Instrument No. 935973, and as disclosed in Warranty Deed recorded February 7, 1983 as Instrument No. 967454, records of Canyon County, Idaho;

Together with all existing and future easements, access rights, appurtenances, privileges, licenses, hereditaments, franchises and tenements, including water stock and water rights and all minerals, oil, gas, and other commercially valuable substances that may be in, under or produced from any part of it, including but not limited to Land, Appurtenances, Easements; Improvements; Related Real Property and Improvements; Leases and Licenses; Goods, Materials, Fixtures; Construction Materials and Equipment; Borrower Funds; Rent, Issues and Profits; Contracts and Plans; Insurance; Miscellaneous Personal Property; Books and Records; Additional Property; Rights of Declarant; and Proceeds;

(“**Thunder Ridge Project**”). The Thunder Ridge Project consists of four (4) distinct legal parcels, and shall each be called to sale separately, as follows:

<u>Parcel Nos.</u>	
R37629013A	0 Can Ada Road, Star, Idaho
R37629013	0 Can Ada Road, Star, Idaho
R37629012	0 Can Ada Road, Star, Idaho
R37629000	0 Blessinger Road, Star, Idaho

The **Crescent Lakes Subdivision** is defined as follows:

Parcel 2

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27 and 28 in Block 1;

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42 and 43 in Block 2;

Lots 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, and 37 in Block 3

All in Crescent Lakes Subdivision, according to the official plat thereof, filed in Book 52 of Plats at Page 7, records of Canyon County, Idaho.

Excepting the following described property:

Lots 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 25, and 27 in Block 1;
and Lots 16, 17, 21, 22, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35 and 36 in Block 2; and Lots 10, 11, 12, 13, 14, 16, 17, 18, 19 and 21 in Block 3,

All in Crescent Lakes Subdivision, according to the official plat thereof, filed in Book 52 of Plats at Page 7, records of Canyon County, Idaho;

Together with all existing and future easements, access rights, appurtenances, privileges, licenses, hereditaments, franchises and tenements, including water stock and water rights and all minerals, oil, gas, and other commercially valuable substances that may be in, under or produced from any part of it, including but not limited to Land, Appurtenances, Easements; Improvements; Related Real Property and Improvements; Leases and Licenses; Goods, Materials, Fixtures; Construction Materials and Equipment; Borrower Funds; Rent, Issues and Profits; Contracts and Plans; Insurance; Miscellaneous Personal Property; Books and Records; Additional Property; Rights of Declarant; and Proceeds;

(“**Crescent Lakes Subdivision**”). The Crescent Lakes Subdivision consists of sixty (60) distinct lots, all less than twenty (20) acres, and each shall be called as a separate sale as follows:

Lot # in Block 1, with a commonly known address of:

- 1** 8164 Fountain Brook Street, Middleton, Idaho 83644
- 2** 8168 Fountain Brook Street, Middleton, Idaho 83644
- 3** 8170 Fountain Brook Street, Middleton, Idaho 83644
- 21** 8097 Tandy Cove Street, Middleton, Idaho 83644
- 22** 8095 Tandy Cove Street, Middleton, Idaho 83644
- 23** 8093 Tandy Cove Street, Middleton, Idaho 83644

- 24 8089 Tandy Cove Street, Middleton, Idaho 83644
- 26 8085 Tandy Cove Street, Middleton, Idaho 83644
- 28 8081 Tandy Cove Street, Middleton, Idaho 83644

Lot # in Block 2, with a commonly known address of:

- 1 8079 Tandy Cove Street, Middleton, Idaho 83644
- 2 8077 Tandy Cove Street, Middleton, Idaho 83644
- 3 8075 Tandy Cove Street, Middleton, Idaho 83644
- 4 8073 Tandy Cove Street, Middleton, Idaho 83644
- 5 8071 Tandy Cove Street, Middleton, Idaho 83644
- 6 8069 Tandy Cove Street, Middleton, Idaho 83644
- 7 8067 Tandy Cove Street, Middleton, Idaho 83644
- 8 8063 Tandy Cove Street, Middleton, Idaho 83644
- 9 8059 Tandy Cove Street, Middleton, Idaho 83644
- 10 8055 Tandy Cove Street, Middleton, Idaho 83644
- 11 8051 Tandy Cove Street, Middleton, Idaho 83644
- 12 8047 Tandy Cove Street, Middleton, Idaho 83644
- 13 8043 Tandy Cove Street, Middleton, Idaho 83644
- 14 8039 Tandy Cove Street, Middleton, Idaho 83644
- 15 8035 Tandy Cove Street, Middleton, Idaho 83644
- 18 8023 Tandy Cove Street, Middleton, Idaho 83644
- 19 8019 Tandy Cove Street, Middleton, Idaho 83644
- 23 8007 Tandy Cove Street, Middleton, Idaho 83644
- 37 8140 Fountain Brook Street, Middleton, Idaho 83644
- 38 8144 Fountain Brook Street, Middleton, Idaho 83644
- 39 8148 Fountain Brook Street, Middleton, Idaho 83644
- 40 8152 Fountain Brook Street, Middleton, Idaho 83644
- 41 8156 Fountain Brook Street, Middleton, Idaho 83644
- 42 8160 Fountain Brook Street, Middleton, Idaho 83644
- 43 8162 Fountain Brook Street, Middleton, Idaho 83644

Lot # in Block 3, with a commonly known address of:

- 1 8137 Fountain Brook Street, Middleton, Idaho 83644
- 2 8141 Fountain Brook Street, Middleton, Idaho 83644

- 3 8145 Fountain Brook Street, Middleton, Idaho 83644
- 5 8149 Fountain Brook Street, Middleton, Idaho 83644
- 6 8153 Fountain Brook Street, Middleton, Idaho 83644
- 7 8157 Fountain Brook Street, Middleton, Idaho 83644
- 8 8161 Fountain Brook Street, Middleton, Idaho 83644
- 9 8165 Fountain Brook Street, Middleton, Idaho 83644
- 15 8179 Fountain Brook Street, Middleton, Idaho 83644
- 20 8092 Tandy Cove Street, Middleton, Idaho 83644
- 22 8088 Tandy Cove Street, Middleton, Idaho 83644
- 23 8086 Tandy Cove Street, Middleton, Idaho 83644
- 24 8084 Tandy Cove Street, Middleton, Idaho 83644
- 25 8082 Tandy Cove Street, Middleton, Idaho 83644
- 26 8080 Tandy Cove Street, Middleton, Idaho 83644
- 27 8078 Tandy Cove Street, Middleton, Idaho 83644
- 28 8076 Tandy Cove Street, Middleton, Idaho 83644
- 29 8074 Tandy Cove Street, Middleton, Idaho 83644
- 30 8072 Tandy Cove Street, Middleton, Idaho 83644
- 31 8070 Tandy Cove Street, Middleton, Idaho 83644
- 32 8068 Tandy Cove Street, Middleton, Idaho 83644
- 33 8064 Tandy Cove Street, Middleton, Idaho 83644
- 34 8060 Tandy Cove Street, Middleton, Idaho 83644
- 35 8056 Tandy Cove Street, Middleton, Idaho 83644
- 36 8052 Tandy Cove Street, Middleton, Idaho 83644
- 37 8048 Tandy Cove Street, Middleton, Idaho 83644

The **Fountain Springs Subdivision** is defined as:

Parcel 1

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17 in Block 1 of Fountain Springs Subdivision according to the official plat thereof, filed in Book 55 of Plats at Page(s) 36, records of Canyon County, Idaho.

ALL THE FOREGOING PROPERTY BEING FORMERLY
DESCRIBED AS FOLLOWS:

LOTS 1, 2 AND 3 IN BLOCK 4 OF LAKES AT TELAGA
SUBDIVISION PHASE 1, ACCORDING TO THE OFFICIAL
PLAT THEREOF, FILED IN BOOK 37 OF PLATS AT PAGE 19,
RECORDS OF CANYON COUNTY, IDAHO;

Together with all existing and future easements, access rights, appurtenances, privileges, licenses, hereditaments, franchises and tenements, including water stock and water rights and all minerals, oil, gas, and other commercially valuable substances that may be in, under or produced from any part of it, including but not limited to Land, Appurtenances, Easements; Improvements; Related Real Property and Improvements; Leases and Licenses; Goods, Materials, Fixtures; Construction Materials and Equipment; Borrower Funds; Rent, Issues and Profits; Contracts and Plans; Insurance; Miscellaneous Personal Property; Books and Records; Additional Property; Rights of Declarant; and Proceeds;

(“**Fountain Springs Subdivision**”). The Fountain Springs Subdivision consists of seventeen (17) distinct lots, all less than twenty (20) acres, and each shall be called as a separate sale as follows:

Lot # in Block 1, with a commonly known address of:

- | | |
|---------|---|
| 1 | 8574 Silverwood Way, Middleton, Idaho 83644 |
| 2 | 8580 Silverwood Way, Middleton, Idaho 83644 |
| 3 | 8588 Silverwood Way, Middleton, Idaho 83644 |
| 4 | 8596 Silverwood Way, Middleton, Idaho 83644 |
| 5 | 8608 Silverwood Way, Middleton, Idaho 83644 |
| 6 | 8622 Silverwood Way, Middleton, Idaho 83644 |
| 7 | 8634 Silverwood Way, Middleton, Idaho 83644 |
| 8 | 8631 Telaga Way, Middleton, Idaho 83644 |
| 9 | 8623 Telaga Way, Middleton, Idaho 83644 |
| 10 | 8617 Telaga Way, Middleton, Idaho 83644 |
| 11 | 8603 Telaga Way, Middleton, Idaho 83644 |
| 12 | 8599 Telaga Way, Middleton, Idaho 83644 |
| 13 | 8591 Telaga Way, Middleton, Idaho 83644 |
| 14 | 8585 Telaga Way, Middleton, Idaho 83644 |
| 15 | 8583 Telaga Way, Middleton, Idaho 83644 |
| 16 & 17 | 0 Silverwood Way, Middleton, Idaho 83644 |

The Thunder Ridge Project, the Crescent Lakes Subdivision, and the Fountain Springs Subdivision are collectively reference herein as the “**Property**.”

Parties desiring further information regarding the location of the real property described herein should contact:

Jessica Brocious
HAWLEY TROXELL ENNIS & HAWLEY LLP
P.O. Box 1617
Boise, Idaho 83701
Telephone: (208) 344-6000

DATED this 5th day of August 2025.

KIERAN DONAHUE, Sheriff of Canyon County,
State of Idaho

By: T. Krein #5988
Civil Deputy

PLAINTIFF HAS THE RIGHT TO SUBMIT A CREDIT BID. SALE MAY BE CANCELLED WITHOUT NOTICE.

NOTE: THE SHERIFF'S OFFICE DOES NOT GUARANTEE CLEAR TITLE OR GUARANTEE CONTINUED POSSESSORY RIGHTS. THE CANYON COUNTY SHERIFF'S OFFICE DOES NOT DISCRIMINATE ON THE BASIS OF DISABILITY IN THE ADMISSION OF OR ACCESS TO, OR PARTICIPATION IN ITS PROGRAMS OR ACTIVITIES. REQUEST FOR REASONABLE ACCOMMODATION MUST BE MADE NO LESS THAN 48 HOURS BEFORE THE SCHEDULED SALE. REQUEST FOR REASONABLE ACCOMMODATION FORMS ARE AVAILABLE FROM THE SHERIFF'S OFFICE, 1115 ALBANY STREET, CALDWELL, IDAHO.