

Towns County Herald

Legal Notices for January 20, 2021

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

RE: Joyce Hughes
All debtors and creditors of the estate of Joyce Hughes, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor.
This 23rd day of December, 2020
Deborah Stewart
222 Pemberly Blvd.
Summerville, SC 29486
Beth Martin
Attorney at Law
70 Choice Avenue
Dahlonega, GA 30533
T(Jan6,13,20,27)

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF CARL R. COONEY
All debtors and creditors of the estate of Carl R. Cooney, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of the estate, according to the law, and all persons indebted to said estate are required to make immediate payment to the Executor.
This 29th day of December, 2020.
BY: Cary D. Cox, P.C., Attorney at Law
Georgia Bar No. 192295
P. O. Box 748
Blairsville, GA 30514
T(Jan6,13,20,27)

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO CREDITORS

IN RE: ESTATE OF NANCY J. CALLAWAY, DECEASED
All creditors of the Estate of Nancy J. Callaway, deceased, late of Towns County, are hereby notified to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment to me at 108 Blue Ridge Hwy., Ste 6, Blairsville, GA 30512.
This 29 day of December, 2020.
David E. Barrett
Nancy J. Callaway, Deceased
David E. Barrett, LLC
Attorney at Law
108 Blue Ridge Highway, Suite 6
Blairsville, GA 30512
706-745-0250
T(Jan6,13,20,27)

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA IN RE: ESTATE OF MALCOLM M. NELSON, DECEASED ESTATE NO. 2020-P-083 PETITION FOR LETTERS OF ADMINISTRATION NOTICE

TO: All Interested parties and to whom it may concern:
Coleyby L. Nelson has petitioned to be appointed Administrator(s) of the estate of Malcolm M. Nelson, deceased, of said County. (The Petitioner has also applied for waiver of bond and/or grant of certain powers contained in O.C.G.A. § 53-12-261). All interested parties are hereby notified to show cause why said Petition should not be granted. All objections to the Petition must be in writing, setting forth the grounds of any such objections, and must be filed with the Court on or before February 1, 2021 .

BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the Petition may be granted without a hearing.
David Rogers
Judge of the Probate Court
By: Michelle Smith
Clerk of the Probate Court
48 River St. Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Jan6,13,20,27)

NOTICE TO DEBTORS AND CREDITORS

RE: Estate of Virginia Hall Dockery
All debtors and creditors of the Estate of Virginia Hall Dockery, deceased, late of Towns County, are hereby notified to render their demands to the undersigned according to law and all persons indebted to said estate are required to make immediate payment.
This Day of , 20
Sandy Dockery Wood
483 Lower Bell Creek Road
Hiawassee, GA 30546
706-835-5028
T(Jan6,13,20,27)

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of CHRISTIE LYNN SCHUSTER deceased of Towns County, Hiawassee, Georgia are hereby notified to render their demands to the undersigned according to law; and all persons indebted to said estate are required to make immediate payment to the undersigned Executor of the Estate of Christie Lynn Schuster.
This 4th day of January, 2021.
Kathy Darracott, Executor
ESTATE OF CHRISTIE LYNN SCHUSTER
149 Owens Farm Lane
Woodstock, GA 30188
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawassee, GA 30546
T(Jan6,13,20,27,Feb3)

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of GERALDINE ESTHER MAINE deceased of Towns County, Hiawassee, Georgia are hereby notified to render their demands to the undersigned according to law; and all persons indebted to said estate are required to make immediate payment to the undersigned Co-Executors of the Estate of Geraldine Esther Maine.
This 13th day of January, 2021.
Gloria A. Chambers, Co-Executor
ESTATE OF GERALDINE ESTHER MAINE
1303 Ramey Mt. Rd.
Hiawassee, Georgia 30546
Phyllis Rand, Co-Executor
ESTATE OF GERALDINE ESTHER MAINE
1200 Rova Way
Hiawassee, Georgia 30546
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawassee, GA 30546
T(Jan20,27,Feb3,10)

NOTICE TO DEBTORS AND CREDITORS

RE: Estate of Franklin Leroy Galloway
All debtors and creditors of the Estate of Franklin Leroy Galloway, deceased, late of Towns County, are hereby notified to render their demands to the undersigned according to law and all persons indebted to said estate are required to make immediate payment.
This 12th day of January, 2021
Chris Galloway
2769 Whippoorwill Lane
Hiawassee, GA 30546
706-970-9631
T(Jan20,27,Feb3,10)

NOTICE TO DEBTORS AND CREDITORS

RE: Estate of Ronnie Dale Plott
All debtors and creditors of the Estate of Ronnie Dale Plott, deceased, late of Towns County, are hereby notified to render their demands to the undersigned according to law and all persons indebted to said estate are required to make immediate payment.
This 13th day of January, 2021
Jeffery Dale Plott
113 Massey Lane
Athens, GA 30601
706-510-4148
T(Jan20,27,Feb3,10)

NOTICE TO DEBTORS AND CREDITORS

TO: All creditors of Bruce Cecil Garrett, late of Towns County, Georgia
On behalf of Bruce Cecil Garrett, now deceased you are hereby notified, pursuant to O.C.G.A. 53-7-92, to render in your demands and claims to and all persons who claim indebtedness by Bruce Cecil Garrett:
Bruce Cecil Garrett
c/o Mary Lou Garrett - Executrix of the Estate
Attorney J. Kevin Tharpe
405 Broad St. SE
Gainesville, GA 30501
T(Jan20,27,Feb3,10)

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA

IN RE: ESTATE OF
BOYCE LEMAR MCNABB, DECEASED
ESTATE NO. 2019-68
NOTICE
[For Discharge from Office and all Liability]
IN RE: Petition for Discharge of Personal Representative
TO: All Interested Parties, all and singular the heirs of said Decedent, the beneficiaries under the will, and to whom it may concern:
This is to notify you to file objection, if there is any, to the above-referenced Petition, in this Court on or before February 2, 2021.
BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the Petition may be granted without a hearing.
David Rogers
Judge of the Probate Court
By: Michelle Smith
Clerk of the Probate Court
48 River St. Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Jan20)

NOTICE OF SALE UNDER POWER, TOWNS COUNTY

Pursuant to the Power of Sale contained in a Security Deed given by Glyn Dale Pollard and Mary Sue Pollard to Wells Fargo Bank, N.A. dated 3/13/2009 and recorded in Deed Book 451 Page 389 Towns County, Georgia records; as last transferred to or acquired by Nationstar Mortgage LLC d/b/a Champion Mortgage Company, conveying the after-described property to secure a Note in the original principal amount of \$448,500.00, with interest at the rate specified therein, there will be sold by the undersigned at public outcry to the highest bidder for cash before the Courthouse door of Towns County, Georgia (or such other area as designated by Order of the Superior Court of said county), within the legal hours of sale on February 2, 2021 (being the first Tuesday of said month unless said date falls on a Federal Holiday, in which case being the first Wednesday of said month), the following described property:
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 35 AND 50, 19TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 1.20 ACRES, AND BEING LOT B-THREE (B-3) OF THE HIAWASSEE WILDERNESS SUBDIVISION AS SHOWN ON A PLAT OF SURVEY BY TAMROK ENGINEERING, INC., TOMMY J. PHILLIPS, R.S.#1626, DATED AUGUST 13, 1991 AS RECORDED IN PLAT BOOK 25, PAGE 3, TOWNS COUNTY RECORDS WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART HEREOF. SAID PROPERTY IS CONVEYED SUBJECT TO THE CERTAIN RESTRICTIVE COVENANTS FOR HIAWASSEE WILDERNESS, DATED NOVEMBER 4, 1977 AND RECORDED IN DEED BOOK 60, PAGE 605 TOWNS COUNTY RECORDS.
ALSO, CONVEYED IS AN UNOBSTRUCTED RIGHT OF INGRESS AND EGRESSES ALONG THE SUBDIVISION ROADS TO THE PROPERTY HEREIN CONVEYED. THE LOT IS CONVEYED SUBJECT TO AN UNOBSTRUCTED RIGHT OF INGRESS AND EGRESSES ALONG A FORTY (40) FOOT EASEMENT AS SHOWN ON A PLAT OF SURVEY BY B. KEITH ROCHESTER & ASSOCIATES, AS RECORDED IN PLAT BOOK 5, PAGE 308, TOWNS COUNTY RECORDS. ALSO, THE RIGHT TO ERECT PUBLIC UTILITIES OVER, THROUGH OR UNDER SAID PROPERTY. SAID EASEMENTS SHALL NOT BE CONSTRUED TO BE A COVENANT RUNNING WITH THE LAND SAND SHALL NOT BE DEFEATED FOR LACK OR USE OR MAINTENANCE.

The debt secured by said Security Deed has been and is hereby declared due because of, among other possible events of default, failure to pay the indebtedness as and when due and in the manner provided in the Note and Security Deed. The debt remaining in default, this sale will be made for the purpose of paying the same and all expenses of this sale, as provided in the Security Deed and by law, including attorney's fees (notice of intent to collect attorney's fees having been given).
Said property is commonly known as 7870 Hiawassee Wilderness Tr, Hiawassee, GA 30546 together with all fixtures and personal property attached to and constituting a part of said property, if any. To the best knowledge and belief of the undersigned, the party (or parties) in possession of the subject property is (are): Estate/Heirs of Glyn Dale Pollard and Estate/Heirs of Mary Sue Pollard or tenant or tenants.

Champion Mortgage LLC is the entity or individual designated who shall have full authority to negotiate, amend and modify all terms of the mortgage.
Champion Mortgage LLC
Loss Mitigation
PO Box 91322
Seattle, WA 98111-9422
Phone 855-683-3095
Fax 866-621-1036
Note, however, that such entity or individual is not required by law to negotiate, amend or modify the terms of the loan.

Said property will be sold subject to: (a) any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), (b) unpaid water or sewage bills that constitute a lien against the property whether due and payable or not yet due and payable and which may not be of record, (c) the right of redemption of any taxing authority, (d) any matters which might be disclosed by an accurate survey and inspection of the property, and (e) any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.

The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankruptcy Code; and (2) final confirmation and audit of the status of the loan with the holder of the Security Deed. Pursuant to O.C.G.A. Section 9-13-172.1, which allows for certain procedures regarding the rescission of judicial and non-judicial sales in the State of Georgia, the Deed Under Power and other foreclosure documents may not be provided until final confirmation and audit of the status of the loan as provided immediately above.
Nationstar Mortgage LLC d/b/a Champion Mortgage Company as agent and Attorney in Fact for Glyn Dale Pollard and Mary Sue Pollard
Aldridge Pite, LLP, 15 Piedmont Center, 3575 Piedmont Road, N.E., Suite 500, Atlanta, Georgia 30305, (404) 994-7637.
1341-424A
THIS LAW FIRM MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 1341-424A
T(Jan6,13,20,27)

NOTICE OF SALE UNDER POWER GEORGIA, TOWNS COUNTY

By virtue of the power of sale contained in Security Deed dated August 1, 2018 from Twelve Trees Capital, LLC, a Georgia limited liability company ("Grantor"), to First Tennessee Bank National Association, n/k/a First Horizon Bank ("Bank"), recorded August 13, 2018 in Book 616, page 415 in the Office of the Clerk of the Superior Court of Towns County, Georgia (the "Security Deed"), the Security Deed having been given to secure the obligations of Grantor to Bank, including, without limitation, the obligations evidenced by a promissory note from Grantor to Bank in the original principal amount of \$712,500.00 (the "Note"), the undersigned will sell at public outcry to the highest and best bidder for cash before the door of the Towns County Courthouse in Hiawassee, Georgia on the first Tuesday in February, 2021, February 2, 2021, between the legal hours of sale, all or parts of real property known and designated as Towns County Map Parcel Number H002-152, located at 25 River Street, Hiawassee, Georgia 30546, and more particularly described as follows (the "Property"):
All that tract or parcel of land lying and being in the 18th District, 1st Section, Towns County, Georgia, and being part of Lot of Land Number 112, and being a part of Lot Number One (1) according to the plat of the Town of Hiawassee, Georgia, and being what is locally known as the T. J. Hooper Old Store House lot and being better known now as the J. L. Hooper Drug Store, said lot being 40 feet fronting Public Square and running back 100 feet, including building located on said lot.
Also, ten (10) feet off of Lot Number One (1) in the plat of Hiawassee, Georgia, and running back 100 feet. Said ten (1) feet being in the side of said lot adjoining Lot Two (2) in the plat of said Town and fronting the Public Square and also front the Street on back of said lot. Also conveyed as above mentioned ten (10) feet of Lot Number Two (2) in the plan of Hiawassee, Georgia, and running back 100 feet and being on the side of said lot. Adjoining Lot Number One (1) in the plat of said Town and fronting the Public Square and fronting the Street on the back. The property hereby described making one contiguous parcel of land and fronting Public Square twenty (20) feet and running back 100 feet the street on the back and being ten (10) feet off of each lot.
Subject to governmental zoning and subdivision ordinances or regulations in effect thereon.

Being the same property conveyed to Twelve Trees Capital, LLC by Warranty Deed dated August 1, 2018, recorded August 13, 2018 in Deed Book 616, page 413 in the Office of the Clerk of the Superior Court of Towns County, Georgia. The obligations secured by the Security Deed have been and are hereby declared due and payable because of default under the terms of the Security Deed and the Note, including, but not limited to, the failure to make payments when due. Those obligations remaining in default, this sale will be made for the purpose of applying the proceeds to the payment of those obligations secured by the Security Deed, accrued interest and expenses of the sale, and all other payments provided for under the Security Deed, notice of intention to collect attorneys' fees having been given as provided by law, and the remainder, if any, shall be applied as provided by law.

The Property will be sold as the property of Twelve Trees Capital, LLC, which, to the best of Bank's knowledge and belief, is the party in possession of the Property.
The Property will be sold "as is", without express or implied warranties of any kind, subject to (a) all unpaid real and personal property ad valorem taxes and governmental assessments, and (b) all prior restrictions, rights-of-way and assessments of record, if any, appearing of record prior to the date of the Security Deed and those appearing after the date of the Security Deed and consented to of record by Bank, as applicable.

The name, address, and telephone number of the individual or entity with full authority to negotiate, amend, and modify the terms of the Note and the Security Deed are as follows: Jeanna McWilliams, Senior Vice President, 211 Franklin Road, Suite 300, Brentwood, TN 37027, telephone 629-208-2021. However, such individual or entity is not required by law to negotiate, amend, or modify the terms of the Note or the Security Deed.
First Horizon Bank, f/k/a First Tennessee Bank National Association, attorney in fact for Twelve Trees Capital, LLC, c/o Cameron Kapperman, Esq. (GA Bar No. 371109), Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., 633 Chestnut Street, Suite 1900, Chattanooga, Tennessee 37450 (phone 423-756-2010).
T(Jan6,13,20,27)