

# Towns County Herald

## Legal Notices for January 23, 2019

### NOTICE TO DEBTORS AND CREDITORS

All creditors of the estate of Jack Charlie Hall a/k/a Charlie Jack Hall deceased, late of Towns County, 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.

This 3rd day of January, 2019

Richard Erwin,  
as Administrator of said Estate  
5580 Rolling Acres Lane  
Cumming, GA 30028  
T(Jan16,23,30,Febe)B

### NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA  
COUNTY OF TOWNS

RE: ESTATE OF BETTY J. HAWES

All creditors of the estate of Betty J. Hawes deceased, late of Towns County, 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.

This 26th day of December, 2018.

EXECUTOR: Cynthia St. Cyr  
ADDRESS: c/o Eddy A. Corn, Attorney  
253 Big Sky Drive  
Hiawassee, GA 30546  
PHONE: (706) 896-3451

T(Jan2,9,16,23)B

### NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA  
COUNTY OF TOWNS

RE: ESTATE OF Helen L. Hogsed

All creditors of the estate of Helen L. Hogsed deceased, late of Towns County, 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.

This 2nd day of January, 2019.

Michael Stephens  
6344 Stephens Road  
Young Harris, GA 30582  
706-781-9486

T(Jan9,16,23,30)B

### IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE:

DONALD ROGER MULL, DECEASED

ESTATE NO. 2019-5

NOTICE OF PETITION TO FILE FOR YEAR'S SUPPORT

The Petition of Darlene J. Mull, for a year's support from the estate of Donald Roger Mull, Deceased, for Decedent's Surviving Spouse, having been duly filed, all interested persons are hereby notified to show cause, if any they have, on or before February 18, 2019 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 on or before the time stated in the preceding sentence. 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: Kerry L. Berrong

Clerk of the Probate Court

48 River St., Suite C

Hiawassee, GA 30546

Address

706-896-3467

Telephone Number

T(Jan23,30,Febe,13)B

### IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF

MARSHA S. ELLIOTT, DECEASED

ESTATE NO. 2019-2

PETITION FOR LETTERS OF ADMINISTRATION

NOTICE

TO: All interested parties and to whom it may concern:

Robert A. Elliott has petitioned to be appointed Administrator of the estate of Marsha S. Elliott 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 11, 2019.

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: Kerry L. Berrong

Clerk of the Probate Court

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T(Jan16,23,30,Febe)B

### NOTICE OF SALE UNDER POWER

By virtue of the power of sale contained in the certain Deed to Secure Debt ("Security Deed") from Patricia DesFosses (hereinafter the "Grantor") to NEWHILL, LLC (hereinafter the "Grantee") dated January 5, 2018, and recorded January 10, 2018, in Deed Book 607, Page 466, of the records of the Clerk of Superior Court, Towns County, Georgia Records; originally having been given to secure a Promissory Note executed by Grantor in the original principal amount of \$135,000.00, the property described in said deed will be sold by the undersigned at public outcry to the highest bidder for cash before the Courthouse door at Towns County, Georgia, within the legal hours of sale on the first Tuesday in FEBRUARY 2019, to wit:

All that tract or parcel of land lying and being in Land Lot 225, 18th District, 1st Section, Towns County, Georgia, containing 1.20 acres and being Lot Forty-Two (42) of Fodder Creek Estates Phase III as shown on a Plat of Survey by Tamrok Engineering, Inc., dated 9/23/88, recorded in Plat Book 11, Page 202, Towns County Records which description on said plat is incorporated herein by reference. The property is conveyed subject to the road easement as shown on said plat. The property is conveyed subject to the restrictions of record pertaining to Fodder Creek Estates Phase III SS recorded in the Towns County Records. The property is conveyed subject to the easement conveyed to Blue Ridge Electric.

The debt secured by said Security Deed has been and is hereby declared due and payable in full by reason of default under the terms and provisions of said Security Deed and the terms of the Note and Agreements secured thereby. The debt remaining in default, this sale will be made for the purpose of paying the indebtedness and interest thereon, together with any other indebtedness due and owing by Grantor to Grantee Newhill, LLC including all expenses of this sale, including attorney's fees, notice of intent to collect attorney's fees having been given.

The entity that has full authority to negotiate, amend, and modify all terms of the mortgage with the debtor is: Newhill, LLC, P.O. Box 682046, Marietta, GA 30068, Phone: 404-918-9929. Please understand that the secured creditor is not required to negotiate, amend, or modify the terms of the mortgage instrument. Said property will be sold subject to any outstanding ad valorem taxes including taxes which are a lien, but not yet due and payable, any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, security deeds, encumbrances, zoning ordinances, restrictions, covenants and matters of record superior to the Security Deed first set out above.

To the best of the knowledge of Grantee, title to said property is vested in the name of Patricia DesFosses and Mike R. DesFosses. Newhill, LLC, as Attorney-in-fact for Patricia DesFosses, the above Grantor

By: JONES & WALDEN, LLC

Matthew Tokajer

Attorney for Newhill, LLC

21 Eighth Street, NE

Atlanta, Georgia 30309

(404) 564-9300

Attn: Lauren R. Brown

THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT; ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

T(Jan9,16,23,30)B

### NOTICE OF SEIZURE OF PERSONAL PROPERTY

VALUED AT LESS THAN \$25,000.00

Pursuant to O.C.G.A. 9-16-11(a)

TAKE NOTICE that on September 22nd, 2018, law enforcement officers of the Towns County Sheriff's Office seized the following the following items: 1) an amount of Three Thousand and Three Dollars (\$3,003.00) dollars in United States; a Black in color, model p11, Keltec, 9 mm semi-automatic handgun, bearing serial number AA6D17; 3) a black in color, 2003 year model, PT Cruiser bearing VIN Number 3CFY78G83T622140, and bearing Tennessee License and bearing Registration Number BXK763 (which according to Tennessee State Records does not match and was not registered to this vehicle); and 4) Ten Thousand, Nine Hundred and Seventy Dollars (\$10,970.00), at or near the vicinity of Kelly Road, Towns, Georgia.

The seized property was directly or indirectly used or intended for use to facilitate violations of the Georgia Controlled Substances Act, to wit: Possession of Methamphetamine, a violation of O.C.G.A. 16-13-30(a) and Possession of Marijuana, a violation of O.C.G.A. 16-13-30(j) and/or is proceeds derived or realized therefrom and/or was found in close proximity to said subject Methamphetamine and Marijuana and is therefore subject to forfeiture pursuant to the provisions of O.C.G.A. Section 16-13-49(b), through operation of O.C.G.A. Section 16-9-1 et. seq., of the Georgia Uniform Civil Forfeiture Procedure Act

FURTHER TAKE NOTICE

The purported owner[s] or claimant[s] of said

property is said to be:

Joseph Carson Loog

111 Irvin Street

Paris, TN 38242

C/O The Towns County Sheriff's Law Enforcement Detention Center

4070 A State Highway 339

Young Harris, GA 30582

Angela Cheryl Smith

60 Ray Miller Road

Sugar Tree, TN 308380

OR

310 Benco Hills Road

Camden, TN 38320

Justin Lynn Goodman

582 E. College Street

Jackson, TN 38301

C/O The Benton County Tennessee Sheriff's Jail

116 South Rosemary Avenue

Camden, Tennessee 38220

AND FURTHER TAKE NOTICE that the owner or interest holder may file a claim to the seized property within thirty (30) days after service by sending the claim to the District Attorney for the Enotah Judicial Circuit, 65 Courthouse Street, Box 6, Blairsville, GA 30512 by certified mail or statutory overnight delivery, return receipt requested. The claim must be signed by the owner or interest holder and provide the following: 1) The name of the claimant; 2) The address at which the claimant resides; 3) A description of the claimant's interest in the property; 4) A description of the circumstances of the claimant's obtaining an interest in the property and, to the best of the claimant's knowledge, the date the claimant obtained the interest and the name of the person or entity that transferred the interest to the claimant; 5) The nature of the relationship between the claimant and the person who possessed the property at the time of the seizure; 6) A copy of any documentation in the claimant's possession supporting his or her claim; and 7) Any additional facts supporting his or her claim.

This 16th day of November, 2018

Jeff Langley

District Attorney

Enotah Judicial Circuit

BY: Buck Levins

Assistant District Attorney

65 Court House Street, Box 6

Blairsville, GA 30512

(706) 439-6029

SEIZING AGENCY:

Office of the Sheriff of Towns County

4070 A State Highway 339

Young Harris, GA 30582

(11/28; 12/5; 12/12/2018)

T(Jan16,23,30)B