

# Towns County Herald

## Legal Notices for January 31, 2018

### NOTICE TO DEBTORS & CREDITORS

RE: Estate of Doris Kimball Flach  
All creditors of the estate of Doris Kimball Flach, deceased, late of Towns County, are hereby required to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment.

This 26 day of January, 2018

Patricia Galfas  
135 Uplands Ct  
Alpharetta, GA 3004  
770-634-6100

T(Jan31, Feb7, 14, 21)B

### NOTICE TO CREDITORS AND DEBTORS

#### RE: ESTATE OF PENNY R. HAGINS

All creditors and debtors of the estate of PENNY R. HAGINS deceased of Towns County, Hiawassee, Georgia are hereby notified to render in 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 4th day of January, 2018.

CAROL MIXON, Executor  
c/o Richard Sarrell II, Attorney at Law  
57 Sears Way  
Blairsville, GA 30512  
By- Lance Law Firm, PC

T(Jan10, 17, 24, 31)B

### NOTICE TO DEBTORS & CREDITORS

#### RE: Estate of Louis Edwin Pease

All creditors of the estate of Louis Edwin Pease, deceased, late of Towns County, are hereby required to render their demands to the undersigned according to law, and all persons indebted to said estate are required to make immediate payment.

This 3rd day of January, 2018

Meredith Maddry  
1423 LaChona Ct., NE Atlanta, GA 30329  
404-290-1684

T(Jan10, 17, 24, 31)B

### NOTICE

#### GEORGIA

##### Towns County

Notice is hereby given that Krista LaCroix, the undersigned, filed her petition to the Superior Court of Towns County, Georgia, on the 2nd day of January, 2018, praying for a change in the name of the petitioner's minor child from Carolina Grace Gibson to Carolina Grace La-Croix. Notice is hereby given pursuant to law to any interested or affected party to appear in said Court and to file objections to such name change. Objections must be filed with said Court within thirty (30) days of the filing of said petition.

This, the 2nd day of January, 2018.

Krsita LaCroix, Petitioner

T(Jan10, 17, 24, 31)B

### NOTICE OF INTENTION TO

#### INTRODUCE LOCAL LEGISLATION

Notice is hereby given that I shall introduce a bill in the 2018 session of the General Assembly. Said bill shall be to replace the current charter of the City of Young Harris with a new charter for the City of Young Harris, Towns County, Georgia; describe the corporate limits; provide for municipal government; provide for municipal officials; their election or appointment, term of office, salary and duties; empower said municipality to levy and collect taxes and other revenue and expend same; and for other purposes.

Representative Matt Gurtler

T(Jan31)B

### NOTICE OF ARTICLES OF INCORPORATION

Notice is given that Articles of Incorporation that will incorporate The Enclave on Lake Chatuge HOA, Inc. have been delivered to the Secretary of State for filing in accordance with the Georgia Corporation Code. The initial registered office of the corporation is located at 231 Chatuge Way, Hiawassee, Georgia 30546 and its initial registered agent at such address is Stephanie W. McConnell.

T(Jan31, Feb7)P

### NOTICE OF SALE UNDER POWER

#### GEORGIA, TOWNS COUNTY

By virtue of a Power of Sale contained in that certain Security Deed from CAROL CHASTAIN to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC AS NOMINEE FOR FIRST NATIONAL BANK OF LAYTON, dated June 17, 2011, recorded July 21, 2011, in Deed Book 497, Page 531, Towns County, Georgia Records, said Security Deed having been given to secure a Note of even date in the original principal amount of One Hundred Twenty-Seven Thousand Five Hundred and 00/100 dollars (\$127,500.00), with interest thereon as provided for therein, said Security Deed having been last sold, assigned and transferred to Finance of America Reverse LLC, there will be sold at public outcry to the highest bidder for cash at the Towns County Courthouse, within the legal hours of sale on the first Tuesday in February, 2018, all property described in said Security Deed including but not limited to the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 14, 17TH DISTRICT, FIRST SECTION, TOWNS COUNTY GEORGIA, CONTAINING 0.60 ACRES, AND BEING LOT FIFTEEN (15) OF NORTH MEADOW SUBDIVISION AS SHOWN ON A PLAT OF SURVEY BY TAMROK ENGINEERING, INC., R.S. #1626, DATED DECEMBER 9, 1988, RECORDED IN PLAT BOOK II, PAGE 196, TOWNS COUNTY RECORDS, WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART HEREOF.

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 NORTH MEADOW SUBDIVISION AS RECORDED IN DEED BOOK 96, PAGE 345-346, TOWNS COUNTY RECORDS. THE PROPERTY IS CONVEYED SUBJECT TO THE EASEMENT GRANTED TO BLUE RIDGE MOUNTAIN EMC AS RECORDED IN DEED BOOK 95, PAGE 701, TOWNS COUNTY RECORDS.

Said legal description being controlling, however the property is more commonly known as 3770 N MEADOW CIRCLE, YOUNG HARRIS, GA 30582.

The indebtedness secured by said Security Deed has been and is hereby declared due because of default under the terms of said Security Deed and Note. The indebtedness remaining in default, this sale will be made for the purpose of paying the same, all expenses of the sale, including attorneys' fees (notice to collect same having been given) and all other payments provided for under the terms of the Security Deed and Note.

Said property will be sold on an "as-is" basis without any representation, warranty or recourse against the above-named or the undersigned. The sale will also be subject to the following items which may affect the title: any outstanding ad valorem taxes (including taxes which are a lien, whether or not now due and payable); the right of redemption of any taxing authority; matters which would be disclosed by an accurate survey or by an inspection of the property; all zoning ordinances; assessments; liens; encumbrances; restrictions; covenants, and any other matters of record superior to said Security Deed.

To the best of the knowledge and belief of the undersigned, the owner and party in possession of the property is CAROL CHASTAIN, or tenants(s).

The sale will be conducted subject (1) to confirmation that the sale is not prohibited under the U.S. Bankruptcy Code and (2) to final confirmation and audit of the status of the loan with the holder of the Security Deed.

Please note that, pursuant to O.C.G.A. § 44-14-162.2, you are not entitled by law to an amendment or modification of the terms of your loan. The entity having full authority to negotiate, amend or modify all terms of the loan (although not required by law to do so) is: Reverse Mortgage Solutions, Inc., Loss Mitigation Dept., 14405 Walters Road, Suite 200, Houston, TX 77014, Telephone Number: 866-503-5559.

#### FINANCE OF AMERICA REVERSE LLC

as Attorney in Fact for

CAROL CHASTAIN

THE BELOW LAW FIRM MAY BE HELD TO BE ACTING AS A DEBT COLLECTOR, UNDER FEDERAL LAW. IF SO, ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Attorney Contact: Rubin Lublin, LLC, 3145 Avalon Ridge Place, Suite 100, Peachtree Corners, GA 30071

Telephone Number: (877) 813-0992 Case No. RMU-17-06365-1

Ad Run Dates 01/03/2018, 01/10/2018, 01/17/2018, 01/24/2018, 01/31/2018

www.rubinlublin.com/property-listings.phpc

T(Jan3, 10, 17, 24, 31)B

### NOTICE OF SALE UNDER POWER IN SECURITY

#### DEED

#### STATE OF GEORGIA

#### COUNTY OF TOWNS

Under and by virtue of the Power of Sale contained in the Deed to Secure Debt made by Roberta L. Garrett to Bank of Hiawassee in the amount of \$235,200.00 dated October 3, 2006, and filed October 13, 2006, in Deed Book 385, Page 777, as re-recorded in Book 386, Page 705, in the Office of the Clerk of the Superior Court for Towns County, Georgia. Modification Agreement recorded in Book 421, Page 6; Book 464, Page 783; Book 487, Page 404; Book 490, Page 391 and Book 507, Page 150 (collectively the "Security Deed") the undersigned will sell at public outcry to the highest and best bidder for cash before the door of the Courthouse of Muscogee County, Georgia, during the legal hours of sale, on the first Tuesday in February, 2018 the following described real property, to wit:

All the tract or parcel of land lying and being in Land Lot 35, of the 17th District, 1st Section, of Towns County, Georgia, containing 2.00 acres, more or less, as shown on a plat of survey of Tamrok Associates, Inc., dated 6/30/97, recorded in Plat Book 23, page 85 of the Towns County Records, said plat being incorporated herein by reference.

The aforesaid tract is conveyed subject to the right of way, if any, for Margie Road and for the existing electric power transmission lines shown on said survey. The property is subject to an easement in favor of BRMEMC as recorded in Deed Book 363, Page 657 Towns County Records.

Subject to and easement, restrictions and rights of way or record.

Parcel ID: 0002 041A

The debt secured by the Security Deed is evidenced by an Promissory Note given by Roberta L. Garrett (the "Borrower") to Bank of Hiawassee dated October 3, 2006 in the original principal amount of \$235,200.00 (as same may have been further modified, renewed or amended, collectively the "Note"); plus interest from date on the unpaid balance until paid, and other indebtedness.

Default has occurred and continues under the terms of the Note and Security Deed by reason of, among other possible events of default, the nonpayment when due of the indebtedness evidenced by the Note and secured by the Security Deed and the failure to comply with the terms and conditions of the Note and Security Deed. By reason of this default, the Security Deed has been declared foreclosable according to its terms.

The above-described real property will be sold to the highest and best bidder for cash as the property of Roberta L. Garrett, the proceeds to be applied to the payment of said indebtedness, attorneys' fees, and the lawful expenses of said sale, all as provided in the Note and Security Deed. The sale shall be subject to the following: all outstanding ad valorem taxes and/or assessments, if any; valorem redemptive rights of the Internal Revenue Service, if any; and all other prior assessments, easements, restrictions or matters of record.

To the best of the undersigned's knowledge and belief, the real property is presently owned by Roberta L. Garrett.

To the best of the undersigned's knowledge and belief, the party in possession of the real property is Roberta L. Garrett, and tenants holding under her.

South State Bank, as successor in interest to Park Sterling Bank, as successor in interest to Bank of Hiawassee, as Attorney-in-Fact for Roberta L. Garrett.

Christopher S. Cooper  
Kaplan, Bogue & Cooper, P.C.  
5555 Glenridge Drive, Suite 200  
Atlanta, Georgia 30342  
678-384-7021

T(Jan10, 17, 24, 31)B