

Towns County Herald

Legal Notices for January 4, 2023

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA
IN RE: ESTATE OF
RUSSELL M. STOOKEY,
DECEASED
ESTATE NO. 2022-P-117
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
TO: All Interested parties and to whom it may concern:

Loren C. Behuniak has petitioned to be appointed administrator of the estate of Russell M. Stookey deceased, of said county. The Petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, 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 January 23, 2023.

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
48 River St. Suite C
Hiawassee, GA 30546
Address
706-896-3467
Telephone Number
T(Dec28,Jan4,11,18)

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of Max E. Jones, a.k.a. Max Everett Jones, 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 Max E. Jones, a.k.a. Max Everett Jones.

This 19th day of December 2022.

Vicki Gribble, Executor
Estate of Max E. Jones,
a.k.a. Max Everett Jones
2896 Gribble Edward Road
Hiawassee, GA 30546
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawassee, GA 30546
T(Dec28,Jan4,11,18)

NOTICE TO DEBTORS AND CREDITORS

RE: Estate of Sue K. Unger
All debtors and creditors of the Estate of Sue K. Unger, 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 20 day of December, 2022

Jeffrey S. Rice
9616 White Carriage Dr.
Wake Forest, NC 27587
443-466-5542
T(Dec28,Jan4,11,18)

NOTICE TO DEBTORS AND CREDITORS

RE: Estate of Rebecca H. Brown
All debtors and creditors of the Estate of Rebecca Hunt Brown, 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 20 day of December, 2022

Thomas Coach Brown III
2125 Dragton Way
Young Harris, GA 30582
770-789-3131
T(Dec28,Jan4,11,18)

APPLICATION TO REGISTER A BUSINESS TO BE CONDUCTED UNDER TRADE NAME, PARTNERSHIP OR OTHER

STATE OF GEORGIA COUNTY OF TOWNS COUNTY
The undersigned does hereby certify that Southern Food Company LLC conducting a business as Young Harris Wing House in the City of Young Harris, County of Towns, in the State of Georgia, under the name of Young Harris Wing House and that the nature of the business is a Restaurant, and that the names and addresses of the persons, firms, or partnerships owning and carrying on said trade or business are: Taylor Jay Osborn, 1149 Main Street, Young Harris, GA 30582.

T(Dec28,Jan4)

APPLICATION TO REGISTER A BUSINESS TO BE CONDUCTED UNDER A FICTITIOUS BUSINESS NAME

STATE OF GEORGIA COUNTY OF TOWNS
The undersigned does hereby certify that KOA OAK TENANT, LLC conducting a business as HIWASSEE KOA HOLIDAY in the City of Hiawassee, County of Towns in the State of Georgia, under the name of HIWASSEE KOA HOLIDAY and that the nature of the business is outdoor hospitality and that the names and addresses of the persons, firms or partnership owning and carrying on said trade or business are:

KOA OAK TENANT, LLC, 550 N. 31st Street, 4th Floor, Billings, Montana 59101
By: Christopher Scheer, Managing Member

T(Dec28,Jan4)

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA

IN RE: ESTATE OF
MARY KENNY FRANCIS,
DECEASED
ESTATE NO. 2022-P-110
NOTICE

IN RE: The Petition to Probate Will in Solemn Form in the above-referenced estate having been duly filed,

[For use if an heir is required to be served by publication]

TO: All unknown heirs
[List here all heirs having unknown addresses to be served by publication]
This is to notify you to file objection, if there is any, to the Petition to Probate Will in Solemn Form, in this Court on or before January 9, 2023.

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
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T(Dec14,21,28,Jan4)

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of Rosemary L. Canaday, 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 Rosemary L. Canaday.

This 7th day of December 2022.

ANGELA KATHLEEN OWENBY, Executor
Estate of Rosemary L. Canaday
P.O. Box 2337
Andrews, NC 28901
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawassee, GA 30546
T(Dec14,21,28,Jan4)

NOTICE TO DEBTORS AND CREDITORS

IN RE: Sherman Wayne Rogers
All creditors of the estate of Sherman Wayne Rogers, 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 Personal Representative.
This 8th day of December, 2022
By: Kim Shook
PO Box 1070
Hiawassee, GA 30546
Attorney: Richard Sarrell II
144 Cleveland St
Blairsville, GA 30512
T(Dec14,21,28,Jan4)

STATE BOARD MEMBER TO HOLD PUBLIC HEARING

January 19, 2023
Martha Zoller to Host
State Board of Education Ninth District Public Hearing
The State Board of Education will hold a public hearing for citizens in the Ninth Congressional District on Thursday, January 19, 2023. The meeting will be held from 7:00 p.m. – 8:00 p.m. at the White County Board of Education, 136 Warriors Path, Cleveland, GA 30528. The purpose of the hearing is to hear comments from interested citizens and educators within the congressional district regarding the performance and problems of public education. Persons wishing to speak should sign in upon arrival.

The Georgia Department of Education does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Individuals who need assistance or auxiliary aids for participation in this public forum are invited to make their needs known to Geraldine Price at sbceoadmin@doe.k12.ga.us no later than 72 hours before the scheduled event.
NT(Jan4,11)

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of JEAN TIERNEY CAPUTA, 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 Administrator with Will Annexed (Will Previously Probated) of the Estate of Jean Tierney Caputa.
This 13th day of December 2022.
MARY J. McNELIS, Administrator
Estate of Jean Tierney Caputa
10354 Foggy Bottom Rd.
Pensacola, FL 32507
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawassee, GA 30546
T(Dec21,28,Jan4,11)

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA

IN RE: ESTATE OF
PHEONIX NOVA OLIVA ESCAMILLA,
MINOR
ESTATE NO. 2022-P-112
NOTICE
Date of second publication, if any January 4, 2023

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

You are hereby notified that Robin Cassandra Owenby has filed a Petition seeking to be appointed temporary guardian(s) of the above-named Minor. All objections to the Petition to the appointment of a temporary guardian or the appointment of the Petitioner(s) as temporary guardian(s), must be in writing, setting forth the grounds of any such objections, and be filed with this Court no later than ten (10) days after the second publication of this notice if you are served by publication. All objections should be sworn to before a notary public or Georgia 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.

NOTE: If a natural guardian files a timely objection to the creation of the temporary guardianship, the Petition will be dismissed. If a natural guardian files an objection to the appointment of the Petitioner(s) as guardian(s), or if a parent who is not a natural guardian files an objection to the Petition, a hearing on the matter shall be scheduled at a later date. If no objection is filed, the Petition may be granted without a hearing.

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T(Dec28,Jan4)

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA

IN RE: ESTATE OF
BARBARA JEANINE BOX,
DECEASED
ESTATE NO. 2021-P-090
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 January 17, 2023.

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.

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T(Jan4)

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA

IN RE: ESTATE OF
CLYDE ROSS FULLER,
DECEASED
ESTATE NO. 2022-P-021
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 January 17, 2023.

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.

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T(Jan4)

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA

IN RE: ESTATE OF
ROBERT REID FARIE, JR.,
DECEASED
ESTATE NO. 2022-P-115
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE

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

Mary Elizabeth Nelson has petitioned to be appointed administrator of the estate of Robert Reid Farie, Jr. deceased, of said county. The Petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, 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 January 23, 2023

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.

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NOTICE OF SALE UNDER POWER

GEORGIA, TOWNS COUNTY
Under and by virtue of the Power of Sale contained in a Security Deed given by William P Banister and Cassandra I Banister to Mortgage Electronic Registration Systems, Inc., as grantee, as nominee for First Community Mortgage, Inc., its successors and assigns, dated June 13, 2018, recorded in Deed Book 613, Page 693, Towns County, Georgia Records, as last transferred to FLAGSTAR BANK, N.A. by assignment recorded in Deed Book 689, Page 671, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED EIGHTY-FIVE THOUSAND FOUR HUNDRED SEVEN AND 0/100 DOLLARS (\$185,407.00), with interest thereon as set forth therein, there will be sold at public outcry to the highest bidder for cash before the courthouse door of Towns County, Georgia, or at such place as may be lawfully designated as an alternative, within the legal hours of sale on the first Tuesday in March, 2023, the following described property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

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 pursuant to O.C.G.A. § 13-1-11 having been given).

Said property will be sold subject to any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), the right of redemption of any taxing authority, any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and any matters of record including, but not limited to, those superior to the Security Deed first set out above. Said property will be sold on an "as-is" basis without any representation, warranty or recourse against the above-named or the undersigned.

FLAGSTAR BANK, N.A. is the holder of the Security Deed to the property in accordance with OCGA § 44-14-162.2.

The entity that has full authority to negotiate, amend, and modify all terms of the mortgage with the debtor is: Flagstar Bank, N.A., 5151 Corporate Drive, Troy, MI 48098, 800-945-7700.

Note, however, that such entity is not required by law to negotiate, amend or modify the terms of the loan.
To the best knowledge and belief of the undersigned, the party in possession of the property is William P Banister and Cassandra I Banister or a tenant or tenants and said property is more commonly known as 2280 Lovingood Road, Hiawassee, Georgia 30546. Should a conflict arise between the property address and the legal description the legal description will control.
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.
FLAGSTAR BANK, N.A. as Attorney in Fact for William P Banister and Cassandra I Banister McCalla Raymer Leibert Pierce, LLC 1544 Old Alabama Road Roswell, GA 30076 www.foreclosurehotline.net EXHIBIT "A"

All that tract or parcel of land lying and being in the 18th District, 1st Section, Land Lot 187, Towns County, Georgia, being Lot One (1), containing 0.93 acres, more or less, and being more particularly described on a plat of survey by Tamrok Engineering, Inc., Tommy J. Phillips, R.S., dated August 9, 1993 and recorded at Plat Book 18, Page 78, Towns County, Georgia records, which description on said plat is incorporated herein by reference hereto.

The property is subject to the road easements and all other matters and conditions as shown on the above referenced plat of survey.

The grantor grants to grantee a perpetual 20' foot road right of way for ingress and egress to the property to begin on Fodder Creek Road and run to the property along Lovingood Lane as shown on the above referenced plat of survey.

The property is also conveyed subject to Blue Ridge Mountain EMC easement recorded in Deed Book 121, Page 304, Towns County, Georgia records.

MR/meh 3/7/23
Our file no. 22-09125GA - FT18
T(Dec28-Mar1)