

Towns County Herald

Legal Notices for October 12, 2016

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA IN RE: ESTATE OF TRAVIS GREGORY WALDRUP, DECEASED ESTATE NO. 2016-52 PETITION FOR LETTERS OF ADMINISTRATION NOTICE

TO: All Interested parties
[List here all heirs who have not acknowledged service]

Lindsey Allison Waldroup has petitioned to be appointed Administrator of the estate of Travis Gregory Waldroup 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 October 17, 2016.

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(Sep21,28,Oct15,12)B

NOTICE AS TO SPECIAL ELECTION CITY OF HIWASSEE

Notice is hereby given that, in accordance with O.C.G.A. § 21-2-540, a Special Election shall be held in Hiawassee for the purpose of submitting to the Voters the following questions for approval or rejection:

The Special Election referendum to be held on the date established shall pose the following questions to City electors:

(1) [] YES [] NO

Shall the governing authority of the City of Hiawassee be authorized to issue licenses to sell distilled spirits for beverage purposes by the drink, such sales to be for consumption only on the premises?

(2) [] YES [] NO

Shall the governing authority of the City of Hiawassee be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink?

(3) [] YES [] NO

Shall the governing authority of the City of Hiawassee be authorized to permit and regulate package sales by retailers of both malt beverages and wine on Sundays between the hours of 12:30 P.M. and 11:30 P.M.?

The Special Election will be held on November 8, 2016 at Hiawassee City Hall, 50 River Street, Hiawassee, Georgia 30546. All persons who are not registered to vote and who desire to vote in the Special Election may register to vote at City Hall through the close of business on October 11, 2016. Advance voting for the election shall begin on Monday, October 17, 2016 and continue until Friday, November 4, 2016 and with advance voting taking place at the Hiawassee City Hall, 50 River Street, Hiawassee, Georgia 30546. Absence ballots will be available at the same location beginning Monday, October 17, 2016. The polls will be open on Election Day from 7:00 A.M. until 7:00 P.M.

This the 9th day of September, 2016.

Centya Galloway

City Clerk/Superintendent of Elections

T(Oct12,19,26,Nov2)B

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA IN RE: ESTATE OF WILLIAM FOSTY, DECEASED ESTATE NO. 2016-51 PETITION FOR LETTERS OF ADMINISTRATION NOTICE

TO: All Interested parties

[List here all heirs who have not acknowledged service]

Leanna Staton has petitioned to be appointed Administrator of the estate of William Fosty 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 October 17, 2016.

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

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T(Sep21,28,Oct15,12)B

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA IN RE: ESTATE OF DARLENE KNIGHT CHASTAIN HUGHES, DECEASED ESTATE NO. 2013-59 NOTICE

[For Discharge from Office and all Liability]

IN RE: Petition for Discharge of Personal Representative

TO: Roger Hughes

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 October 24, 2016.

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

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T(Sep28,Oct15,12,19)B

NOTICE OF SALE UNDER POWER GEORGIA, TOWNS COUNTY THIS IS AN ATTEMPT TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Under and by virtue of the Power of Sale contained in a Security Deed given by Jean R. Martin to Mortgage Electronic Registration Systems, Inc., as nominee for Ally Bank Corp. f/k/a GMAC Bank, its successors and assigns, dated September 15, 2010, recorded in Deed Book 481, Page 796, Towns County, Georgia Records, as last transferred to Green Tree Servicing LLC by assignment recorded in Deed Book 567, Page 581, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of TWO HUNDRED FIFTY-THREE THOUSAND EIGHT HUNDRED SEVENTY-EIGHT AND 0/100 DOLLARS (\$253,878.00), 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 November, 2016, 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 Security Deed and by law, including attorney's fees (notice of intent to collect attorney's fees 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), any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above. Ditech Financial LLC FKA Green Tree Servicing LLC 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: Ditech Financial LLC, 7360 S. Kyrene Rd., Tempe, AZ 85284 800-692-8469. To the best knowledge and belief of the undersigned, the party in possession of the property is Jean R. Martin or a tenant or tenants and said property is more commonly known as 3538 Riverfront Lane, Hiawassee, Georgia 30546. 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. Ditech Financial LLC FKA Green Tree Servicing LLC as Attorney in Fact for Jean R. Martin McCalla Raymer Pierce, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net EXHIBIT "A" All that tract or parcel of land lying and being in Land Lot 234, 18th District, 1st Section, Towns County, Georgia being known as Building Number Five (5) and the property beneath the building footprint as shown on the plat of survey entitled "Hiawassee River Camp" prepared by Landtech Services, Inc., James L. Alexander, R.L.S. #2653, dated 02/24/06 and recorded in Plat Book 35, Page 269 Towns County Records which description on said plat is incorporated herein by reference and made a part hereof. MR/mtj 11/11/16 Our file no. 5338216 - FT2

T(Oct15,12,19,26)B

STATE OF GEORGIA COUNTY OF TOWNS NOTICE OF SALE UNDER POWER

Because of a default under the terms of the Security Deed executed by Arvind Raina and Maninder Kaur to Mortgage Electronic Registration Systems, Inc. as nominee for Provident Funding Associates, L.P. dated August 6, 2009, and recorded in Deed Book 460, Page 636, Towns County Records, said Security Deed having been last sold, assigned, transferred and conveyed to Wells Fargo Bank, N.A. securing a Note in the original principal amount of \$312,000.00, the holder thereof pursuant to said Deed and Note thereby secured has declared the entire amount of said indebtedness due and payable and, pursuant to the power of sale contained in said Deed, will on the first Tuesday, November 1, 2016, during the legal hours of sale, before the Courthouse door in said County, sell at public outcry to the highest bidder for cash, the property described in said Deed, to-wit:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 159, 18TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 3.407 ACRES, AND BEING AS TRACT ONE (1) ON A PLAT OF SURVEY BY T. KIRBY AND ASSOCIATES, INC. DATED 02/22/2008, RECORDED IN PLAT BOOK 38, PAGE 118, TOWNS COUNTY RECORDS WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART HEREOF. THE GRANTOR GRANTS TO GRANTEE A PERPETUAL NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND THE RIGHT TO RUN WATER AND UTILITIES TO THE ABOVE DESCRIBED PROPERTY ALONG THE EASEMENT AS SHOWN ON SAID PLAT, RUNNING FROM VICTORIA WOODS ROAD. THE PROPERTY IS CONVEYED SUBJECT TO THE EASEMENT TO BLUE RIDGE MOUNTAIN EMC AS RECORDED IN DEED BOOK 216, PAGE 602, TOWNS COUNTY GEORGIA RECORDS. THE PROPERTY IS ALSO CONVEYED SUBJECT TO THE RESTRICTIONS OF RECORD AS PERTAINS TO VICTORIA WOODS SUBDIVISION RECORDED IN DEED BOOK 94, PAGES 130-133 AND DEED BOOK 94, PAGES 207-209, TOWNS COUNTY GEORGIA RECORDS.

PROPERTY IS CONVEYED SUBJECT TO THAT PERPETUAL WATER RIGHT TO THE SPRING LOCATED ON THE ABOVE DESCRIBED PROPERTY AND THE RIGHT TO RUN THE NECESSARY WATER LINE TO MAINTAIN SAME, ALONG WITH OTHER CONDITIONS AND LIMITATIONS AS RESERVED BY JERRY SANDERS IN DEED BOOK 199, PAGES 505-506, TOWNS COUNTY CLERKS OFFICE. Said property is known as 1490 Ada Lane, Hiawassee, GA 30546, together with all fixtures and personal property attached to and constituting a part of said property, if any.

Said property will be sold subject to 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, any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.

The proceeds of said sale will be applied to the payment of said indebtedness and all expenses of said sale as provided in said Deed, and the balance, if any, will be distributed as provided by law.

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 secured creditor.

The property is or may be in the possession of Arvind Raina and Maninder Kaur, successor in interest or tenant(s). Wells Fargo Bank, N.A. as Attorney-in-Fact for Arvind Raina and Maninder Kaur
File no. 12-037205
SHAPIRO PENDERGAST & HASTY, LLP*
Attorneys and Counselors at Law
211 Perimeter Center Parkway, Suite 300
Atlanta, GA 30346
770-220-2535/KMM
shapiroandhasty.com
*THE LAW FIRM IS ACTING AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

10/05, 10/12, 10/19, 10/26, 2016

[FC-NOS]

T(Oct15,12,19,26)B

STATE OF GEORGIA COUNTY OF TOWNS NOTICE OF SALE UNDER POWER

Because of a default under the terms of the Security Deed executed by Timothy H Ledford and Theresa A Rose to CitiFinancial Services, Inc. dated July 25, 2005, and recorded in Deed Book 341, Page 827, Towns County Records, said Security Deed having been last sold, assigned, transferred and conveyed to CitiFinancial Servicing, LLC, securing a Note in the original principal amount of \$84,281.49, the holder thereof pursuant to said Deed and Note thereby secured has declared the entire amount of said indebtedness due and payable and, pursuant to the power of sale contained in said Deed, will on the first Tuesday, November 1, 2016, during the legal hours of sale, before the Courthouse door in said County, sell at public outcry to the highest bidder for cash, the property described in said Deed, to-wit:

All that tract or parcel of land lying and being in the 1st Section, 18th District, and part of Land Lots 224 and 225, containing 1.0 acre, more or less, as shown on plat of survey by B. Gregory, County Surveyor, dated 8/26/75 and recorded in Plat Book 6 page 64 Towns County records and more particularly described as follows: Beginning at a point in the intersection of two Roads, run thence along one Road S 40 E 45 feet to an iron pin on the Road; thence leaving said Road S 3 15 E 293 feet to an iron pin; thence N 65 W 60 feet to a point; thence N 63 W 99 feet to an iron pin; thence N 5 45 W 180 feet to an iron pin on a Road; thence along said Road N 42 E 47 feet to a point thence N 6 3 E 84 feet the point of beginning.

ALSO:

All that tract or parcel of land lying and being in the 18th District, First Section of Towns County, Georgia and being part of Land Lots 224 and 225, and being more particularly described as follows: Beginning at an iron pin located on the northern line of a road; thence N 90 W 210 feet to an iron pin; thence S 11 45 E 200 feet to an iron pin; thence N 79 E 97 feet to a point; thence S 63 E 86 feet to an iron pin; thence N 5 45 W 219 feet to the point of beginning. Said tract containing 1.0 acres, more or less. Said tract being more particularly described on a plat of survey of same by B. Gregory, County Surveyor, dated 5/3/74 and recorded in Plat Book 3 page 65 Towns County records.

Said property is known as 352 Hickory Hill, Hiawassee, GA 30546, together with all fixtures and personal property attached to and constituting a part of said property, if any. Said property will be sold subject to 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, any matters which might be disclosed by an accurate survey and inspection of the property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.

The proceeds of said sale will be applied to the payment of said indebtedness and all expenses of said sale as provided in said Deed, and the balance, if any, will be distributed as provided by law.

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 secured creditor.

The property is or may be in the possession of Theresa A. Ledford, a/k/a Theresa A. Rose and Timothy H. Ledford, successor in interest or tenant(s).

CitiFinancial Servicing, LLC as Attorney-in-Fact for Timothy H Ledford and Theresa A Rose
File no. 16-056882
SHAPIRO PENDERGAST & HASTY, LLP*
Attorneys and Counselors at Law
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shapiroandhasty.com
*THE LAW FIRM IS ACTING AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

10/05, 10/12, 10/19, 10/26, 2016

[FC-NOS]

T(Oct15,12,19,26)B