

Towns County Herald

Legal Notices for November 14, 2018

NOTICE TO CREDITORS AND DEBTORS

All creditors of the estate of Wilma Elнора Sosebee, 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 Executor of the Last Will and Testament of Wilma Elнора Sosebee. This 5th day of October, 2018
Jean Sosebee Thomas
Executor Estate of Wilma Elнора Sosebee
7582 US Hwy 76, Young Harris, Georgia 30582
Pamela Kendall Floyd, PC
Attorney for Estate
PO Box 1114
Hiawassee, GA 30546
(706)31,Nov7,14,21P

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF GILBERT M. CICERO
All creditors of the estate of Gilbert M. Cicero 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 23rd day of October, 2018.
EXECUTOR: Joan Bishop
ADDRESS:c/o Eddy A. Corn, Attorney
253 Big Sky Drive
Hiawassee, GA 30546
PHONE: (706) 896-3451
(706)31,Nov7,14,21B

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF Sharon Ruth Stetzel
All creditors of the estate of Sharon Ruth Stetzel 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 9th day of November, 2018.
Robert L. Haff, Jr.
1784 Ivy Mtn Road
Hiawassee, GA 30546
706-896-5676
(706)14,21,28,06e5B

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF Arthur Alexander Mott
All creditors of the estate of Arthur Alexander Mott, 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 October, 2018.
Doris Mott
1106 Robin Ridge Ln
Hiawassee, GA 30546
706-896-3039
(706)31,Nov7,14,21B

IN THE SUPERIOR COURT OF FULTON COUNTY

STATE OF GEORGIA
IN RE: SUBJECT TO THE DISPOSITION OF UNCLAIMED PROPERTY ACT
LYNNETTE T. RILEY, COMMISSIONER OF REVENUE, STATE OF GEORGIA,
Petitioner.
CIVIL ACTION FILE NO. 2018CV310020
NOTICE OF SERVICE BY PUBLICATION
PETITIONER: LYNNETTE T. RILEY, COMMISSIONER OF REVENUE, STATE OF GEORGIA
MATTER: IN RE: SUBJECT TO THE DISPOSITION OF UNCLAIMED PROPERTY ACT
DATE ACTION WAS FILED: September 5, 2018
DATE OF ORDER FOR SERVICE BY PUBLICATION: September 17, 2018
CHARACTER OF ACTION: To all persons (hereinafter, "Respondents") claiming property rights of, title in, and ownership of matured, unredeemed United States savings bonds with purchasers or owners with last known addresses in the State of Georgia ("Georgia Unclaimed U.S. Savings Bonds"); take notice that, pursuant to O.C.G.A. § 44-12-237, Petitioner has caused to be filed in the Superior Court of Fulton County a Petition for Declaratory Judgment seeking a judgment declaring property rights to, title in, ownership of, and proceeds from Georgia Unclaimed U.S. Savings Bonds, which are unclaimed property and subject to the provisions of Georgia's Disposition of Unclaimed Property Act, are subject to escheat to the State of Georgia with property rights to, title in, ownership of, and proceeds from said bonds vesting in the State of Georgia.
Respondents are hereby notified and commanded to be and appear at the court in which this action is pending within sixty (60) days of the Date of the Order for Service by Publication. Respondents are to file any response or answer with the Clerk of the Superior Court of Fulton County at the following address: 136 Pryor Street SW, Suite C-155, Atlanta, Georgia 30303, with a copy of such response or answer to be sent to the Attorney for Petitioner, whose name and address is: James B. Manley, Jr., Special Assistant Attorney General, Troutman Sanders LLP, Bank of America Plaza, 600 Peachtree Street, N.E., Suite 3000, Atlanta, Georgia 30308-2216.
Witness, The Hon. John J. Goger, Fulton County Superior Court Judge.
Cathelene Robinson, ClerkMH
CLERK, FULTON COUNTY SUPERIOR COURT
(706)31,Nov7,14,18

NOTICE OF SEIZURE OF PERSONAL PROPERTY

VALUED AT LESS THAN \$25,000.00
Pursuant to O.C.G.A. 9-16-11(a)
NOTICE that on or about September 5th, 2018, law enforcement officers of the OFFICE OF THE SHERIFF OF TOWNS COUNTY seized the following items: 1) a certain blue in color, 2004 Year Model, BMW 325CI, bearing VIN number WBABD33484PL0098, and bearing North Carolina License and Registration Tag No. PFW7657 and, 2) a certain black in color, Hungarian F.E.G., Model PJK-9HP, 9 mm. caliber, semi-automatic pistol, bearing Serial Number R69755 (hereinafter "the seized property") along with a TRAFFICKING AMOUNT OF Methamphetamine, a listed Schedule II Controlled Substance, in the area of 7260 King Cove Road, Young Harris, GA, 30582, during the course of and at the conclusion of an government investigation concerning the Sale and Distribution of Methamphetamine, a listed Schedule II Controlled Substance.
The seized property was directly or indirectly used or intended for use to facilitate the transportation, trafficking, and possession with intent to distribute Methamphetamine in violation of Georgia Controlled Substances Act, to wit: O.C.G.A. 16-13-31 and 16-13-30(b) and/or its proceeds derived or realized therefrom and/or was found in close proximity to said Methamphetamine and/or other property which is subject to forfeiture pursuant to the provisions of O.C.G.A. 16-13-49 (b). In Accordance therewith and pursuant to the Georgia Uniform Civil Forfeiture Procedure Act, O.C.G.A. Section 9-16-1 et. seq, this Notice is being served and publicly posted.
FURTHER TAKE NOTICE
The purported owner(s) or claimant(s) of said property is said to be:
Michael Dean Byers
7260 King Cove Road
Young Harris, GA 30582
C/O The Towns County Sheriff's Law Enforcement Detention Center
4070 A State Highway 339
Young Harris, GA 30582
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 14th 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
(11/14/18; 11/21/18; 11/28/2018)
(706)14,21,28B

IN THE SUPERIOR COURT OF TOWNS COUNTY

**STATE OF GEORGIA
OCONEE FEDERAL SAVINGS AND LOAN ASSOCIATION,
Plaintiff,
vs.
THOMAS G. WINN,
Defendant.
CIVIL ACTION: FILE NO. 18-CV-119SG
NOTICE OF SUMMONS
TO: Defendant Thomas G. Winn:
You are hereby notified that the above-styled Complaint for Damages and Interlocutory and Permanent Injunction was filed in said Court on August 24, 2018, and that by reason of an Order Granting Service by Publication entered by the Court on October 18, 2018 you are hereby commanded and required to file with the Clerk of said court and serve upon Matthew D. Skilling, Petitioner's Attorney, whose address is Sanders, Ranck & Skilling, P.C., P.O. Box 1005, Toccoa, Georgia 30577, an Answer to the Complaint within file with the clerk and serve upon Matthew D. Skilling, Petitioner's Attorney an answer within 60 days of the date of October 18, 2018. If you fail to do so, Judgment by Default will be taken against you for the relief demanded in the Complaint for divorce and the Complaint for Damages and Interlocutory and Permanent Injunction shall be granted to the Plaintiff. Witness the Honorable Stanley Gunter, Judge of said Court.
This 29th day of October, 2018.
Cecil DyeHonorable Cecil Dye
Clerk, Superior Court of Towns County
(706)7,14,21,28B**

NOTICE OF SALE UNDER POWER

**STATE OF GEORGIA
COUNTY OF TOWNS**
Because of a default under the terms of the Security Deed executed by Amanda L. Land and Jimmy Land to Mortgage Electronic Registration Systems, Inc., as nominee for Transland Financial Services, Inc. dated September 23, 2004, and recorded in Deed Book 306, Page 177, as last modified in Deed Book 579, Page 167, and as affected by that Affidavit recorded at Deed Book 572 page 391, Towns County Records, said Security Deed having been last sold, assigned, transferred and conveyed to Wells Fargo Bank, NA, securing a Note in the original principal amount of \$77,900.00, the holder thereof pursuant to said Deed and Note hereby 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, December 4, 2018, 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: (Incorrectly shown in the Security deed as: All that certain tract or parcel of land lying and being in parts of Land Lots 162 and 153, of the 17th District, 1st Section, Towns County, Georgia, consisting of 1.0 acre, more or less, and being that part of a tract conveyed to Luvena McClure from George McClure as indicated by Warranty Deed recorded in Book O, Page 529, Towns County, Georgia records. Said part lies between Townsend Mill Road and Brasstown Creek and is the remainder of the tract conveyed by said deed after the conveyance of 1/2 acre, more or less, from Luvena McClure to George McClure, Jr.
The property conveyed by this Security Deed includes that General Manufactured Housing, Inc. mobile home, Sizzler III Model #32-7676SIZ, Serial #MHGAA4310128439AB, which has been, or will be permanently affixed to the real property described above. The foregoing manufactured/mobile home, for all intents and purposes, is real property and is considered a permanent fixture and improvement to the land. It is not considered personal property. Being the same lands conveyed unto Jimmy Land by Warranty Deed from Luvena McClure, dated February 2, 1981, filed of record February 21, 1981, in Room 68, Page 634, in the Office of the Clerk of Superior Court, Towns County, Georgia.)
The correct legal description being:
All that tract or parcel of land lying and being in Land Lot 152, of the 17th District, 1st Section, of Towns County Georgia, and being more particularly described as follows:
BEGINNING at the TRUE POINT OF BEGINNING a point located on the Southeastern Right-of-way of Townsend Mill Road, a 50 foot right-of-way, said point being located North 71°40'43" East, and a distance of 12.38 feet from a 24" Poplar Tree; thence leaving said Right-of-way a bearing of North 71°40'43" East, and a distance of 177.48 feet to an Iron Pin Found, a 1/2" Open Top Pipe; thence a bearing of South 26°50'04" East, a distance of 114.88 feet to a 15" Walnut tree; thence a bearing of South 26°50'04" East, a distance of 32.28 feet to a point, located in the centerline of Brasstown Creek; thence running upstream along and with the centerline of said creek a bearing of South 77°53'26" West, a distance of 242.56 feet to a point; thence a bearing of South 72°49'59" West, a distance of 166.49 feet to a point, said point located at the intersection of said creek with a small branch; thence leaving said creek and following the centerline of the said branch, a bearing of North 10°53'27" West, a distance of 20.60 feet to a point, said point located at the intersection of said branch with the Southeastern Right-of-way of Townsend Mill Road; thence along and with said Right-of-way, a bearing of North 57°29'09" East, a distance of 6.92 feet to a point; thence 221.33 feet along a curve, said curve having a chord of North 46°25'51" East 219.96 feet and a radius of 573.56 feet to a point, being the POINT OF BEGINNING.
Said tract contains 0.8749 Acres.
Said property is known as 1838 Townsend Mill Road, Young Harris, GA 30582, 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, 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.
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 Amanda Lynn Evans, a/k/a Amanda L. Land and Jimmy Land, a/k/a Jimmy Lee Land, successor in interest or tenant(s).
Wells Fargo Bank, N.A. as Attorney-in-Fact for Amanda L. Land and Jimmy Land
SHAPE NO. 08-009068
SHAPIRO PENDERGAST & HASTY, LLP*
Attorneys and Counselors at Law
211 Perimeter Center Parkway, N.E., Suite 300
Atlanta, GA 30346
770-220-2535/JP
shapiroandhasty.com
*THE LAW FIRM IS ACTING AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
(706)24,31,Nov7,14,21,28B

IN THE PROBATE COURT OF TOWNS COUNTY

**STATE OF GEORGIA
IN RE: ESTATE OF
ROBERT JEFFREY SCOTT, DECEASED
ESTATE NO. 2018-75
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
TO: All interested parties and to whom it may concern:
Brittany Nicole Chastain & Katherine Louise Scott Kelley have petitioned to be appointed Administrators of the estate of Robert Jeffrey Scott deceased, of said County. The Petitioner has also applied for waiver of bond and 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 December 3, 2018.
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
(706)7,14,21,28B**

NOTICE OF FORECLOSURE SALE UNDER POWER

TOWNS COUNTY, GEORGIA
Under and by virtue of the Power of Sale contained in a Security Deed given by Angela Ledford to United States of America, acting through the Rural Housing Service or successor agency, United States Department of Agriculture, dated May 12, 2006, and recorded in Deed Book 370, Page 72, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of One Hundred Twenty-Five Thousand Three Hundred Fifty and 0/100 Dollars (\$125,350.00), with interest thereon as set forth therein, there will be held at public outcry to the highest bidder for cash before the court-house door of Towns County, Georgia, within the legal hours of sale on December 4, 2018, the following described property:
All that tract or parcel of land lying and being in Land Lot 112, 18th District, 1st Section, Towns County, Georgia, containing a total of 0.51 acres, and being Lot Twenty-Eight (28) of the Georgia Mountain Estates as shown on a plat of survey by Timothy Prescott Cable, R.S. #2582, as recorded in Plat Book 23, Page 293, Towns County records which description on said plat is incorporated herein by reference and made a part hereof. The 0.06 acre tract as shown on the above plat of survey is subject to the road right of way as shown on said plat. The property is conveyed subject to the Restrictions of record pertaining to Georgia Mountain Estates Subdivision as indicated upon the plat of survey by Farley-Collins & Associates, as recorded in Plat Book 6 page 65 Towns County records.
The above described property is conveyed subject to the overlap area of tract Two (2) and Tract Three (3) and the encroachment of gravel area and right of way of Mountain Drive as more fully shown on Landtech Services, Inc. survey for Angela G. Ledford dated 9/30/02 as attached to security deed recorded in Deed Book 255 page 69-77 Towns County records. 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).
The entity having full authority to negotiate, amend or modify all terms of the loan (although not required by law to do so) is: USDA, Rural Development they can be contacted at (800) 349-5097 x 4500 for Loss Mitigation Dept, or by writing to 1400 Independence Ave, SW, Procurement Management Division, Washington, District of Columbia 20250, to discuss possible alternatives to avoid foreclosure.
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.
To the best knowledge and belief of the undersigned, the party in possession of the property is Angela Ledford or tenant(s); and said property is more commonly known as 417 Mountain Drive North, Hiawassee, GA 30546.
The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankruptcy Code (2) final confirmation and audit of the status of the loan with the holder of the security deed and (3) any right of redemption or other lien not extinguished by foreclosure.
Rural Housing Service, U.S. Department of Agriculture as Attorney in Fact for Angela Ledford.
Brock & Scott, PLLC
4360 Chamblee Dunwoody Road
Suite 310
Atlanta, GA 30341
404-789-2661
B&S file no.: 18-08877
(706)7,14,21,28B

NOTICE OF SALE UNDER POWER

STATE OF GEORGIA COUNTY OF TOWNS
Under and by virtue of the power of sale contained with that certain Security Deed dated January 4, 2018, from William Roy Chastain and Holly Chastain to Mortgage Electronic Registration Systems, Inc., as nominee for LoanDepot.com, LLC, recorded on January 16, 2018 in Deed Book 607 at Page 654 Towns County, Georgia records, having been last sold, assigned, transferred and conveyed to loanDepot.com, LLC by Assignment and said Security Deed having been given to secure a note dated January 4, 2018, in the amount of \$104,000.00, and said Note being in default, the undersigned will sell at public outcry during the legal hours of sale before the door of the courthouse of Towns County, Georgia, on December 4, 2018 the following described real property (hereinafter referred to as the "Property"):
ALL THAT TRACT OR PARCEL OF LAND SITUATE, LYING AND BEING IN SECTION 1, DISTRICT 18, LAND LOT 284, CONTAINING 1.00 ACRE, MORE OR LESS, AS SHOWN ON A PLAT OF SURVEY ENTITLED "SURVEY FOR RUSSELL W. AND BONNIE K. WALLS", BY TAMROK ENGINEERING, INC. TOMMY J. PHILLIPS, REGISTERED SURVEYOR, DATED FEBRUARY 17, 1989, AND RECORDED IN PLAT BOOK 11, PAGE 268, IN THE OFFICE OF THE CLERK OF THE SUPERIOR COURT OF TOWNS COUNTY, GEORGIA; SAID PLAT BEING INCORPORATED BY REFERENCE HEREIN; SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT AN IRON PIN LOCATED NORTH 88 DEGREES 04 MINUTES 55 SECONDS WEST 1.27180 FEET FROM THE INTERSECTION OF LAND LOTS 284, 283, 295 AND 296 OF SAID SECTION, DISTRICT AND COUNTY; RUNNING THENCE NORTH 88 DEGREES 04 MINUTES 55 SECONDS WEST 211.29 FEET TO AN IRON PIN; RUNNING THENCE NORTH 00 DEGREES 55 MINUTES 17 SECONDS EAST 205.32 FEET TO AN IRON PIN; RUNNING THENCE SOUTH 89 DEGREES 05 MINUTES 05 SECONDS EAST 211.22 FEET TO AN IRON PIN; RUNNING THENCE SOUTH 00 DEGREES 54 MINUTES 39 SECONDS WEST 209.02 FEET THE BEGINNING IRON PIN;
ALSO CONVEYED HEREWITH IS A NONEXCLUSIVE 50 FOOT EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS AND FOR UTILITIES FOR SAID LOT RUNNING FROM THE SOUTHEASTERN CORNER OF SAID PROPERTY 50 FEET IN A WESTERN DIRECTION AND RUNNING 50 FEET IN WIDTH TO OWL CREEK ROAD, BEING A RIGHT OF USE OF THAT EASEMENT CONVEYED TO JOHN HARLAN EDGE BY WAYNE FRED CHANCE, ET AL, BY DEED DATED JULY 29, 1989, RECORDED IN DEED BOOK 98, PAGE 372 IN SAID CLERK'S OFFICE, GRANTING A 50 FOOT RIGHT OF WAY EASEMENT RUNNING TO SAID PROPERTY, USE OF WHICH IS SPECIFICALLY RETAINED BY JOHN HARLAN EDGE, HIS HEIRS AND ASSIGNS.
The debt secured by the Security Deed and evidenced by the Note and has been, and is hereby, declared due and payable because of, among other possible events of default, failure to make the payments as required by the terms of the Note. The debt remaining in default and this sale will be made for the purposes of paying the Security Deed, accrued interest, and all expenses of the sale, including attorneys' fees. Notice of intention to collect attorneys' fees has been given as provided by law. To the best of the undersigned's knowledge, the person(s) in possession of the property is William Roy Chastain and Holly Chastain.
The property, being commonly known as 1419 Owl Creek Rd., Hiawassee, GA, 30546 in Towns County, will be sold as the property of William Roy Chastain and Holly Chastain, subject to any outstanding ad valorem taxes (including taxes which are a lien and not yet due and payable), any matters affecting title to the property which would be disclosed by an accurate survey and inspection thereof, and all assessments, liens, encumbrances, restrictions, covenants, and matters of record to the Security Deed.
Pursuant to O.C.G.A. Section 44-14-162.2, the name, address and telephone number of the individual or entity who shall have the full authority to negotiate, amend or modify all terms of the above described mortgage is as follows: Cenlar FSB, Attn: FC 425 Phillips Blvd, Ewing, NJ 08618, 800-223-6527 . The foregoing notwithstanding, nothing in O.C.G.A. Section 44-14-162.2 shall require the secured creditor to negotiate, amend or modify the terms of the mortgage instrument.
The sale will be conducted subject (1) to confirmation that the sale is not prohibited under U.S. Bankruptcy code and (2) to final confirmation and audit of the status of the loan with the holder of the Security Deed.
Albertelli Law
Attorney for loanDepot.com, LLC as Attorney in Fact for William Roy Chastain and Holly Chastain
100 Galleria Parkway, Suite 960
Atlanta, GA 30339
Phone: (770) 373-4242
By:
Cory Sims
For the Firm
THIS FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
- 18-025351
A-4673630 11/07/2018, 11/14/2018,
11/21/2018, 11/28/2018
(706)7,14,21,28B

NOTICE OF SALE UNDER POWER

STATE OF GEORGIA, COUNTY OF TOWNS.
Under and by virtue of the Power of Sale contained in a Deed to Secure Debt given by BRIAN W WHITNEY to JPMORGAN CHASE BANK, N.A., dated 05/11/2010, and Recorded on 05/14/2010 as Book No. 474 and Page No. 248-267, TOWNS County, Georgia records, as last assigned to JPMORGAN CHASE BANK, N.A. (the Secured Creditor), by assignment, conveying the after-described property to secure a Note of even date in the original principal amount of \$138,618.00, with interest at the rate specified therein, there will be sold by the undersigned 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 December, 2018, the following described property: ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 90 & 91, 17TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 1.02 ACRE, AND BEING SHOWN AS LOTTWELVE (12) OF THE WOODLANDS SUBDIVISION ON A PLAT OF SURVEY BY LANDTECH SERVICES, INC. RS #2907, DATED 1/8/07, LAST REVISED 3/11/09 AND RECORDED IN PLAT BOOK 38 PAGES 251-253 TOWNS COUNTY RECORDS, WHICH DESCRIPTION ON SAID PLAT IS HEREBY INCORPORATED BY REFERENCE AND MADE A PART HEREOF. THE PROPERTY IS SUBJECT TO THE RESTRICTIONS RECORDED IN DEED BOOK 458 PAGES 331-333 TOWNS COUNTY RECORDS.
THE PROPERTY IS SUBJECT TO AN EASEMENT TO BLUE RIDGE MOUNTAIN EMC RECORDED IN DEED BOOK 383 PAGES 699-700 TOWNS COUNTY RECORDS.
THE PROPERTY IS SUBJECT TO ALL MATTERS APPEARING ON THE ABOVE REFERENCED PLAT OF SURVEY.
THE PROPERTY IS SUBJECT TO THE RIGHT OF WAY AS CONVEYED IN DEED BOOK P-1 PAGE 175 TOWNS COUNTY RECORDS.
ALSO GRANTED HEREWITH IS A NON-EXCLUSIVE PERPETUAL EASEMENT FOR INGRESS, EGRESS AND UTILITIES ALONG RED BUD LANE AS SHOWN ON SAID PLAT. The debt secured by said Deed to Secure Debt 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 Deed to Secure Debt. Because the debt remains in default, this sale will be made for the purpose of paying the same and all expenses of this sale, as provided in the Deed to Secure Debt and by law, including attorney's fees (notice of intent to collect attorney's fees having been given). JPMORGAN CHASE BANK, N.A. holds the duly endorsed Note and is the current assignee of the Security Deed to the property. JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, acting on behalf of and, as necessary, in consultation with JPMORGAN CHASE BANK, N.A. (the current investor on the loan), is the entity with the full authority to negotiate, amend, and modify all terms of the loan. Pursuant to O.C.G.A. § 44-14-162.2, JPMORGAN CHASE BANK, NATIONAL ASSOCIATION may be contacted at JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, 3415 VISION DRIVE, COLUMBUS, OH 43219, 866-550-5705. Please note that, pursuant to O.C.G.A. § 44-14-162.2, the secured creditor is not required to amend or modify the terms of the loan. To the best knowledge and belief of the undersigned, the party/parties in possession of the subject property known as 19 RED BUD SPUR, HIWASSEE, GEORGIA 30546 is/are: BRIAN W WHITNEY or tenant/tenants. 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) any matters which might be disclosed by an accurate survey and inspection of the property, and (c) all matters of record superior to the Deed to Secure Debt first set out above, including, but not limited to, assessments, liens, encumbrances, zoning ordinances, easements, restrictions, covenants, etc. 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 nonjudicial 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.
PennyMac Loan Services, LLC as agent and Attorney in Fact for Bruce King
Aldridge Pite, LLP, 15 Piedmont Center, 3575 Piedmont Road, N.E., Suite 500, Atlanta, Georgia 30305, (404) 994-7637.
1120-22140A
THIS LAW FIRM MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 1120-22140A
(706)7,14,21,28B

NOTICE OF SALE UNDER POWER

TOWNS COUNTY
Pursuant to the Power of Sale contained in a Security Deed given by Bruce King to Mortgage Electronic Registration Systems, Inc., as nominee for MORTGAGE RESEARCH CENTER, LLC DBA VETERANS UNITED HOME LOANS dated 8/30/2013 and recorded in Deed Book 540 Page 57 and modified at Deed Book 591 Page 708 Towns County, Georgia records; as last transferred to or acquired by PennyMac Loan Services, LLC, conveying the after-described property to secure a Note in the original principal amount of \$ 150,000.00, 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 December 04, 2018 (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 LOT 145, 18TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, BEING SHOWN AS TRACT 1, CONTAINING 4.81 ACRES ON PLAT OF SURVEY PREPARED BY AP-PALACHIAN SURVEYING COMPANY, INC., DATED JANUARY 25, 2007 AND FILED AND RECORDED IN PLAT BOOK 29, PAGE 271, TOWNS COUNTY, GEORGIA, RECORDS, WHICH PLAT IS INCORPORATED HEREIN BY REFERENCE.
ALSO CONVEYED HEREWITH IS THE 20 FOOT RIGHT OF WAY TO REACH THE ABOVE DESCRIBED PROPERTY AS DESCRIBED IN A WARRANTY DEED FROM EARL ARROWOOD TO CHARLES N. PETTY OR ZELMA D. PETTY DATED AUGUST 25, 1972 AND FILED AND RECORDED IN THE TOWNS COUNTY, GEORGIA RECORDS ON SEPTEMBER 2, 1972.
THIS BEING A PORTION OF THE SAME PROPERTY CONVEYED IN A WARRANTY DEED FROM EARL ARROWOOD TO CHARLES N. PETTY OR ZELMA D. PETTY DATED AUGUST 25, 1972 AND FILED AND RECORDED IN THE TOWNS COUNTY, GEORGIA RECORDS ON SEPTEMBER 2, 1972.
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 1227 Garland Dr, 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): Bruce King or tenant or tenants.
PennyMac Loan Services, LLC is the entity or individual designated who shall have full authority to negotiate, amend and modify all terms of the mortgage.
PennyMac Loan Services, LLC
Loss Mitigation
3043 Townsgate Road #200, Westlake Village, CA 91361
1-866-549-3583
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.
PennyMac Loan Services, LLC as agent and Attorney in Fact for Bruce King
Aldridge Pite, LLP, 15 Piedmont Center, 3575 Piedmont Road, N.E., Suite 500, Atlanta, Georgia 30305, (404) 994-7637.
1120-22140A
THIS LAW FIRM MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 1120-22140A
(706)7,14,21,28B