

Towns County Herald

Legal Notices for November 9, 2022

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of INGRID M. BOLTON 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 ANDRAS BERND ESCHBORN as Executor of the Estate of INGRID M. BOLTON.

This 18th day of October, 2022.
Andras Bernd Eschborn, Executor
Estate of Ingrid M. Bolton
924 Gold Valley Road
P.O. Box 787
Sautee Nachoochee, GA 30571
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawassee, GA 30546
T(Oct26,Nov2,9,16)

IN THE SUPERIOR COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE THE NAME CHANGE OF:

JENNING LYNN IVESTER

PETITIONER.

CIVIL ACTION NO.: SUCV2022000135

NOTICE OF PETITION TO CHANGE NAME OF

ADULT

Jenning Lynn Ivester filed a petition in the Towns County Superior Court on the 18 day of October, 2022, to change his name from Jenning Lynn Ivester to Jennings Lynn Ivester. Any interested party has the right to appear in this case and file objections within 30 days after the Petition is filed.

This the 18th day of October, 2022.

David E. Barrett

Name: David E. Barrett, LLC

Address: 108 Blue Ridge Hwy Ste 6

Blairsville, GA 30512

Phone:706-745-0250

T(Oct26,Nov2,9,16)

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE:

ROBERT THOMAS JARRARD,

DECEASED

ESTATE NO. 2022-P-096

NOTICE OF PETITION TO FILE FOR YEAR'S SUP-

PORT

The Petition of Shirley Jarrard, for a year's support from the estate of Robert Thomas Jarrard, 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 November 21, 2022, 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: Michelle Smith

Clerk of the Probate Court

48 River St., Suite C

Hiawassee, GA 30546

Address

706-896-3467

Telephone Number

T(Oct26,Nov2,9,16)

NOTICE TO DEBTORS AND CREDITORS

IN RE: Richard Steven Backus

All creditors of the estate of Richard Steven Backus, 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 3rd day of November, 2022

BY: Robert Kirkpatrick

25022 Mae Hight Rd

Brooksville, FL 34601

Attorney: Richard Sarrell II

144 Cleveland St

Blairsville, GA 30512

T(Nov9,16,23,30)

NOTICE TO DEBTORS AND CREDITORS

IN RE: Deborah Lou Backus

All creditors of the estate of Deborah Lou Backus, 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 3rd day of November, 2022

BY: Robert Kirkpatrick

25022 Mae Hight Rd

Brooksville, FL 34601

Attorney: Richard Sarrell II

144 Cleveland St

Blairsville, GA 30512

T(Nov9,16,23,30)

NOTICE TO DEBTORS AND CREDITORS

IN RE: ESTATE OF W. Bart McPherson

All creditors of the estate of W. Bart McPherson, deceased, late of Towns County, 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 Personal Representative.

This 1st day of November, 2022.

BY: Mary Elizabeth McPherson

2181 West Dowers Ln.

Fayetteville, AR 72704

ATTORNEY: Daniel J. Davenport

PO Box 923

Blairsville, GA 30514

T(Nov9,16,23,30)

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF ROGER J. DENTON (a/k/a Roger Jimmy Denton)

All debtors and creditors of the estate of ROGER J. DENTON (a/k/a Roger Jimmy Denton, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor.

This 1st day of November, 2022.

Chyanne Kyndle Boone, Executor

380 Rolling Acres Rd.

Hiawassee, GA 30546

Lawrence S. Sorgen, Attorney at Law

P. O. Box 67

Hiawassee, GA 30546

T(Nov9,16,23,30)

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE:

JACKIE PHIL HUNTER, SR.,

DECEASED

ESTATE NO. 2022-P-103

NOTICE OF PETITION TO FILE FOR YEAR'S SUP-

PORT

The Petition of Felicia Annette Hunter, for a year's support from the estate of Jackie Phil Hunter, Sr., 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 December 5, 2022, 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(Nov9,16,23,30)

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE:

ROBERT DAVID SISTRUNK,

DECEASED

ESTATE NO. 2022-P-091

NOTICE OF PETITION TO FILE FOR YEAR'S SUP-

PORT

The Petition of Leah Montez Sistrunk, for a year's support from the estate of Robert David Sistrunk, 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 November 14, 2022, 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: Michelle Smith

Clerk of the Probate Court

48 River St., Suite C

Hiawassee, GA 30546

Address

706-896-3467

Telephone Number

T(Oct19,26,Nov2,9)

NOTICE

Notice is given that articles of incorporation that will incorporate Chatuge Equipment Solutions, 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(Nov2,9)

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of Lewis Anthony Caputa, a.k.a. Lewis A. 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 Executor of the Estate of Lewis Anthony Caputa, a.k.a. Lewis A. Caputa,

This 26th day of October 2022.

MARY J. McNELIS, Executor

Lewis Anthony Caputa, a.k.a. Lewis A. 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(Nov2,9,16,23)

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE TO DEBTORS AND CREDITORS

RE: MILDRED J. SIMMONS

All debtors and creditors of the estate of MILDRED J. SIMMONS, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor.

This ___ day of ___, 2022.

Eileen M. Schlaier, Executor

1710 Faulkner Court

Mahwah, NJ 07430

Lawrence S. Sorgen

Attorney at Law

P. O. Box 67

Hiawassee, GA 30546

T(Nov2,9,16,23)

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF

DARCELLA HOXIE MCBRIDE,

DECEASED

ESTATE NO. 2022-P-002

NOTICE

[For Discharge from Office and all Liability]

IN RE: Petition for Discharge of Personal Rep-

resentative

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 November 21, 2022.

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: Michelle Smith

Clerk of the Probate Court

48 River St. Suite C

Hiawassee, GA 30546

Address

706-896-3467

Telephone Number

T(Nov9)

NOTICE OF SALE UNDER POWER

GEORGIA, TOWNS COUNTY

By virtue of a Power of Sale contained in that certain Security Deed from CHARLES L. WINDHAM, JR. to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC. AS GRANTEE, AS NOMINEE FOR MOUNTAIN LAKES MORTGAGE, INC., dated July 17, 2020, recorded July 17, 2020, in Deed Book 651, Page 491, Towns County, Georgia Records, said Security Deed having been given to secure a Note of even date in the original principal amount of Two Hundred Sixty-Nine Thousand Three Hundred Sixty and 00/100 dollars (\$269,360.00), with interest thereon as provided for therein, said Security Deed having been last sold, assigned and transferred to First Community Mortgage Inc, 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 December, 2022, 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 97, 19TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA CONTAINING 1.455 ACRES, MORE OR LESS, BEING LOT SIX (6) OF INDIAN ROCK BRANCH ESTATES SUBDIVISION, PHASE I AND BEING SHOWN ON A PLAT OF SURVEY PREPARED BY ROCHESTER & ASSOCIATES, DATED APRIL 5, 2001, RECORDED IN PLAT BOOK 26, PAGE 208 IN THE CLERK'S OFFICE OF THE SUPERIOR COURT OF TOWNS COUNTY, GEORGIA; SAID PLAT BEING INCORPORATED BY REFERENCE HEREIN AND MADE A PART OF THIS DESCRIPTION. THE PROPERTY IS CONVEYED SUBJECT TO THE ROAD RIGHTS OF WAY AND ALL OTHER MATTERS AND CONDITIONS SHOWN ON THE ABOVE REFERENCED PLAT OF SURVEY. THE PROPERTY IS SUBJECT TO COVENANTS AND RESTRICTIONS FOR INDIAN ROCK BRANCH ESTATES SUBDIVISION, RECORDED IN DEED BOOK 255, PAGES 680-684, AMENDED IN DEED BOOK 259, PAGES 179-184, AND AMENDED IN DEED BOOK 301, PAGE 294, TOWNS COUNTY, GEORGIA RECORDS. THE PROPERTY IS SUBJECT TO THE BLUE RIDGE MOUNTAIN EMC UTILITY EASEMENT RECORDED IN DEED BOOK 256, PAGE 286, TOWNS COUNTY, GEORGIA RECORDS.

Said legal description being controlling, however the property is more commonly known as 7634 INDIAN ROCK RD, HIWASSEE, GA 30546. The indebtedness secured by said Security Deed has been and is hereby declared due because of default under the terms of said Security Deed. 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.

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 CHARLES L. WINDHAM, JR., ESTATE AND/OR HEIRS-AT-LAW OF CHARLES L. WINDHAM JR , WYNDE BROOKS, 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.

The entity having full authority to negotiate, amend or modify all terms of the loan (although not required by law to do so) is: The Money Source Inc., Loss Mitigation Dept., 3138 E. Elwood St., Phoenix, AZ 85034, Telephone Number: 866-867-0330. Nothing in O.C.G.A. Section 44-14-162.2 shall be construed to require a secured creditor to negotiate, amend, or modify the terms of the mortgage instrument.

FIRST COMMUNITY MORTGAGE INC

as Attorney in Fact for

CHARLES L. WINDHAM, JR.

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. TMS-22-04699-1

Ad Run Dates 11/09/2022, 11/16/2022, 11/23/2022, 11/30/2022

rselaw.com/property-listing

T(Nov9,16,23,30)

NOTICE OF SALE UNDER POWER

GEORGIA, TOWNS COUNTY

Under and by virtue of the Power of Sale contained in a Deed to Secure Debt given by Mary Ruble and Dennis Ruble to 3rd Financial Service Corporation, dated May 18, 2005, and recorded in Deed Book 335, Page 761, Towns County, Georgia records, as last transferred to U.S. Bank Trust National Association, not in its individual capacity, but solely as owner trustee of BRAVO Residential Funding Trust 2021-C by Assignment recorded in Deed Book 704, Page 722, Towns County, Georgia records, conveying the after-described property to secure a Note of even date in the original principal amount of \$90,000.00, 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, within the legal hours of sale on the first Tuesday in December, 2022, to wit: December 6, 2022, the following described property:

All that tract or parcel of land lying and being in the 18th District, First Section, Towns County, Georgia, being a part of Land Lot 147 and being Lot Number Forty-Four (44) of plat of Konahetah Village Subdivision as per plat of same by Farley Collins & Associates, Registered Engineers, a copy of same being recorded in Plat Book 1, Page 113, Towns County Land Records.

The Grantor Grants to Grantee a water line easement running accross Lots Thirty-nine (39) and Forty-six (46) which was previously obtained from Robert And Wanita Coles.

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. 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 Deed to Secure Debt and by law, including attorney's fees (notice of intent to collect attorney's fees having been given).

Said property is commonly known as 1578 Rogers Road, Hiawassee, GA 30546, together with all fixtures and personal property attached to and constituting a part of said property. To the best knowledge and belief of the undersigned, the party (or parties) in possession of the subject property is (are): Mary Ruth Ruble or tenant or 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; (2) O.C.G.A. Section 9-13-172.1; and (3) 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 in the preceding paragraph.

Pursuant to O.C.G.A. Section 44-14-162.2, the entity that has full authority to negotiate, amend and modify all terms of the mortgage with the debtor is:

Select Portfolio Servicing, Inc.

Attention: Loss Mitigation Department

3217 S. Decker Lake Drive

Salt Lake City, Utah 84119

1-888-818-6032

The foregoing notwithstanding, nothing in O.C.G.A. Section 44-14-162.2 shall be construed to require the secured creditor to negotiate, amend or modify the terms of the Deed to Secure Debt described herein.

This sale is conducted on behalf of the secured creditor under the power of sale granted in the aforementioned security instrument, specifically being

U.S. Bank Trust National Association, not in its individual capacity, but solely as owner trustee of BRAVO Residential Funding Trust 2021-C

as attorney in fact for

Mary Ruble and Dennis Ruble

Richard B. Maner, P.C.

180 Interstate N Parkway, Suite 200

Atlanta