

# Towns County Herald

## Legal Notices for December 6, 2023

### STATE OF GEORGIA COUNTY OF TOWNS

#### NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF BARBARA T. EVANS

All debtors and creditors of the estate of Barbara T. Evans, 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 9th day of November, 2023.  
Pamela Ayers, Executor  
6131 NW Drophy Ave.

Port St. Lucie, FL 34986

Lawrence S. Sorgen  
Attorney at Law  
P. O. Box 67  
Hiawassee, GA 30546

T(Nov15,22,29,Dec6)

#### NOTICE TO DEBTORS AND CREDITORS

### STATE OF GEORGIA

### COUNTY OF TOWNS

IN RE Estate of: Steven Carl Doxsie

Estate No: 2023-P-084

All creditors of the Estate of Steven Carl Doxsie late of Towns County, deceased, 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.

This 3rd day of November, 2023

Katherine Sherod  
1008 Crown Landing Pkwy  
McDonough, GA 30252

T(Nov15,22,29,Dec6)

#### NOTICE TO DEBTORS AND CREDITORS

RE: Estate of Richard W. Everhart

All debtors and creditors of the Estate of Richard W. Everhart, 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 6th day of November, 2023

Sheryl A. Kennedy  
374 Windy Ridge Rd.  
Hiawassee, GA 30546

404-660-2370

T(Nov15,22,29,Dec6)

### IN THE JUVENILE COURT OF TOWNS COUNTY

### STATE OF GEORGIA

### IN THE INTEREST OF:

ADRIANA NICHOLS

DOB:06-12-2018

SEX: fEMALE

CHILD UNDER THE AGE

OF EIGHTEEN

case no. 139-23J-20a

#### NOTICE OF DEPENDENCY HEARING

TO: Any possible biological father of Adriana Nichols

By Order for Service by Publication dated the 1 day of November 2023 you are hereby notified that on October 6, 2023, the Towns County Department of Family and Children Services, Georgia Department of Human Services, filed a Petition for Temporary Custody against you as to the above-named child alleging the child is dependent. You are required to file with the Clerk of Juvenile Court, and to serve upon Special Assistant Attorney General William Mercer an answer in writing within sixty (60) days of the date of the Order for Service by Publication.

The Court will conduct a final hearing upon the allegations of the Petition and enter an order of disposition on the 10th day of January 2023 at 9:00 a.m., at the Towns County Courthouse, Hiawassee Georgia or virtual platform.

The child and other parties involved may be represented by a lawyer at all stages of these proceedings. If you want a lawyer, you may choose and hire your own lawyer. If you want to hire a lawyer, please contact your lawyer immediately. If you want a lawyer but are not able to hire a lawyer without undue financial hardship, you may ask for a lawyer to be appointed to represent you. The Court would inquire into your financial circumstances and if the Court finds you to be financially unable to hire a lawyer, then a lawyer will be appointed to represent you. If you want a lawyer appointed to represent you, you must let the Court or the officer of this Court handling this case know that you want a lawyer immediately.

WITNESS, the Honorable Jeremy Clough, Judge of said Court, this the 1 day of November 2023.

William Maxwell

Honorable William Maxwell

Judge, Juvenile Court

Towns County, Georgia

Enotah Judicial Circuit

T(Nov15,22,29,Dec6)

#### NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF Harold Earnest Smith

All debtors and creditors of the estate of Harold Earnest Smith, 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 1 day of December, 2023.

Amy K. Simonton

78 Warrior Way

Sharpsburg, GA 30277

404-918-1142

T(Dec6,13,20,27)

#### NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF Helga Katzenberger Peters

All debtors and creditors of the estate of Helga Katzenberger Peters, 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 27 day of November, 2023.

Susan Brandvold

1107 Morningside Park Dr.

Johns Creek, GA 30022

404-543-2204

T(Dec6,13,20,27)

### STATE OF GEORGIA

### COUNTY OF TOWNS

#### NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF PAUL C. GIBB

All debtors and creditors of the estate of Paul C. Gibb, 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 16th day of November, 2023.

Carl M.Schmidt, Executor

305 Sky View Dr., Apt. 24B

Hiawassee, GA 30546

Lawrence S. Sorgen

Attorney at Law

P. O. Box 67

Hiawassee, GA 30546

T(Nov22,29,Dec6,13)

### IN THE PROBATE COURT OF TOWNS COUNTY

### STATE OF GEORGIA

IN RE: ESTATE OF

BON JERRY SUTTON,

DECEASED

ESTATE NO. 2023-P-094

#### NOTICE

IN RE: The Petition to Probate Will (and Codicil(s)) 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:Bradley Presley Sutton

[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 December 18, 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: Kristen C. Roberts

Clerk of the Probate Court

48 River Street, Suite C.

Hiawassee, GA 30546

Address

706-896-3467

Telephone Number

T(Nov22,29,Dec6,13)

#### NOTICE TO DEBTORS AND CREDITORS

IN RE: Jean Anne Edwards

All creditors of the estate of Decedent, 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 Representatives.

This 15th day of November, 2023

BY: Jennie Grosslight and Kirsten Manson, Co-Executors

987 Vista Ln, Hiawassee, GA 30546

PO Box 1761, Silverthorne, CO 80498

Attorney: Richard Sarrell II

144 Cleveland St

Blairsville, GA 30512

T(Nov22,29,Dec6,13)

### IN THE PROBATE COURT OF TOWNS COUNTY

### STATE OF GEORGIA

IN RE: ESTATE OF

BON JERRY SUTTON,

DECEASED

ESTATE NO. 2023-P-094

#### NOTICE

IN RE: The Petition to Probate Will (and Codicil(s)) 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:Jackson Zachariah Wheeler

[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 2, 2024.

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: Kristen C. Roberts

Clerk of the Probate Court

48 River Street, Suite C.

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T(Dec6,13,20,27)

#### 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 Shirley Tressa Ditmire and Mark Thomas Ditmire to Mortgage Electronic Registration Systems, Inc. ("MERS") as nominee for Advanced Financial Services, Inc., dated February 18, 2005, and recorded in Deed Book 328, Page 524, Towns County, Georgia records, as last transferred to U.S. Bank National Association, not in its individual capacity but solely as indenture trustee, for the holders of the CIM Trust 2021-R1, Mortgage-Backed Notes, Series 2021-R1 by corrected Assignment recorded in Deed Book 708, Page 713, Towns County, Georgia records, conveying the after-described property to secure a Note of even date in the original principal amount of \$110,000.00, 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 January, 2024, to wit: January 2, 2024, the following described property:

All that tract or parcel of land lying and being in Land Lot 23, 17th District, 1st Section, Towns County, Georgia containing 2.34 acres as shown on a plat of survey by Blairsville Surveying Co. dated March 5, 2001 and recorded in Plat Book 27, Page 114, Towns County Records, which description on said plat is incorporated herein by reference.

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 2401 Lakeview Drive, Young Harris, GA 30582, 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): Shirley Tressa Ditmire, as to life estate, and Mark Thomas Ditmire, as remainderman 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 OC.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 National Association, not in its individual capacity but solely as indenture trustee, for the holders of the CIM Trust 2021-R1, Mortgage-Backed Notes, Series 2021-R1

as attorney in fact for

Shirley Tressa Ditmire and Mark Thomas Ditmire

Richard B. Maner, P.C.

180 Interstate N Parkway, Suite 200

Atlanta, GA 30339

404.252.6385

THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

FC22-253

T(Dec6,13,20,27)