

Towns County Herald

Legal Notices for December 12, 2018

**STATE OF GEORGIA
COUNTY OF TOWNS**
IN RE: ESTATE OF Carolyn Sue Fortenberry, DECEASED
NOTICE TO CREDITORS
All creditors of the Estate of Carolyn Sue Fortenberry deceased, late of Towns County, are hereby notified their demands to the undersigned according to law, and all persons indebted to said Estate are required to make immediate payment to David E. Barrett as Attorney for the Estate of Carolyn Sue Fortenberry, 108 Blue Ridge Hwy., Suite 6, Blairsville, GA 30512
This 16 day of November, 2018.
David E. Barrett
Carolyn Sue Fortenberry, Deceased
T(Nov28,Dec5,12,19)B

NOTICE OF 2ND DUI CONVICTION
Towns County Probate Court
01. Name of Offender: Rex Coleman
02. Address of Offender: 790 Coleman Rd, Hiawassee, GA 30546
03. County of Residence: Towns
04. Name of Newspaper for Publication: Towns County Herald
05. Date of Arrest 09/14/18
Place of Arrest: Towns County
06. Date of Conviction: 12/04/18
07. Disposition: Fined \$1,365.00; 12 Months Probation; 72 hours to serve in the Towns County Jail; License Suspension; 30 days of Community Service Work; DUI school; Obtain a Clinical Evaluation; Ignition Interlock Device; Drug Screening; Seizure of License Plates; No Alcohol Provision
T(Dec12)B

NOTICE TO DEBTORS AND CREDITORS
**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF Samuel Clifford Swindel
All creditors of the estate of Samuel Clifford Swindel, 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 16th day of November, 2018.
Diana Swindel
2612 St. Hwy. 75 N.
Hiawassee, GA 30546
706-970-9147
T(Nov21,28,Dec5,12)B

NOTICE TO DEBTORS AND CREDITORS
**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF Thelma J. Noblet
All creditors of the estate of Thelma J. Noblet, 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 12th day of November, 2018.
Anita Youngblood
2473 Mill Creek Road
Hiawassee, GA 30546
706-896-4407
T(Nov21,28,Dec5,12)B

NOTICE TO DEBTORS AND CREDITORS:
RE: Estate of Robert Leon Brackett
All creditors of the Estate of Robert Leon Brackett, deceased, late of Towns County, are hereby notified to render their demands to the undersigned according to the law, and all persons indebted to said estate are required to make immediate payment.
This 20th day of November, 2018
Marcia L. Mulvihill
250 Jade Cove Circle
Roswell, GA 30075
770-241-9953
T(Nov28,Dec5,12,19)B

NOTICE TO CREDITORS AND DEBTORS
All creditors of the estate of STEWART DANA WATSON, 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 STEWART DANA WATSON.
This 20th day of November, 2018.
PAUL EDWARD WILSON
305 Downing Circle
Kathleen, Georgia 31047
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawassee, GA 30546
T(Nov28,Dec5,12,19)B

NOTICE TO DEBTORS AND CREDITORS
**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF MARY L. PATRICK
All creditors of the estate of Mary L. Patrick 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 27th day of November, 2018.
CO-EXECUTORS: Mark P. Camp
Joseph S. Camp
ADDRESS: c/o Eddy A. Corn, Attorney
253 Big Sky Drive
Hiawassee, GA 30546
PHONE: (706) 896-3451
T(Dec5,12,19,26)B

**STATE OF GEORGIA
COUNTY OF TOWNS**
NOTICE TO DEBTORS AND CREDITORS
RE: DAVID B. PHELPS
All debtors and creditors of the estate of David B. Phelps, 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 28th day of November, 2018.
Roberta J. Phelps, Executor
Address: 562 Big Oak Lane
Hiawassee, GA 30546
T(Dec5,12,19,26)B

NOTICE TO CREDITORS AND DEBTORS
All creditors of the estate of RONALD CLAYTON GRAHAM, 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 RONALD CLAYTON GRAHAM.
This 30th day of November 2018.
BONNA LEE GRAHAM
2170 Lake Louisa Road
Hiawassee, Georgia 30546
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawassee, GA 30546
T(Dec5,12,19,26)B

NOTICE TO CREDITORS AND DEBTORS
All creditors of the estate of JO ANN PHILLIPS, 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 Executors of the Last Will and Testament of JO ANN PHILLIPS.
This 29th day of November 2018.
ROGER LEE PHILLIPS
920 Bauer Rd.
Hiawassee, Georgia 30546
RONNIE LEE PHILLIPS
447 Hog Creek Rd.
Hiawassee, Georgia 30546
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawassee, GA 30546
T(Dec5,12,19,26)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 William H Collins and Tonya M Collins to Mortgage Electronic Registration Systems, Inc., as nominee for Nations Direct Mortgage, LLC dba Motive Lending, its successors and assigns, dated August 7, 2017, recorded in Deed Book 600, Page 716, Towns County, Georgia Records, as last transferred to Nations Direct Mortgage, LLC by assignment recorded in Deed Book 613, Page 666, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED FIFTY THOUSAND TWO HUNDRED TWENTY-EIGHT AND 0/100 DOLLARS (\$150,228.00), 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 Wednesday in January, 2019, 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 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. Nations Direct Mortgage, 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: Dovenmuehle Mortgage, Inc., 1 Corporate Drive, Suite 360, Lake Zurich, IL 60047, 8006694268. To the best knowledge and belief of the undersigned, the party in possession of the property is William H Collins and Tonya M Collins or a tenant or tenants and said property is more commonly known as 987 Vista 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. Nations Direct Mortgage, LLC as Attorney in Fact for William H Collins and Tonya M Collins McCalla Raymer Leibert 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 148, 18th District, 1st Section, Towns County, Georgia, and being shown as Lot Forty-Eight (48), containing 0.296 acres, more or less, and Lot Forty-Nine (49), containing 0.293 acres, more or less, of Block B of Beech Cove Vista Subdivision, as shown on a plat of survey by Tamrock Associates, Inc., dated May 20, 1998 and recorded Plat Book 22 Page 148, Towns County, Georgia records; which description on said plats is incorporated herein by reference hereto. The property is conveyed subject to the asphalt drive and all the road rights of way, matters and conditions as shown on above referenced plats of survey. The property is conveyed with and subject to the Restrictions of Record for Beech Cove Vista Subdivision. The property is subject to the Blue Ridge Mountain EMC easement as recorded in Deed Book 125, Page 602, Towns County, Georgia records. MR/ca 1/2/19 Our file no. 5117218 - FT18
T(Dec5,12,19,26)B

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

By virtue of a Power of Sale contained in that certain Security Deed from Birl Henderson and Louise Henderson aka Anna S. Henderson to The Mortgage People Co, dated August 13, 2001 and recorded on August 17, 2001 in DEED Book 224, Page 510, in the Office of the Clerk of Superior Court of Towns County, Georgia, said Security Deed having been given to secure a Note of even date, in the original principal amount of Seventy-Three Thousand and 00/100 dollars (\$73,000.00) with interest thereon as provided therein, 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 has or may be lawfully designated as an alternative location, within the legal hours of sale on the first Wednesday in January, 2019, 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 114, 17th District, 1st Section, Towns County, Georgia, containing 1.086 acres, and being a portion of Lot Two (2) of Gum Log Heights Subdivision as shown on a plat of survey by Rochester & Associates, Inc., dated 8/8/01, recorded in Plat Book 27 page 173 Towns County records which description on said plat is incorporated herein by reference and made a part hereof. The property is conveyed subject to the electric lines as shown on said plat. The property is conveyed subject to the road right of way as shown on said plat. Said property may more commonly be known as 46 Crane Creek Road, Young Harris, GA 30582. The debt secured by said Security Deed has been and is hereby declared due because of, among other possible events of default, non-payment of the monthly installments on said loan. The debt remaining in default, this sale will be made for the purpose of paying the same and all expenses of this sale, including attorney's fees (notice of intent to collect attorney's fees having been given). The individual or entity that has full authority to negotiate, amend and modify all terms of the loan is Ditech Financial LLC , Ditech Customer Service, PO Box 6172, Rapid City, SD 57709-6172, 1-800-643-0202. 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: a) zoning ordinances; b) matters which would be disclosed by an accurate survey or by an inspection of the property; c) any outstanding ad valorem taxes, including taxes, which constitute liens upon said property whether or not now due and payable; d) special assessments; e) the right of redemption of any taxing authority; f) all outstanding bills for public utilities which constitute liens upon said property; g) all restrictive covenants, easements, rights-of-way and any other matters of record superior to said Security Deed. To the best of the knowledge and belief of the undersigned, the owners and party in possession of the property are Birl Henderson and Louise Henderson aka Anna S. Henderson and or tenant(s). 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. DITECH FINANCIAL LLC, Loss Mitigation Dept., 7360 S. Kyrene Rd., Tempe, AZ 85283, Telephone Number : (855) 389-4960 as Attorney-in-Fact for Birl Henderson and Louise Henderson aka Anna S. Henderson. Contact: Padgett Law Group: 6267 Old Water Oak Road, Suite 203, Tallahassee, FL 32312; (850) 422-2520 Ad Run Dates: 12/05/18; 12/12/18; 12/19/18; 12/26/18
T(Dec5,12,19,26)B