

# Towns County Herald

## Legal Notices for December 13, 2023

### 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)

### PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that we will sell or otherwise dispose of the contents of the following storage units to satisfy the delinquent storage lien placed in accordance with GA Statute for the past due rent and other charges. Auctions will be conducted online at StorageAuctions.net on Thursday December 21, 2023 and all contents will be sold to the highest bidder for the following self-storage units: Commerce Drive Storage. 706-781-4339. 86 Commerce Dr, Young Harris, GA 30582: Michelle Edwards Unit#68 -- household items. Online auction will conclude at 4:30pm; Dexter Adams Unit #75 -- household items. Online auction will conclude at 4:45pm.  
T(Dec13,20)

### TOWNS COUNTY SUPERIOR COURT

#### TRADE NAME REGISTRATION

Personally appeared the undersigned who on oath deposes and say that: Kristina Bryant, 144 N. Main St, Hiawassee, GA 30546 and is/are doing business in Towns County, Georgia, under the name of: Tradename Chatuge Med Spa & Fitness and that the nature of the business to be carried on at such address is Medical Spa Services.  
T(Dec13,20)

### IN THE SUPERIOR COURT OF TOWNS COUNTY

#### STATE OF GEORGIA

MICHAEL ANDERSON, in official capacity as TAX COMMISSIONER OF TOWNS COUNTY, GEORGIA,  
Petitioner,

v. WILLIAM G. CHASE AND/OR HIS OR HER KNOWN OR UNKNOWN HEIRS AT LAW, ANY AND ALL PARTIES THAT MAY CLAIM AN INTEREST IN THE EXCESS FUNDS GENERATED FROM THE FEBRUARY 1, 2022 TAX SALE FOR TAX PARCEL: 00050-00000-009-000.,  
Respondents.  
CIVIL ACTION FILE NO. SUCV2023000075  
NOTICE OF SERVICE BY PUBLICATION  
To Respondents - William G. Chase And/Or His Or Her Known Or Unknown Heirs At Law; Any And All Parties That May Claim An Interest In The Excess Funds Generated From The February 1, 2022 Tax Sale For Tax Parcel: 00050-00000-009-000: Please take notice that Petitioner MICHAEL ANDERSON, in official capacity as TAX COMMISSIONER OF TOWNS COUNTY (“Petitioner”) has filed a Summons and Petition for Interpleader in the Superior Court of Towns County, Georgia in the above-captioned case.

Respondents are hereby commanded to file their Answer to the Petition within 60 days of the date of the Order Directing Service by Publication, or by January 30, 2024, with the Clerk of Superior Court of Towns County, 48 River Street, Hiawassee, GA 30546, and serve a copy of their Answer on Petitioner’s counsel Bradley A. Hutchins, at Weissman PC, One Alliance Center, 4th Floor, 3500 Lenox Road, NE, Atlanta, Georgia 30326.  
[Signatures on following page]  
Witness, the Judge of Towns County Superior Court.

This, 8th day of December, 2023.

By: Cecil Dye  
Clerk of Superior Court of Towns County, Georgia  
Prepared by:  
D. Andrew Folkner  
Georgia Bar No. 695599  
Bradley A. Hutchins  
GA Bar No. 380682  
Counsel for Petitioner Michael Anderson, in official capacity as Tax Commissioner of Towns County  
Weissman PC  
One Alliance Center, 4th Floor  
3500 Lenox Road, NE  
Atlanta, Georgia 30326  
(404) 9264500 | F 4600  
T(Dec13,20,27,Jan3)

### 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.  
Hiawassee, GA 30546  
Address  
706-896-3467  
Telephone Number  
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 Ditmore and Mark Thomas Ditmore 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 Ditmore, as to life estate, and Mark Thomas Ditmore, 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 Ditmore and Mark Thomas Ditmore

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)