

Towns County Herald

Legal Notices for December 25, 2019

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF Mabel Gresham Craft
All creditors of the Estate of Mabel Gresham Craft, 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 the 21st day of November, 2019.

Gloria Craft Duvall
1615 Creek Pointe Circle
Lawrenceville, GA 30043
770-861-1547
Sherry Craft Siple
4625 Villager Trail
Flowery Branch, GA 30542
404-993-2113

T(Dec11,18,25)

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE TO DEBTORS AND CREDITORS

RE: Glyn D. Pollard, Sr.
All debtors and creditors of the estate of Glyn D. Pollard, Sr., 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. This 11th day of December, 2019.

Peggy A. Kibbey
7870 Hiawassee Wilderness Trail
Hiawassee, GA 30546
912-381-1556

T(Dec18,25,Jan1,8)

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE TO DEBTORS AND CREDITORS

RE: ROBERT C. SHATTLES
All debtors and creditors of the estate of Robert C. Shattles, 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 10th day of December, 2019.

Margaret H. Shattles, Executor
Address: 568 Kanuga Street
Hiawassee, GA 30546

T(Dec18,25,Jan1,8)

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF

FAYE E. WORTHY, DECEASED

ESTATE NO. 2019-13

NOTICE

[For Discharge from Office and all Liability]
IN RE: Petition for Discharge of Personal Representative

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 January 6, 2020.

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

T(Dec25)

NOTICE OF INCORPORATION

Notice is given that Article of Incorporation that will incorporate The Barn at Young Harris, Inc. have been delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code (or Georgia Non-profit Corporation Code). The initial registered office of the corporation is located at 2835 Plottown Road, Young Harris, GA 30582 and its initial registered agent at such address is Wendell Abrams.

T(Dec25,Jan1)

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF

BARBARA A. LYLE, DECEASED

ESTATE NO. 2019-P-097

PETITION FOR LETTERS OF ADMINISTRATION

NOTICE

TO: All Interested parties and to whom it may concern:

Barbara Lynne Shirley has petitioned to be appointed Administrator of the estate of Barbara A. Lyle deceased, of said County. The Petitioner has also applied for waiver of bond and/or 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 January 6, 2020.

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
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Telephone Number

T(Dec11,18,25,Jan1)

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE:

CAROLYN ORA GIBSON, DECEASED

ESTATE NO. 2019-P-100

NOTICE OF PETITION TO FILE FOR YEAR'S SUPPORT

The Petition of Billy Gene Gibson, for a year's support from the estate of Carolyn Ora Gibson, 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 January 6, 2020, 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(Dec11,18,25,Jan1)

IN THE SUPERIOR COURT OF TOWNS COUNTY

STATE OF GEORGIA

Enotah Judicial Circuit

STATE OF GEORGIA,

ex rel

JEFFREY LANGLEY

DISTRICT ATTORNEY,

ENOTAH JUDICIAL CIRCUIT,

Plaintiff,

vs

2006 Ford Mustang GT, VIN# VFT82H565108108, GA TAG RLG6670, SILVER IN COLOR and \$346.00 in United States Currency, Defendants in rem, RE PROPERTY OF ROBERT BYRD, Purported Owner(s)/Interest Holders CIVIL ACTION NO. 2019-CV-160 COMPLAINT FOR FORFEITURE COMES NOW THE STATE OF GEORGIA, by and through Jeffrey Langley, District Attorney for the Enotah Judicial Circuit and files this complaint for forfeiture pursuant to the Official Code of Georgia Annotated §§16-13-49(b) and 9-16-12 and shows the Court the following:

1. The property sought to be forfeited is described in the above-styled caption and is incorporated herein by reference thereto (hereinafter "the defendant property").

2. The defendant property is presently in the custody of the Towns County Sheriffs Department and is located within the county and will be located in Towns County during the pendency of this forfeiture action, and is within the venue and subject to the jurisdiction of this Court.

3. On November 2, 2019, the defendant vehicle driven by Robert Byrd was stopped by the Towns County Sheriff's Department on Highway 76.

4. The stop resulted in the arrest of Robert Byrd for Possession of Methamphetamine (Towns County Warrant# 19-547FW) and Possession of Methamphetamine with Intent to Distribute (Towns County Warrant # 19-550FW).

5. A search of the defendant vehicle, which is titled in the name of Robert Byrd, resulted in the discovery of multiple bags of Methamphetamine, a set of scales and a pipe with methamphetamine residue.

6. As a result of the discovery of the methamphetamine, the defendant vehicle was seized for forfeiture. Located within the vehicle and/or on Robert Byrd's person was \$346.00 in United States Currency which was seized for forfeiture was the defendant.

7.

The defendant property is contraband and subject to forfeiture to the State of Georgia pursuant to the provisions of O.C.G.A. § 16-13-49(b), in that the defendant property was directly or indirectly used or intended for use to facilitate the possession and/or distribution of methamphetamine in violation of. O.C.G.A. § 16-13-30 and/or its proceeds derived or realized therefrom and/or was found in close proximity to methamphetamine and/or other property which is subject to forfeiture pursuant to the provisions of O.C.G.A. § 16-13-49(b).

8. That prior to December 2, 2019 and within 60 days of the seizure of the property sought to be forfeited, the State of Georgia filed a quasi-judicial forfeiture pursuant to O.C.G.A. Section 9-16-11. Said quasi-judicial forfeiture was served upon the defendant on or before December 2, 2019 (the date upon which the District Attorney received a return from the U.S. Postal Service.

9.

On December 5, 2019 the District Attorney received the attached document from Robert Byrd. The State maintains that said answer is insufficient under O.C.G.A. Section 9-16-11 (c) (2). However pursuant to O.C.G.A 9-16-11 (c) (3) the State hereby files a judicial forfeiture pursuant to 9-16-12.

10.

The names and addresses of all known persons who may be owners and/or interest holders of the defendant property, or any part thereof, are as follows:

Robert Byrd
76 Spiva Point
Blairsville, Ga 30512

WHEREFORE THE STATE OF GEORGIA PRAYS:

1) That all purported owners and/or interest holders listed herein be personally served with a copy of the complaint and summons;

2) That all purported owners and interest holders who are unknown, who reside out of state, who depart the state, who cannot after due diligence be found within the state, or who conceal themselves so as to avoid service, be served by publication by publishing a notice of proceedings once per week for two consecutive weeks in the legal organ of the county in which this complaint is pending as provided by O.C.G.A. § 9-16-12(b)(3);

3.) That the Court hold a hearing within sixty (60) days of the service of this complaint as provided by O.C.G.A. § 9-16-12(f);

4.) That the Court enter judgment in favor of the State of Georgia declaring the defendant property or any part thereof forfeited to the State of Georgia pursuant to the provisions of O.C.G.A. § 16-13-49;

5.) That the Court retain jurisdiction to direct the proper disposition and distribution of the forfeited property as provided by O.C.G.A. § 9-16-19; and

6.) That the State of Georgia be afforded such other relief and remedies as are available under law and for due process to enforce the forfeiture.

RESPECTFULLY SUBMITTED,
Jeffrey Langley
DISTRICT ATTORNEY
Enotah Judicial Circuit
State Bar No. 436610
BY Sidney (Buster) Landreau
Assistant District Attorney
State Bar No.970247
slandreau@pacga.org
48 River Street
Suite A
Hiawassee, Ga 30546
706-896-6489
Fax Number

NOTICE OF SUMMONS

The above Petition for Forfeiture was filed in the above styled action on December 11, 2019, seeking forfeiture of the above property on account of a Violation of the Georgia Controlled Substances Act pursuant to O.C.G.A. Section 16-13-19.

Any owner or interest holder is hereby notified to file a verified answer under penalty of perjury with the undersigned within thirty (30) days from the date of last publication herein with. Cecil Dye
Clerk Superior Court of Towns County
48 River Street Ste E
Hiawassee Ga, Ga 30546
A copy of any answer should also be mailed or served upon the following
Buster Landreau
Assistant District Attorney
48 River Street Ste A
Hiawassee, Ga 30546

T(Dec18,25)

NOTICE OF SALE UNDER POWER,

TOWNS COUNTY

Pursuant to the Power of Sale contained in a Security Deed given by Sarah Haywood to EverBank Reverse Mortgage LLC dated 7/14/2008 and recorded in Deed Book 437 Page 664 Towns County, Georgia records; as last transferred to or acquired by Nationstar Mortgage LLC d/b/a Champion Mortgage Company, conveying the after-described property to secure a Note in the original principal amount of \$300,240.00, 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 January 7, 2020 (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 4, 18TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 0.775 ACRES AS SHOWN ON A PLAT OF SURVEY PREPARED BY LANDTECH SERVICES, INC., JAMES L. ALEXANDER, R.L.S. #2653 DATED OCTOBER 28, 2005 RECORDED IN PLAT BOOK 35, PAGE 201 TOWNS COUNTY RECORDS WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART THEREOF.

TAX ID#: 0041A-034
BEING ALL AND THE SAME LANDS AND PREMISES CONVEYED TO MICHAEL JAMES HAYWOOD BY SARAH MONICA ROSE N/K/A SARAH MONICA FANCHER IN A QUIT CLAIM DEED EXECUTED 12/7/2005 AND RECORDED 1/17/2006 IN BOOK 359, PAGE 308 OF THE TOWNS COUNTY, GEORGIA LAND 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 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 2548 Highway 75, 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): Sarah Jordan Haywood or tenant or tenants.

Champion Mortgage LLC is the entity or individual designated who shall have full authority to negotiate, amend and modify all terms of the mortgage.

Champion Mortgage LLC
Loss Mitigation
PO Box 91322

Seattle, WA 98111-9422
Phone 855-683-3095
Fax 866-621-1036

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.

Nationstar Mortgage LLC d/b/a Champion Mortgage Company as agent and Attorney in Fact for Sarah Haywood
Aldridge Pite, LLP, 15 Piedmont Center, 3575 Piedmont Road, N.E., Suite 500, Atlanta, Georgia 30305, (404) 994-7637.

1341-385A

THIS LAW FIRM MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 1341-385A

T(Dec11,18,25,Jan1)