

Towns County Herald

Legal Notices for November 28, 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(Nov14,21,28,Dec5)B

NOTICE TO DEBTORS AND CREDITORS
**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF Sharon Ruth Stetzel
All creditors of the estate of Sharon Ruth Stetzel 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 9th day of November, 2018.
Robert L. Haff, Jr.
1784 Ivy Mtn Road
Hiawassee, GA 30546
706-896-5676
T(Nov14,21,28,Dec5)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 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
Notice is given that a notice of intent to dissolve RMG Design Services, LLC, a Georgia corporation with its registered office at 1659 Ivylog Creek Rd, Young Harris, GA 30582, has been delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code.
T(Dec5,12)P

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

ADVERTISEMENT FOR BIDS
Wastewater Treatment Facility Improvements for the
City of Hiawassee, Georgia
Sealed bids will be received by the City of Hiawassee, Georgia (OWNER), for furnishing all materials, labor, tools, equipment, and any other miscellaneous items necessary for the construction of Wastewater Treatment Facility Improvements in Hiawassee, Georgia.
A non-mandatory Pre-Bid Conference will be held at 1:00 p.m. local time on December 18, 2018, at the Wastewater Treatment Plant, Tater Ridge Road, Hiawassee, GA 30546. Representatives of OWNER and ENGINEER will be present to discuss the Project. ENGINEER will transmit to all prospective Bidders of record such Addenda as ENGINEER considers necessary in response to questions arising at the Conference. Oral statements may not be relied upon and will not be binding or legally effective.
Bids will be received at City Hall, 50 River Street, Hiawassee, GA 30546 until 2:00 p.m. on January 10, 2019. Any bid received after said time and date of bid opening will not be considered by OWNER. Bids will be publicly opened and read aloud at this time and location. All bids will be evaluated by OWNER and the project will be awarded, if it is awarded, within sixty (60) days of the bid opening. If a bidder is not selected within sixty (60) days of the bid opening, any bidder that is determined by the OWNER to be unlikely of being selected for contract award shall be released from their bid.

The Project consists of, but is not limited to the following major elements:
Tri-plex pump station rehabilitation and upgrade, 680 LF 8" TR-Flex force main with bridge hanging, 297 LF 8" DIP force main, 533 LF 8" PVC force main, 98 LF retaining wall, intake screen and structure, one UV light and installation, Post EQ Basin pump station, WWTF influent pump station valve pit, and Pre EQ-Basin rehabilitation and improvements.
Time of completion for all work associated with this project shall be two hundred ten (210) consecutive calendar days from the date of a written "Notice to Proceed" from OWNER. Copies of Contract Documents, Specifications, and Construction Drawings may be obtained at the office of Engineering Management, Inc., 303 Swanson Drive, Lawrenceville, Georgia 30043, upon payment of a non-refundable cost of \$200.00. Checks shall be made payable Engineering Management, Inc.
For purchasing documents regarding this project, you may contact Renee Stewart at 770-962-1387 or rstewart@eminc.biz. For technical questions regarding this project, you may contact Donald Baker at 770-962-1387, extension 104 or dbaker@eminc.biz.

The information for Bidders, Bid Proposal Form, Form of Agreement, Drawings, Specifications, and forms of Bid Bond, Performance Bond, Payment Bond, Bidders Qualification Forms, and other Contract Documents may be examined at the following locations:

OWNER:
City of Hiawassee
50 River Street
Hiawassee, GA 30546
706-896-2202
ENGINEER:
Engineering Management, Inc.
303 Swanson Drive
Lawrenceville, GA 30043
770-962-1387 (T)
770-962-8010 (F)
A list of persons who purchased Contract Documents from Engineering Management, Inc. will be available from the Engineer ONLY through their website at www.eminc.biz, email, facsimile transmission or U.S. Mail.
OWNER requires a bid bond* or a certified cashier's check in the amount of five percent (5%) of the total bid to be enclosed with the bid at the time of bid opening. Cashier's check will be made payable to the City of Hiawassee.
The successful bidder will be required to furnish OWNER with Insurance, Workman's Compensation Insurance, and Performance and Payment Bonds* in the amount of one-hundred percent (100%) of the total bid.

Each bid must be submitted in a SEALED ENVELOPE, addressed to the OWNER. Each sealed envelope containing a Bid must be plainly marked on the outside as, "Wastewater Treatment Facility Improvements for City of Hiawassee, Georgia". If bid is forwarded by mail, the sealed envelope containing the Bid must be enclosed in a separate mailing envelope to the attention of the OWNER at the address previously given.

All Bids must be made out on the bid form of the type bound in the Contract Documents, in accordance with the instructions in the Information for Bidders. No interlineation, additions, or deletions shall be made in the proposal form by the BIDDER.

Any and all Bids received without the aforementioned qualification criteria enclosed, will be returned to the BIDDER.
CONTRACTORS and SUBCONTRACTORS bidding on this Project will be required to comply with all Federal, State, and local laws.
OWNER reserves the right to waive any informalities or to reject any or all Bids, to evaluate Bids, and to accept any Bid which in its opinion may be in the best interest of the OWNER. No Bid will be rejected without just cause.
Successful Bidder will be required to perform WORK as the Prime Contractor. WORK performed by Prime Contractor shall be at a minimum 30% of the contract value.

No BIDDER may withdraw his bid within the time limit specified in the Instruction to Bidders (Section 00100).
This project is being financed by The Georgia Environmental Finance Authority and the Appalachian Region Commission.
The OWNER has acquired all necessary State and Federal permits in connection with this project. The OWNER has acquired easements and rights of way in connection with this project.

* Surety and insurance companies must have an AM Best rating of A-6 or greater, be listed in the Federal Registry of Companies holding Certificates of Authority and Acceptable Sureties on Federal Bonds, be licensed by the Georgia Insurance Department and the Georgia Secretary of State to do business in the State of Georgia. Surety companies executing Bonds must appear on the Treasury Department's most current list (Circular 570 as amended) For Performance Bonds less than \$300,000 an irrevocable Letter of Credit from a bank as defined in O.C.G.A. Code Section 7-1-4 may be submitted in lieu of a bond. In lieu of a Payment Bond, a Cashier's Check, Certified Check, or Cash may be submitted in an amount not less than the total amount payable by the terms of the CONTRACT.
Liz Ordiales, Mayor
(Owner's Representative)
City of Hiawassee, Georgia
END OF SECTION
T(Dec5)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 (\$150,226.00), 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 Tamrok 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 1/2/18
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) 389-4980
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

**STATE OF GEORGIA
COUNTY OF TOWNS**
NOTICE OF SALE UNDER POWER

By virtue of the power of sale contained in that certain Deed to Secure Debt from JOYCE NATIONS to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR UNITED COMMUNITY MORTGAGE SERVICES INC dated June 18, 2009, filed for record June 19, 2009, and recorded in Deed Book 457, Page 586, TOWNS COUNTY, Georgia Records, as last transferred to OCWEN LOAN SERVICING, LLC by assignment recorded in Deed Book 572, Page 610, TOWNS COUNTY, Georgia Records. Said Deed to Secure Debt having been given to secure a Note dated June 18, 2009 in the original principal sum of SIXTY NINE THOUSAND AND 0/100 DOLLARS (\$69,000.00), with interest from date at the rate stated in said Note on the unpaid balance until paid, there will be sold by the undersigned at public outcry to the highest bidder for cash before the Courthouse door at 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, the following described property:
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 187, 18TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 1.002 ACRES, MORE OR LESS, AND BEING SHOWN AS TRACT FOUR (4) ON A PLAT OF SURVEY BY NORTHSTAR SURVEYING & MAPPING, INC. DATED 2/20/05, REVISED 9/20/05, RECORDED IN PLAT BOOK 35, PAGE 110, TOWNS COUNTY, GEORGIA RECORDS, WHICH PLAT IS INCORPORATED HEREIN BY REFERENCE HERETO.

THE PROPERTY IS CONVEYED SUBJECT TO ALL MATTERS AND CONDITIONS SHOWN ON THE ABOVE REFERENCED PLAT.
THE PROPERTY IS CONVEYED SUBJECT TO THE INGRESS AND EGRESS EASEMENTS ALONG THE ROADWAY SHOWN ON THE ABOVE REFERENCED PLAT OF SURVEY.

To the best of the knowledge and belief of the undersigned, the party in possession of the property is JOYCE NATIONS and BRITTNIIE GRIZZLE or a tenant or tenants. Said property may more commonly be known as: 525 TAY WALK WAY, HIWASSEE, GA 30546 .

The debt secured by said Deed to Secure Debt 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 OCWEN LOAN SERVICING, LLC, 1100 VIRGINIA DRIVE, FORT WASHINGTON, PA 19034; (800) 746-2936.

Said property will be sold subject to 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, 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.
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. 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. *Auction services to be provided by Auction.com (www.auction.com)*
OCWEN LOAN SERVICING, LLC
As Attorney-in-Fact for
JOYCE NATIONS

Phelan Hallinan Diamond & Jones, PLLC
11675 Great Oaks Way, Suite 375
Alpharetta, GA 30022
Telephone: 770-393-4300
Fax: 770-393-4310
PH # 40303
This law firm is acting as a debt collector. Any information obtained will be used for that purpose.
T(Dec5,12,19,26)B