

Towns County Herald

Legal Notices for February 8, 2023

NOTICE OF SALE UNDER POWER GEORGIA, TOWNS COUNTY

Under and by virtue of the Power of Sale contained in a Security Deed given by William P Banister and Cassandra I Banister to Mortgage Electronic Registration Systems, Inc., as grantee, as nominee for First Community Mortgage, Inc., its successors and assigns, dated June 13, 2018, recorded in Deed Book 613, Page 693, Towns County, Georgia Records, as last transferred to FLAGSTAR BANK, N.A. by assignment recorded in Deed Book 689, Page 671, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED EIGHTY-FIVE THOUSAND FOUR HUNDRED SEVEN AND 0/100 DOLLARS (\$185,407.00), 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 Tuesday in March, 2023, 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 pursuant to O.C.G.A. § 13-1-11 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), 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 any matters of record including, but not limited to, those superior to the Security Deed first set out above. Said property will be sold on an "as-is" basis without any representation, warranty or recourse against the above-named or the undersigned.

FLAGSTAR BANK, N.A. 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: Flagstar Bank, N.A., 5151 Corporate Drive, Troy, MI 48098, 800-945-7700.

Note, however, that such entity is not required by law to negotiate, amend or modify the terms of the loan.

To the best knowledge and belief of the undersigned, the party in possession of the property is William P Banister and Cassandra I Banister or a tenant or tenants and said property is more commonly known as 2280 Lovingood Road, Hiawasse, Georgia 30546. Should a conflict arise between the property address and the legal description the legal description will control.

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.

FLAGSTAR BANK, N.A. as Attorney in Fact for William P Banister and Cassandra I Banister
McCalla Raymer Leibert Pierce, LLC
1544 Old Alabama Road
Roswell, GA 30076
www.foreclosurehotline.net
EXHIBIT "A"

All that tract or parcel of land lying and being in the 18th District, 1st Section, Land Lot 187, Towns County, Georgia, being Lot One (1), containing 0.93 acres, more or less, and being more particularly described on a plat of survey by Tamrok Engineering, Inc., Tommy J. Phillips, R.S., dated August 9, 1993 and recorded at Plat Book 18, Page 78, Towns County, Georgia records, which description on said plat is incorporated herein by reference hereto.

The property is subject to the road easements and all other matters and conditions as shown on the above referenced plat of survey.

The grantor grants to grantee a perpetual 20' foot road right of way for ingress and egress to the property to begin on Fodder Creek Road and run to the property along Lovingood Lane as shown on the above referenced plat of survey.

The property is also conveyed subject to Blue Ridge Mountain EMC easement recorded in Deed Book 121, Page 304, Towns County, Georgia records.

MR/meh 3/7/23
Our file no. 22-09125GA - FT18

T(Dec28-Mar1)

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of Barbara Dills, a.k.a. Barbara Jean Dills, deceased of Towns County, Hiawasse, 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 Executor of the Estate of Barbar Dills, a.k.a. Barbara Jean Dills.

This 19th day of January, 2023.
Jackie Dills, Executor
Estate of Barbara Dills, a.k.a. Barbara Jean Dills
1775 Brad Road
Hiawasse, GA 30546
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawasse, GA 30546
T(Jan25,Febl,8,15)

STATE OF GEORGIA COUNTY OF TOWNS

NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF MARY KENNY FRANCIS
All debtors and creditors of the estate of Mary Kenny Francis, 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 18th day of January, 2023.
Lisa Collins, Executor
1156 Pauline Drive
Hiawasse, GA 30546
Lawrence S. Sorgen
Attorney at Law
P. O. Box 67
Hiawasse, GA 30546
T(Jan25,Febl,8,15)

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF DALE CLYDE WOOD, DECEASED
ESTATE NO. 2023-P-001
PETITION FOR LETTERS OF ADMINISTRATION NOTICE

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

Timothy Wood has petitioned to be appointed administrator of the estate of Dale Clyde Wood deceased, of said county. The Petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, 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 February 20, 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: Kerry L. Berrong
Clerk of the Probate Court
48 River St. Suite C
Hiawasse, GA 30546
Address
706-896-3467
Telephone Number
T(Jan25,Febl,8,15)

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of Reba J. Daves, a.k.a. Reba Jean Daves, deceased of Towns County, Hiawasse, 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 Executor of the Estate of Reba J. Daves, a.k.a. Reba Jean Daves.

This 20th day of January, 2023.
Marguerite E. Stricker, Executor
Stricker Law Firm, PLLC
102 Hiawasse St.
Murphy, NC 28906
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawasse, GA 30546
T(Jan25,Febl,8,15)

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF MARY LOUISE FANEUFF, DECEASED
PETITION FOR LETTERS OF ADMINISTRATION NOTICE
ESTATE NO. 2023-P-003

TO: All Interested parties and to whom it may concern:
Kenneth Walter Faneuff has petitioned to be appointed administrator of the estate of Mary Louise Faneuff deceased, of said county. The Petitioner has also applied for waiver of bond, waiver of reports, waiver of statements, 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 February 27, 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: Kerry L. Berrong
Clerk of the Probate Court
48 River St. Suite C
Hiawasse, GA 30546
Address
706-896-3467
Telephone Number
T(Febl,8,25,22)

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE: ESTATE OF CRAIG ALAN MARSHALL, DECEASED
ESTATE NO. 2023-P-006
PETITION FOR LETTERS OF ADMINISTRATION NOTICE

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

Connie Marie Marshall has petitioned to be appointed administrator of the estate of Craig Alan Marshall deceased, of said county. The Petitioner has also applied for waiver of bond, waiver of reports, 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 February 27, 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: Kerry L. Berrong
Clerk of the Probate Court
48 River St. Suite C
Hiawasse, GA 30546
Address
706-896-3467
Telephone Number
T(Febl,8,15,22)

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA

COUNTY OF TOWNS
RE: ESTATE OF Curtis Dan Dover
All creditors of the estate of Curtis Dan Dover, 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 26 day of January, 2023.
EXECUTOR(S): - Steven Fredrick Dover
ADDRESS: c/o Eddy A. Corn, Attorney
253 Big Sky Drive
Hiawasse, GA 30546
PHONE: (706) 896-3451
T(Febl,8,15,22)

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of Myrna Josey Warren, a.k.a. Myrna Jean Warren, deceased of Towns County, Young Harris, 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 Executor of the Estate of Myrna Josey Warren, a.k.a. Myrna Jean Warren.

This 28th day of January, 2023.
Neal Warren, Executor
1394 Old School House Road
Young Harris, GA 30582
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawasse, GA 30546
T(Febl,8,15,22)

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE OF SALE UNDER POWER

Under and by virtue of the power of sale contained in that certain Deed to Secure Debt given by Darrius K. Hampton, Grantors, in favor of Kuy Lim, dated November 18, 2022, and recorded at Deed Book 706, Pages 844-849, of the Towns County records (hereinafter the "Security Deed"), conveying the hereinafter described property to secure a Promissory Note in the original principal amount of \$349,000.00 with interest thereon as set forth therein, Kuy Lim (Lender), as attorney-in-fact for Grantor Darrius K. Hampton, will sell at public outcry to the highest bidder for cash before the courthouse door at Towns County, Georgia, within the legal hours of sale on the first Tuesday in March, 2023 (to wit: March 7, 2023) the following:

all that tract or parcel of land lying and being in Lot 8, 17th District, 1st Section, Towns County, Georgia, being Lot Three (3), containing 0.754 acres, more or less, of Woodlake Subdivision as shown on a plat of survey by Tamrok Associates, Inc., dated February 8, 1999, and recorded in Plat Book 25, Page 25, Towns County, Georgia records, which description on said plat is incorporated herein by reference; and

all that tract or parcel of land lying and being in the 17th District, 1st Section, Land Lot 8, Towns County, Georgia, and being shown as Tract 1 of the Woodlake Subdivision, consisting of 0.819 acres, more or less, as shown on a plat of survey by Landtech Services, Inc., dated August 27, 2003, and recorded in Plat Book 30, Page 211, Towns County, Georgia records which description on said plat is incorporated herein by reference and made a part hereof.

Tract 1 is to become part of Lot 3 Woodlake Subdivision, and it is not to be conveyed separate and apart from Lot 3.

The property will be conveyed subject to the restrictions as pertaining to Woodlake Subdivision and recorded in Deed Book 100, Pages 124-125, Towns County, Georgia records; subject to the fifty (50) foot road easement and all other matters as shown on the above referenced plat of survey; subject to the easement granted to Blue Ridge Mountain EMC and recorded in Deed Book 99, Pages 636-637; and subject to the easement granted to Blue Ridge Mountain EMC and recorded in Deed Book 684, Page 592, Towns County records.

To the best knowledge and belief of the undersigned, the real property is in the possession of Darrius K. Hampton or others with the permission of Grantor, and may be known having a physical address of 6744 Woodlake Cir. Young Harris, GA 30582.

The real property will be sold on an "AS IS, WHERE IS" basis, without recourse against Lender and without representation or warranty of any kind or nature whatsoever with respect thereto, with no assurance afforded as to the exact acreage contained in the real property description and subject to, among other exceptions, all of the following: (a) all outstanding taxes (including, without limitation, taxes that are liens, but not yet due or payable), assessments and utility bills that are valid liens and encumbrances upon any of the real property and which are prior in the right to the Security Deed; (b) all valid zoning ordinances; (c) all valid federal tax liens (if any) affecting any of the real property and the rights of the United States Government relative thereto, including, but not limited to, the right of redemption of the United States Government, if any such rights validly exist; and (d) any and all easements, limitations, restrictions, reservations, covenants, encumbrances and other matters to which the Security Deed is subordinate in terms of priority as a matter of fact or as a matter of law.

The indebtedness evidenced by the Note and secured by the Security Deed has been declared immediately due and payable because of default by Grantor under the Note, including, but not limited to, default resulting from the failure to pay the indebtedness as and when due in accordance with the Note. The proceeds of the sale of the real property shall be applied in accordance with the Security Deed to the payment of the unpaid indebtedness under the Note and all fees, costs, charges, and expenses of the sale and of all proceedings in connection therewith, including, without limitation, attorney's fees incurred by Lender (notice of intent to collect attorney's fees having been given as provided by law).

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. § 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 above.

Pursuant to O.C.G.A. § 44-14-162.2, further notice is hereby given that Kuy Lim, whose mailing address and telephone number are: 980 Ashley Lane, Young Harris, GA 30582; 706-897-1186, is the individual designated by Lender to have full authority to negotiate, amend and modify all terms of the Security Deed and Note secured thereby; however, such individual is not required by law to negotiate, amend or modify any of such terms.

KUY LIM,
as attorney-in-fact for Darrius K. Hampton
LAWRENCE S. SORGEN, ESQ.
Attorney for Lender
P.O. Box 67
Hiawasse, GA 30546
(706) 896-4113
THIS FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE

T(Febl,15,22,Mar1)