

Towns County Herald

Legal Notices for March 16, 2022

**STATE OF GEORGIA
COUNTY OF TOWNS**
IN RE: ESTATE OF LEONARD SOFIELD, DECEASED

NOTICE TO CREDITORS
All creditors of the Estate of Leonard Sofield, 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 to me at 108 Blue Ridge Hwy., Ste 6, Blairsville, GA 30512. This 25th day of February, 2022.

David E. Barrett
Estate of Leonard Sofield, Deceased
David E. Barrett, LLC
Attorney at Law
108 Blue Ridge Highway, Suite 6
Blairsville, GA 30512
706-745-0250
T(Feb23,Mar2,9,16)

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of BETTY ADELLE LONDON 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 Darlene London Merritt as Executor of the Estate Betty Adelle London.

This 21st day of February 2022.
DARLENE LONDON MERRITT, Executor
Estate of Betty Adelle London
277 Sundown Way
Dawsonville, GA 30534

Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawasse, GA 30546
T(Mar2,9,16,23)

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF JAMES DON WILSON
All creditors of the estate of JAMES DON WILSON, 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 2nd day of March, 2022.
EXECUTOR(S): - James Paul Wilson
- David Kent Wilson
ADDRESS: c/o Eddy A. Corn, Attorney
253 Big Sky Drive
Hiawasse, GA 30546
PHONE: (706) 896-3451
T(Mar2,9,16,23)

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA
IN RE: ESTATE OF
JAMES ERNEST SMITH, DECEASED
ESTATE NO. 2022-P-012

NOTICE
IN RE: The Petition for Appointment of a County Administrator for the Sole Purpose of Commencing or Continuing a Lawsuit Against an Estate in the above-referenced estate having been duly filed,

All interested persons are hereby notified to show cause, if any they have, on or before March 28, 2022, why said Petition should not be granted.

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: Michelle Smith
Clerk of the Probate Court
48 River St., Suite C
Hiawasse, GA 30546
Address
706-896-3467
Telephone Number
T(Mar2,9,16,23)

NOTICE TO DEBTORS & CREDITORS

RE: Estate of Edward H. Denton
All debtors and creditors of the Estate of Edward H. Denton, 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 4th day of March, 2022
Edward H. Denton
116 St. Andrews Lane
Aledo, TX 76008
817-676-7610
T(Mar9,16,23,30)

**IN THE PROBATE COURT OF TOWNS COUNTY
STATE OF GEORGIA**
IN RE:
HOWARD DOUGLAS FILLEY, DECEASED
ESTATE NO. 2022-P-016
NOTICE OF PETITION TO FILE FOR YEAR'S REPORT

The Petition of Pamela G. Filley, for a year's support from the estate of Howard Douglas Filley, 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 April 4, 2022, 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: Michelle Smith
Clerk of the Probate Court
48 River St., Suite C
Hiawasse, GA 30546
Address
706-896-3467
Telephone Number
T(Mar9,16,23,30)

NOTICE TO DEBTORS AND CREDITORS

All creditors of the estate of Thomas N. Thompson late of Towns County, deceased, 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.
This 9th day of March, 2022
Charlene R. Thompson, Executor
c/o Audra Lynn, Esq.
1117 Perimeter Center West, Suite W501,
Atlanta, GA 30338
T(Mar9,16,23,30)

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF GILBERT L. ZIEGLER
All creditors of the estate of Gilbert L. Ziegler 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 March, 2022.
EXECUTOR(S): - MATTHEW SHEPHERD
ADDRESS: c/o Eddy A. Corn, Attorney
253 Big Sky Drive
Hiawasse, GA 30546
PHONE: (706) 896-3451
T(Mar9,16,23,30)

NOTICE TO DEBTORS AND CREDITORS

**STATE OF GEORGIA
COUNTY OF TOWNS**
RE: ESTATE OF JAMES ERNEST SMITH, DECEASED
ESTATE NO. 2022-P-012
NOTICE
IN RE: The Petition for Appointment of a County Administrator for the Sole Purpose of Commencing or Continuing a Lawsuit Against an Estate in the above-referenced estate having been duly filed,

All interested persons are hereby notified to show cause, if any they have, on or before March 28, 2022, why said Petition should not be granted.
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: Michelle Smith
Clerk of the Probate Court
48 River St., Suite C
Hiawasse, GA 30546
Address
706-896-3467
Telephone Number
T(Mar2,9,16,23)

All creditors of the estate of WENTWORTH CLARKE 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 KARL W. CLARKE as Executor of the Estate of Wentworth Clarke.

This 4th day of March 2022.
KARL W. CLARKET, Executor
Estate of Wentworth Clarke
4175 Ridgecrest Trail
Hiawasse, GA 30546
Submitted by:
Pamela Kendall Floyd, PC
Attorney for Estate
P.O. Box 1114
Hiawasse, GA 30546
T(Mar9,16,23,30)

NOTICE

Notice is given that articles of incorporation that will incorporate Michelle's Hair Design, Inc. have been delivered to the Secretary of State for filing in accordance with the Georgia Corporation Code. The initial registered office of the corporation is located at 231 Chatuge Way, Hiawasse, Georgia 30546 and its initial registered agent at such address is Stephanie W. McConnell.
T(Mar16,23)

**IN THE SUPERIOR COURT OF TOWNS COUNTY
STATE OF GEORGIA**
RICKY EUGENE CATO,
Petitioner,
v.

A TRACT OF LAND IN LAND LOTS 22, 23, 34 AND 35, 19TH DISTRICT, 1ST SECTION OF TOWNS COUNTY, GEORGIA, CONTAINING 25.293 ACRES AS SHOWN ON PLAT BOOK 39, PAGE 179, TOWNS COUNTY GEORGIA RECORDS, AND AS THEIR RESPECTIVE INTERESTS MAY APPEAR: ESTATE OF ROBERT M. CHASTAIN, HEIRS KNOWN OR UNKNOWN, ESTATE OF WANDA CHASTAIN, HEIRS KNOWN OR UNKNOWN, ESTATE OF JURIA CHASTAIN GIONET, HEIRS KNOWN OR UNKNOWN, ESTATE OF BESSIE CHASTAIN TIPTON ADAMS, HEIRS KNOWN OR UNKNOWN, BOBO ADAMS, ESTATE OF WADE CHASTAIN, HEIRS KNOWN OR UNKNOWN, CAROL JEAN CHASTAIN, VIRGINIA CHASTAIN ELLER, ESTATE OF TRUIETT CHASTAIN, HEIRS KNOWN OR UNKNOWN, LEWIS CARL CHASTAIN, BARBARA J. CHASTAIN SMITH, WILMA LEE CHASTAIN HUNTLY, ROBERT W. CHASTAIN, ALL THE WORLD AND ALL PERSONS KNOWN OR UNKNOWN WHO HAVE OR CLAIM ANY ADVERSE OR POSSESSORY RIGHT, TITLE OR INTEREST IN THE RESPONDENT PROPERTY, Respondents.
Civil Action No. 22-CV-018-RG
NOTICE OF SUMMONS
TO: ALL PERSONS, KNOWN OR UNKNOWN AND ALL THE WORLD who may claim adversely to Petitioners' title of those tracts of land contained in Land Lots 22, 23, 34 and 35 of the 19th Land District, 1st Section of Towns County, Georgia, being more fully described as follows:

All that tract or parcel of land lying and being in Land Lots 22, 23, 34 and 35 of the 19th Land District, 1st Section of Towns County, Georgia, containing 25.293 acres, more or less, as shown on a Plat of Survey recorded in Towns County, Georgia records in Plat Book 39, Page 179, reference to said plat is being made for a more full and complete description. Subject to existing restrictions, easements and rights of way for public roads and highways and public utilities, if any, extending into, through, over, or across the above described property.

This being the same property recorded in Deed Book 502, Page 849, Towns County, Georgia deed records.

You are hereby notified that the above-styled action seeking a Petition to Establish Quiet Title was filed on February 15, 2022, and that by reason of an Order for Service by Publication entered by the Court on March 8, 2022, you are hereby commanded and required to file with the clerk of said Court and serve upon Daniel J. Davenport, Petitioner's attorney, whose address is 80 Town Square, P.O. Box 923, Blairsville, Georgia, an answer to the Petition within thirty (30) days of the date of the Order for Service by Publication pursuant to O.C.G.A. 23-3-65(b).
Witness the Honorable Raymond George, Judge of said Court.
This 8th day of March, 2022.
Cecil Dye
Clerk of Superior Court, Towns County
T(Mar16,23,30,Apr6)

**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 Wanda Barrett to Mortgage Electronic Registration Systems, Inc., as grantee, as nominee for Citibank N.A., its successors and assigns , dated July 26, 2013, recorded in Deed Book 538, Page 502, Towns County, Georgia Records, as last transferred to Federal Home Loan Mortgage Corporation, as Trustee for the benefit of the Freddie Mac Seasoned Loans Structured Transaction Trust, Series 2020-3 by assignment recorded in Deed Book 670, Page 263, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED EIGHTY-SEVEN THOUSAND EIGHT HUNDRED NINETY-TWO AND 0/100 DOLLARS (\$187,892.00), 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 April, 2022, 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.

Federal Home Loan Mortgage Corporation, as Trustee for the benefit of the Freddie Mac Seasoned Loans Structured Transaction Trust, Series 2020-3 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: Selene Finance, 9990 Richmond Avenue, Suite 100 N, Houston, TX 77042, 7136252034.

To the best knowledge and belief of the undersigned, the party in possession of the property is Wanda Barrett or a tenant or tenants and said property is more commonly known as 1953 Barrett Rd, Hiawasse, 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.

Federal Home Loan Mortgage Corporation, as Trustee for the benefit of the Freddie Mac Seasoned Loans Structured Transaction Trust, Series 2020-3 as Attorney in Fact for Wanda Barrett
McCalla Raymer Leibert Pierce, LLC
1544 Old Alabama Road
Roswell, GA 30076
www.foreclosurehotline.net
EXHIBIT "A"

THE FOLLOWING DESCRIBED PROPERTY:
ALL THAT TRACT OR PARCEL OF LAND, TOGETHER WITH ALL IMPROVEMENTS THEREON, SITUATE, LYING AND BEING IN SECTION 1, DISTRICT 17, LAND LOTS 92 AND 125, TOWNS COUNTY, GEORGIA, CONTAINING 1.98 ACRES, MORE OR LESS, AND BEING SHOWN AS TRACT "3" ON A PLAT OR SURVEY ENTITLED "SURVEY FOR TRUMAN BARRETT", DATED NOVEMBER 30, 1989, BY TAMROK ENGINEERING, INC., TOMMY J. PHILLIPS, REGISTERED SURVEYOR, AS RECORDED IN PLAT BOOK 11, PAGE 300, IN THE OFFICE OF THE CLERK, SUPERIOR COURT, TOWNS COUNTY, GEORGIA, SAID PLAT BEING INCORPORATED BY REFERENCE HEREIN.
ASSESSOR'S PARCEL NUMBER: 030 034
MR/meh 4/5/22
Our file no. 22-06256GA - FT8
T(Mar9,16,23,30)

**NOTICE OF FORECLOSURE SALE UNDER POWER
TOWNS COUNTY, GEORGIA**
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 Kathryn Brazauskas to Bank of America, N. A. dated October 5, 2005 and recorded on October 7, 2005 in Deed Book 350, Page 22, Towns County, Georgia Records, and later assigned to U.S. Bank Trust National Association, not in its individual capacity but solely as owner trustee for Legacy Mortgage Asset Trust 2018-RPL5 by Assignment of Security Deed recorded on October 15, 2021 in Deed Book 686, Page 83, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of Sixty-Four Thousand Six Hundred And 00/100 Dollars (\$64,600.00), 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, within the legal hours of sale on April 5, 2022 the following described property:

All that tract or parcel of land lying and being in Land Lot 8 & 9, 17th District, 1st Section of Towns County, GA, being Lot 22, containing 0.832 acres, more or less, of Standing Meadows Subdivision, Phase II as shown on a plat of survey by James L. Alexander, RLS, dated February 4, 2005 and filed and recorded at Plat Book 34, Page 86 & 87 in Towns County, GA records, said plat being incorporated by reference herein.

Subject to all matters and conditions as shown on above referenced plat of survey.

Subject to those Declaration of Reservations, Covenants and Restrictions for Standing Meadows Subdivision, Phase II filed and recorded February 18, 2005 at Deed Book 327, Page 470 in the Towns County, Georgia records
Subject to all rights of way and easements as shown on above referenced plat of survey.
Parcel ID: 00120-00000-122-000

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 Security Deed and by law, including attorney's fees (notice of intent to collect attorney's fees having been given).

Your mortgage servicer, Rushmore Loan Management Services, LLC, as servicer for U.S. Bank Trust National Association, not in its individual capacity but solely as owner trustee for Legacy Mortgage Asset Trust 2018-RPL5, can be contacted at 888-504-7300 or by writing to 15480 Laguna Canyon Road, Suite 100, Irvine, CA 92618, to discuss possible alternatives to avoid foreclosure.

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.

To the best knowledge and belief of the undersigned, the parties in possession of the property are John Brazauskas, heir of the Estate of Kathryn Brazauskas or tenant(s); and said property is more commonly known as 22 Standing Meadows Drive nka 2433 Standing Meadows Drive, Hiawasse, GA 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.

U.S. Bank Trust National Association, not in its individual capacity but solely as owner trustee for Legacy Mortgage Asset Trust 2018-RPL5 as Attorney in Fact for Kathryn Brazauskas
McMichael Taylor Gray, LLC
3550 Engineering Drive, Suite 260
Peachtree Corners, GA 30092
404-474-7149
MTG File No.: GA2022-00100
T(Mar9,16,23,30)

**NOTICE OF SALE UNDER POWER
GEORGIA, TOWNS COUNTY.**

By virtue of the power of sale contained in Security Deed dated August 1, 2018 from Twelve Trees Capital, LLC, a Georgia limited liability company ("Grantor"), to First Tennessee Bank National Association, n/k/a First Horizon Bank ("Bank"), recorded August 13, 2018 in Book 616, page 415 in the Office of the Clerk of the Superior Court of Towns County, Georgia (the "Security Deed"), the Security Deed having been given to secure the obligations of Grantor to Bank, including, without limitation, the obligations evidenced by a promissory note from Grantor to Bank in the original principal amount of \$712,500.00 (the "Note"), the undersigned will sell at public outcry to the highest and best bidder for cash before the door of the Towns County Courthouse in Hiawasse, Georgia on the first Tuesday in April, 2022, April 5, 2022, between the legal hours of sale, all or parts of real property known and designated as Towns County Map Parcel Number H002-152, located at 25 River Street, Hiawasse, Georgia 30546, and more particularly described as follows (the "Property"):

All that tract or parcel of land lying and being in the 18th District, 1st Section, Towns County, Georgia, and being part of Lot of Land Number 112, and being a part of Lot Number One (1) according to the plat of the Town of Hiawasse, Georgia, and being what is locally known as the T. J. Hooper Old Store House lot and being better known now as the J. L. Hooper Drug Store, said lot being 40 feet fronting Public Square and running back 100 feet, including building located on said lot.

Also, ten (10) feet off of Lot Number One (1) in the plat of Hiawasse, Georgia, and running back 100 feet. Said ten (1) feet being in the side of said lot adjoining Lot Two (2) in the plat of said Town and fronting the Public Square and also front the Street on back of said lot. Also conveyed as above mentioned ten (10) feet of Lot Number Two (2) in the plan of Hiawasse, Georgia, and running back 100 feet and being on the side of said lot. Adjoining Lot Number One (1) in the plat of said Town and fronting the Public Square and fronting the Street on the back. The property hereby described making one contiguous parcel of land and fronting Public Square twenty (20) feet and running back 100 feet the street on the back and being ten (10) feet off of each lot. Subject to governmental zoning and subdivision ordinances or regulations in effect thereon.

Being the same property conveyed to Twelve Trees Capital, LLC by Warranty Deed dated August 1, 2018, recorded August 13, 2018 in Deed Book 616, page 413 in the Office of the Clerk of the Superior Court of Towns County, Georgia.

The obligations secured by the Security Deed have been and are hereby declared due and payable because of default under the terms of the Security Deed and the Note, including, but not limited to, the failure to make payments when due. Those obligations remaining in default, this sale will be made for the purpose of applying the proceeds to the payment of those obligations secured by the Security Deed, accrued interest and expenses of the sale, and all other payments provided for under the Security Deed, notice of intention to collect attorney's fees having been given as provided by law, and the remainder, if any, shall be applied as provided by law.

The Property will be sold as the property of Twelve Trees Capital, LLC, which, to the best of Bank's knowledge and belief, is the party in possession of the Property.

The Property will be sold "as is", without express or implied warranties of any kind, subject to (a) all unpaid real and personal property ad valorem taxes and governmental assessments, and (b) all prior restrictions, rights-of-way and assessments of record, if any, appearing of record prior to the date of the Security Deed and those appearing after the date of the Security Deed and consented to of record by Bank, as applicable. The name, address, and telephone number of the individual or entity with full authority to negotiate, amend, and modify the terms of the Note and the Security Deed are as follows: Jeanna McWilliams, Senior Vice President, 211 Franklin Road, Suite 300, Brentwood, TN 37027, telephone 629-208-2021. However, such individual or entity is not required by law to negotiate, amend, or modify the terms of the Note or the Security Deed.

First Horizon Bank, f/k/a First Tennessee Bank National Association, attorney in fact for Twelve Trees Capital, LLC, c/o Gillian Grace Furqueron, Esq. [Georgia Provisional Bar No. 13045P pursuant to Supreme Court of Georgia order "Provisional Admission to the Practice of Law in Georgia" section 3-2(c)] (phone 423-209-4150), provisionally admitted in Georgia and supervised by Cameron S. Hill, Esq. (Georgia Bar No. 353447), 633 Chestnut Street, Suite 1900, Chattanooga, Tennessee 37450.
T(Mar9,16,23,30)