

Towns County Herald

Legal Notices for March 25, 2020

NOTICE TO DEBTORS AND CREDITORS

RE: Estate of Ina Kozesky
All creditors of the Estate of Ina Kozesky, 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 11 day of March, 2020

John Paul Peebles
6930 Clarence Nichols Road
Young Harris, GA 30582

706-835-8259

T(Mar18,25,Apr1,8)

NOTICE

Notice is given that articles of incorporation that will incorporate VIP Cinemas, Inc have been delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code. The initial registered office of the corporation is located at 214 Bell St., Hiawassee, GA, 30546 and its initial registered agent at such address is Jacob McSparin.

T(Mar18,25)

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA

IN RE: ESTATE OF
RUTH KAREN JONES, DECEASED
ESTATE NO. 2020-P-010

PETITION FOR LETTERS OF ADMINISTRATION
NOTICE

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

Jean Nichols has petitioned to be appointed Administrator of the estate of Ruth Karen Jones 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 April 13, 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(Mar18,25,Apr1,8)

NOTICE OF SALE UNDER POWER, TOWNS COUNTY

Pursuant to the Power of Sale contained in a Security Deed given by Glyn Dale Pollard and Mary Sue Pollard to Wells Fargo Bank, N.A. dated 3/13/2009 and recorded in Deed Book 451 Page 389 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 \$448,500.00, 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 April 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 LOTS 35 AND 50, 19TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 1.20 ACRES, AND BEING LOT B-THREE (B-3) OF THE HIAWASSEE WILDERNESS SUBDIVISION AS SHOWN ON A PLAT OF SURVEY BY TAMROK ENGINEERING, INC., TOMMY J. PHILLIPS, R.S. #1626, DATED AUGUST 13, 1991 AS RECORDED IN PLAT BOOK 25, PAGE 3, TOWNS COUNTY RECORDS WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART HEREOF. SAID PROPERTY IS CONVEYED SUBJECT TO THE CERTAIN RESTRICTIVE COVENANTS FOR HIAWASSEE WILDERNESS, DATED NOVEMBER 4, 1977 AND RECORDED IN DEED BOOK 60, PAGE 605 TOWNS COUNTY RECORDS. ALSO, CONVEYED IS AN UNOBSTRUCTED RIGHT OF INGRESS AND EGRESS ALONG THE SUBDIVISION ROADS TO THE PROPERTY HEREIN CONVEYED. THE LOT IS CONVEYED SUBJECT TO AN UNOBSTRUCTED RIGHT OF INGRESS AND EGRESS ALONG A FORTY (40) FOOT EASEMENT AS SHOWN ON A PLAT OF SURVEY BY B. KEITH ROCHESTER & ASSOCIATES, AS RECORDED IN PLAT BOOK 5, PAGE 308, TOWNS COUNTY RECORDS. ALSO, THE RIGHT TO ERECT PUBLIC UTILITIES OVER, THROUGH OR UNDER SAID PROPERTY. SAID EASEMENTS SHALL NOT BE CONSTRUED TO BE A COVENANT RUNNING WITH THE LAND AND SHALL NOT BE DEFEATED FOR LACK OR USE OR MAINTENANCE.

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 7870 Hiawassee Wilderness Tr, 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): Glyn Dale Pollard and Estate/Heirs of Mary Sue Pollard 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 Glyn Dale Pollard and Mary Sue Pollard

Aldridge Pite, LLP, 15 Piedmont Center, 3575 Piedmont Road, N.E., Suite 500, Atlanta, Georgia 30305, (404) 994-7637.

1341-402A

THIS LAW FIRM MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 1341-402A

T(Mar11,18,25,Apr1)

NOTICE OF SALE UNDER POWER

STATE OF GEORGIA
COUNTY OF TOWNS

Under and by virtue of the Power of Sale contained in Deed to Secure Debt with Power of Sale given by Robert Ford and Jacqueline Ford to Thomas E. Layman and Judith K. Layman, dated June 7, 2013, and recorded in Deed Book 535, Page 579 in the Office of the Clerk of Superior Court of Towns County, Georgia Records, as modified, (hereinafter "Security Deed"), said Security Deed being last assigned/transferred to Thomas E. Layman and Judith Kennedy Layman Revocable Living Trust dated August 28, 2000, the undersigned will sell at public outcry to the highest bidder for cash before the courthouse door of Towns County, Georgia, during the legal hours of sale on the first Tuesday in April, 2020, the following described real property:

All that tract or parcel of land lying and being in Land Lot 141, 18th District, 1st Section, Towns County, Georgia, containing 0.296 acre, as shown on a plat of survey by Tamrok Associates, Inc., dated August 12, 1999, recorded in Plat Book 25, Page 119 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 road rights as shown on said plat.

The property is conveyed subject to the electric lines as shown on said plat and subject to the telephone pedestal as shown on said plat. Said property is known as 359 Scataway Road, Hiawassee, Georgia 30546, together with all fixtures and personal property attached to and constituting a part of said property, if any. The debt secured by said Security Deed is evidenced by a promissory note, dated June 7, 2013, from Robert Ford and Jacqueline Ford in favor of Thomas E. Layman and Judith Kennedy Layman Revocable Living Trust dated August 28, 2000 in the original principal amount of \$21,000.00 ("Note"), plus interest from date on the unpaid balance until paid, and other indebtedness.

Default has occurred and continues under the terms of the Note and Security Deed by reason 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. By reason of this default, the Security Deed has been declared foreclosable according to its terms.

The debt remaining in default, the above described real property will be sold to the highest and best bidder for cash and will be made for the purpose of paying the debt 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). 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 your property, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed.

To best of the knowledge of the undersigned, the party in possession of the property is Robert Ford and Jacqueline Ford. This sale will be conducted subject to the confirmation that the sale is not prohibited under U.S. Bankruptcy Code, the final confirmation and audit of the status of the loan with the holder of the security deed.

Claudia Layman Bates, as Successor Trustee of the Thomas E. Layman and Judith Kennedy Layman Revocable Living Trust dated August 28, 2000

As Attorney-in-Fact for Robert Ford and Jacqueline Ford

Daniel J. Davenport

Akins & Davenport, P.C.

80 Town Square

P.O. Box 923

Blairsville, Georgia 30514

(706) 745-0032

THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

T(Mar11,18,25,Apr1)