Towns County Herald

Legal Notices for March 29, 2017

RE: Estate of James C. Nichols
All creditors of the estate of James C. Nichols, deceased, 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 13th day of March, 2017.

Personal Representative 550 Kimsey Cove Road Hiawassee, GA 30546 706-835-6200

NOTICE TO DEBTORS AND CREDITORS STATE OF GEORGIA COUNTY OF TOWNS

RE: Estate of Joann Townsend
All creditors of the estate of Joann Townsend,
deceased, 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 15th day of March, 2017. Beverly Messer & Patricia Clayton

Personal Representative 863 Crane Creek Road Young Harris, GA 30582 706-379-1932

STATE OF GEORGIA COUNTY OF TOWNS
NOTICE TO DEBTORS AND CREDITORS

NOTICE TO DEBTORS AND CREDITORS
RE: ESTATE OF MARION C. STANSELL
All debtors and creditors of the estate of Marion C. Stansell, 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 3rd day of March, 2017.
Joyce S. Geiger, Executor
Address: 1412 Holly Point Drive
Hiawassee, GA 30546
TiMes15.2228

T(Mar8.15.22.29)B

IN THE SUPERIOR COURT OF TOWNS COUNTY Shirlee Eller, Plaintiff

v. Orlando Eller. Defendant

Civil Action Case No. 17-CV-11-RG
NOTICE OF PUBLICATION TO: Orlando Eller (LKA) 6699 Upper Hightower Road Hiawassee, GA 30546

Hiawassee, GA 30546 By Order for Service by Publication dated 14th day of February, 2017, You are herby notified that on the 3rd day of February, 2017, the Plaintiff filed suit against you for Complaint for Plueros.

Plaintiff filed suit against you for Complaint for Divorce. You are required to filed with the Clerk of the Superior Court of Towns County, and to serve upon Counsel for the Plaintiff: Kris-Ann Poe, 231 Chatuge Way, Hiawassee, Georgia an answer to the complaint within sixty (60) day of the date of the first publication and notice. Witness the Honorable Raymond George, Judge of this Court.

This 23 day of February, 2017

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA IN RE: ESTATE OF MARYEL LYNN ANN METZGER, DECEASED ESTATE NO. 2016-10

NOTICE [For Discharge from Office and all Liability] IN RE: Petition for Discharge of Temporary Administrator
TO: All interested parties and to whom it may

TO: All interested parties 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 April 10, 2017.
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.

date. If no objections are in-be granted without a hearin 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 Nun

Telephone Number
T(Mar29)8

IN THE PROBATE COURT
COUNTY OF TOWNS
STATE OF GEORGIA
IN RE: ESTATE OF
DAVID LEE KUNZ, DECEASED,
ESTATE NO. 2017-13
NOTICE OF PETITION TO FILE FOR YEAR'S SUP-PORT
The Petition of Virginia W. Kunz, for a year's
support from the estate of David Lee Kunz,
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 10, 2017, 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 must be signed 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
1(Mar15,22,28,Apr5)8

T(Mar15,22,29,Apr5)B

IN THE SUPERIOR COURT OF TOWNS COUNTY

STATE OF GEORGIA
FAMILY DIVISION
IN RE: the Name Change of:
Child: Ava Laine Swanson
Petitioner: Victoria Renee Owenby
And: Curtis Marvin Swanson
Civil Action File No: 12-CV-30MM
Notice of Petition to Change Name of Minor

Notice of Petition to Change Name of Minor Child
Notice is hereby give that Victoria Renee Owenby and Curtis Marvin Swanson, the undersigned, filed a petition to the Superior Court of Towns County, Georgia on the 28th day of February, 2017, praying for change in the name of said minor child from Ava Laine Swanson to Ava Liane Swanson.
Notice is hereby given pursuant to law to any interested or affected party to appear in said Court and to file objections to such name change. Objections must be filed with said Court within 30 days of the filing of said Petition. Petitioners are the parents and natural guardians of said minor child.
This the 17 day of February, 2017

This the 17 day of February, 2017 Victoria Renee Owenby 319 Abby Liza Lane Hiawassee, GA 30546 706-970-5188 Curtis Marvin Swanson 147 Highway 180 Hiawassee, GA 30546 706-970-5188

IN THE SUPERIOR COURT OF TOWNS COUNTY,

STATE OF GEORGIA
In Re: the name change of: David Kuykendall,
Petitioner

Petitioner
Civil Action File #: 17-CV-37-RG
NOTICE OF PUBLICATION

NOTICE OF PUBLICATION
You are hereby notified that on the 8 day of March, 2017, David Kuykendall, filed a Petiton to Change Name in the Superior Court of Towns County. David Kuykendall desires to change his/her from David Fannin Kuykendall to change his/her from David Fannin Kuykendall file objections within 30 days after the Petition to Change Name was filed.

Signed this 8 day of March, 2017
Cecil Dye, Clerk of Superior Court, Towns County

County David Kuykendall, Petitioner, Pro Se

4877 Upper Plott Town Road Young Harris, GA 30582 706-994-1487

IN THE SUPERIOR COURT OF Towns COUNTY STATE OF GEORGIA PNC Mortgage, a division of PNC Bank, Na-

v. George Thompson and Mary E. Thompson, Defendants.
CIVIL ACTION FILE NUMBER

T7-CV-19SG
T0: George Thompson and Mary E. Thompson
NOTICE OF PUBLICATION
By Order for Service by Publication, dated
March 9, 2017, and filed on this Court's docket

on March 9, 2017, you are hereby notified that on February 13, 2017, PNC Mortgage, a division of PNC Bank, National Association filed a Complaint for Reformation, Declaratory Judgment, and Equitable Relief and named you as a Defendant.

a Defendant.
You are required to file with the Clerk of the Superior Court, and to serve upon Plaintiff's attorneys, Monica K. Gilroy and Tania Trumble an Answer in writing within sixty (60) days of the date of the Order for Publication.
This the 14th day of March, 2017.
TANIA TRIMBLE

TANIA TRUMBLE
Georgia State Bar No. 720348
KELSEA L. S. LAUN
Georgia State Bar No. 141960
ATTORNEYS FOR PLAINTIFF Gilroy Bailey Trumble, LLC 3780 Mansell Road, Suite 140 Alpharetta, Georgia 30022 T: 678-280-1922 F: 678-280-1923 Tania.Trumble@gilroyfirm.com Kelsea.Laun@gilroyfirm.com

TANIA TRUMBLE

NOTICE OF SEIZURE OF PERSONAL PROPERTY ITEMS EACH VALUED AT \$25,000.00 OR LESS PURSUANT TO 0.C.G.A. 9-16-11(a) TAKE NOTICE that on January 11th, 2107, law enforcement officers of the Office Of The Sheriff of Towns County, Georgia, in connection with a law enforcement investigation into multiple violations of the Georgia Controlled Substances Act seized the following items: PROPERTY SEIZED

Substances Act seized the following items: PROPERTY SEIZED

A) A certain SILVER in color, 2003 Year Model, Mercedes Benz S55 AMG, light pick-up truck, a motor vehicle, bearing VIN Number WDBNG74-J23A360218, and having been assigned with current Georgia Motor Vehicle License and Registration number OFI9218 (Ga Tag #: OFI9218) (hereinafter "Property One");

B) A certain black in color, Smith and Wesson, M&P-15, .223 caliber semi-automatic rifle bearing serial number 88938 (hereinafter "Property Two");

C) A certain brown in color, Mossberg, Model 380, .22 caliber semi-automatic pistol bearing M29202 (hereinafter "Property 3");

D) A certain brown in color, Wards Western Fields, Model 35, Serial No. U132001, 20 Gauge Shotgun (hereinafter "Property 4");

Helds, Model 35, Serial No. U132001, 20 dauge Shotgun (hereinafter "Property 4"); E) A certain brown in color, Marlin Model 60, a .22 caliber rifle bearing serial number MM60858K (hereinafter "Property 5"); F) \$573.000 in United States Currency (herein-

F) \$573.000 in United States Currency (hereinafter "Proper 6");
CONDUCT GIVING RISE TO SEIZURE
PROPERTY ITEMS ONE THROUGH SIX, 'the seized property' and various and multiple quantities of Heroin, a listed Scheduled Controlled Substance; Xanax, to wit: Alprazolam, a listed Scheduled Controlled Substance; Hydromorphone, a listed Schedule Controlled IV Substance, and an additional amount of Xanax; an amount of Oxycodone, listed Schedule II Controlled Substance; Marijuana and Marijauna Oil Derivatives a listed Schedule I Controlled Substance, MDMH a Schedule I Controlled Substance, MDMH a Schedule I Controlled Substance, MPMH a Schedule I Controlled Substance, and Heroin a listed Schedule I Controlled Substance I Schedule I Controlled Substance I Schedule I S

ule I Controlled Substance, MDMH a Schedule I Controlled Substance, and Heroin a listed Schedule I Controlled Substance. The seized property was either directly or indirectly used or intended for use to facilitate the transportation of, possession of, and possession with intent to distribute in violation of 0.C.G.A. 16-13-30 et seq.; and/or said contraband controlled substances were found in close proximity; and/or said property was purchased and/or acquired from the sale of these items, which therefore renders said seized property subject to forfeiture pursuant to the provisions of 0.C.G.A. 16-13-49 (b).
FURTHER TAKE NOTICE
The purported owner of said property is STE-

FUNTHER TAKE NOTICE
The purported owner of said property is STEVEN DOUGLAS ANDERSON formerly of 2147
Ridge Circle Hiawassee, Towns County, Georsize Office.

The purported owner of said property is STE-VEN DOUGLAS ANDERSON formerly of 2147 Ridge Circle Hiawassee, Towns County, Georgia 30546.

The same individual was served via personal service at the Towns County Law Enforcement Detention Center on February 21st, 2017.

AND FURTHER TAKE NOTICE that the owner or interest holder may file a claim to the seized property within thirty (30) days after service by sending the claim to the District Attorney for the Enotah Judicial Circuit, 48 River Street, Suite A, Hiawassee, GA 30546 by certified mail or statutory overnight delivery, return receipt requested. The claim must be signed by the owner or interest holder and provide the following: 1) The name of the claimant; 2) The address at which the claimant is interest in the property; 4) A description of the circumstances of the claimant's obtaining an interest in the property and, to the best of the claimant's knowledge, the date the claimant obtained the interest and the name of the person or entity that transferred the interest to the claimant, 5) The nature of the relationship between the claimant and the person who possessed the property at the time of the seizure; 6) A copy of any documentation in the claimant's possession supporting his or her claim; and 7) Any additional facts supporting his or her claim.

RESPECTFULLY SUBMITTED, Jeffrey Langley DISTRICT ATTORNEY

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 Margaret
M Brooks and Thomas F Brooks to MetLife
Home Loans, a division of MetLife Bank, N.A.,
dated June 24, 2009, recorded in Deed Book
458, Page 541, Towns County, Georgia Records
and as re-recorded in Deed Book 469, Page
35, Towns County, Georgia Records, as last
transferred to Nationstar Mortgage LLC d/b/a
Champion Mortgage Company by assignment recorded in Deed Book 588, Page 485,
Towns County, Georgia Records, conveying
the after-described property to secure a Note
in the original principal amount of NINE HUNDRED THRTY-EIGHT THOUSAND TWO HUNDRED
FIFTY AND 0/100 DOLLARS (\$938,250.00), with
interest thereon as set forth therein, there will
be sold at public outcry to the highest hidder 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, 2017, the following described property: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HERDOT The debt secured by said Setawtuny designated as an alternative, within the legal hours of sale on the first Tuesday in April, 2017, 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 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. Nationstar Mortgage LLC d/b/a Champion Mortgage Company 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: Champion Mortgage LLC, 8950 Cypress Waters Boulevard, Coppell, TX 75019 855-683-3095. To the best knowledge and belief of the undersigned, the party in possession of the property is Margaret M Brooks, Estate of Thomas F Brooks and Thomas F Brooks or a tenant or tenants and said property is more commonly known as 7081 Speese Drive, 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 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. Nationstar Mortgage LLC d/b/a Champion Mortgage Com

NOTICE OF SALE UNDER POWER,
TOWNS COUNTY
Pursuant to the Power of Sale contained in a Security Deed given by Julie Maria Payne and Donnie H. Payne to Mortgage Electronic Registration Systems, Inc. as a nominee for Americas First Home Mortgage Co. dated //11/2007 and recorded in Deed Book 394 Page 469 Towns County, Georgia records; as last transferred to or acquired by Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America, conveying the after-described property to secure a Note in the original principal amount of \$305,000.00, 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 04, 2017 (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 121, 18th District, 1st Section, Towns County, Georgia and being all of Lot Four (4), containing 1.046 acres, more or less of the Kimsey Ridge Subdivision as more fully shown on a survey for Kimsey Ridge Subdivision, prepared by Northstar Land Surveying, Inc., registered surveyor, dated February 22, 2004, and recorded in Plat Book 34, Page 203, Towns County, Georgia records, which plat is by reference incorporated herein and made a part hereof.

Grantors further convey to Grantees a perpetu-

Grantors further convey to Grantees a perpetu-al easement for ingress and egress of Fifty (50) feet over, thru and across Kimsey Ridge Road as shown on above referenced plat. The above property is subject to those Restric-tions as set forth on said referenced plat of survey and the Northwest corner of Lot Four (4) is subject to the Mountain Protections Act. The above property is also subject to those certain Covenants and Restrictions as record-ed in Deed Book 337, Pages 785-789, Towns County, Georgia records

certain Covenants and Restrictions as recorded in Deed Book 337, Pages 785-789, Towns
County, Georgia 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 508
Kimsey Ridge Road, , 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):
Julie Maria Payne and Donnie H. Payne or tenant or tenants.

ant or tenants.
Seterus, Inc. is the entity or individual designated who shall have full authority to negotiate, amend and modify all terms of the mortage. gage. Seterus, Inc.

Loss Mitigation PO Box 4121 Beaverton, OR 97076-4121 866.570.5277

PO Box 4121
Beaverton, OR 97076-4121
Beaverton, OR 97076-4121
Be66.570.5277
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 fecord, (c) the right of redemption of any taxing authority, (d) any maters 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 and audit of the status of the loan with the holder of the Security Deed. Pursuant to 0.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 fore-closure documents may not be provided until final confirmation and audit of the status of the loan as provided immediately above.
Federal National Mortgage Association ("Fanne Mae"), a corporation organized and existing under the laws of the United States of America as agent and Attorney in Fact for Julie Maria Payne and Donnie H. Payne
Aldridge Pite, LLP, 15 Piedmont Center, 3575 Piedmont Road, N.E., Suite 500, Atlanta, Georgia 30305, (404) 994-7637.
1168-4672A
THIS LAW FIRM MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT.

1168-4672A
THIS LAW FIRM MAY BE ACTING AS A DEBT
COLLECTOR ATTEMPTING TO COLLECT A DEBT.
ANY INFORMATION OBTAINED WILL BE USED
FOR THAT PURPOSE. 1168-4672A

GEORGIA DEPARTMENT OF TRANSPORTATION TO HOLD A LOCATION AND DESIGN PUBLIC HEARING

A LOCATION AND DESIGN PUBLIC HEARING OPEN HOUSE
For P.I. No. 122900
Union and Towns Counties
Project Number APD00-0056-02(029)
On Thursday, April 6, 2017(date) at the Haralson Memorial Civic Center, 165 Wellborn Street, Blairsville, Georgia 30512(location), and the Towns County Recreation and Conference Center, 150 Foster Park Road, Young Harris, Georgia 30582 the Georgia Department of Transportation will hold Public Hearing Open House meetings concerning the project listed above.

above.

This project proposes to widen and relocate SR 515/US 76 from CS 2898/Young Harris Street in Blairsville to CR 153/Timberline Drive north of Young Harris.

The purpose of these Location and Design Public Hearing Open House meetings is to provide the public with an opportunity to view the project, ask questions, and comment on the project. Relocation assistance will be discussed at the Open House meetings. The information presented at each meeting will be identical. The Public is welcome to attend at either meeting location. Attendance at both locations is not required for the Public to provide input on the proposed project.

cations is not required for the Public to provide input on the proposed project.

The Open House meetings will be held from 4:00 p.m. to 7:00 p.m. The meetings will be informal, and the public is invited to attend anytime during these hours. There will be no formal presentation. A court reporter will be available to allow the public an opportunity to make verbal comments about the project. Americans with Disabilities Act (ADA) Information:

mation:
The meeting site is accessible to persons with
disabilities. Accommodations for people with
disabilities can be arranged with advance
notice by calling Kim Coley District Planning
& Programming Engineer at (770) 531-5748

& Programming Engineer at (170) 331-3740 phone number.
Written statements will be accepted concerning this project until Thursday, April 20, 2017.
Written statements may be submitted to: Mr. Eric Duff State Environmental Administrator

State Environmental Administrator
Georgia Department of Transportation
600 West Peachtree Street, NW – 16th Floor
Atlanta, Georgia 30308
Copies of the project's environmental document will available for review at the Open
House meetings and are available to the public

at any time by sending a request to the ad-dress listed above.

The environmental document will also be

The environmental document will also be available for review 15 days before the date of the Open House meetings at the District 1 office, located at 2505 Athens Highway, SE, Gainesville, Georgia 30507 and at the Cleveland Area office, located at 942 Albert Reid Road, Cleveland, Georgia 30528. The displays at the Public Hearing Open House meetings will be available for ten days for review after the Open House meetings at the location stated above. In addition, comments and statements resulting from the Open House meetings will be available at this location when available.