

Towns County Herald

Legal Notices for May 30, 2018

NOTICE TO DEBTORS & CREDITORS

RE: Estate of Margaret Robinson Jackson
All creditors of the estate of Margaret Robinson Jackson, 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 May, 2018
Patricia R. McIntyre
1054 Meeting Street
Watkinsville, GA 30677
706-255-6672
T(May9,16,23,30)B

NOTICE TO DEBTORS & CREDITORS

RE: Estate of Elizabeth Jones Lashley
All creditors of the estate of Elizabeth Jones Lashley, 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 11th day of May, 2018
Thomas Jones Lashley
1819 Green Valley Lane
Albany, GA 31707
229-669-8486
T(May16,23,30,Jun6)B

NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF ZELL BRYAN MILLER
All creditors of the Estate of ZELL BRYAN MILLER, 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 us.
This 11th day of May, 2018.
MURPHY CARVER MILLER Executor,
Estate of Zell Bryan Miller
c/o Mr. William D. Rhoads
Attorney at Law
Smith, Gilliam, Williams & Miles, P.A.
P.O. Box 1098
Gainesville, Georgia 30503
(770) 536-3381
T(May16,23,30,Jun6)B

NOTICE TO DEBTORS AND CREDITORS

RE: Estate of Louise Cooper Berkstresser
All creditors of the estate of Ernestine Petty Kiser, 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 the undersigned.
This 22nd day of May, 2018
Stephen Marshall Kiser,
Executor of the Estate of Ernestine Petty Kiser
300 Prime Point, Suite 100
Peachtree City, GA 30269
770-487-4775
T(May30,Jun6,13,20)B

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA
IN RE: ESTATE OF
WILLIAM FOSTY, DECEASED
ESTATE NO. 2016-51
NOTICE
[For Discharge from Office and all Liability]
IN RE: Petition for Discharge of Personal Representative
TO: All Interested Parties, all and singular the heirs of said Decedent, 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 June 11, 2018.

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(May30)B

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA
IN RE: ESTATE OF
ANNA LOUISE HENDERSON, DECEASED
ESTATE NO. 2018-29
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
TO: All Interested parties and to whom it may concern:
Debra Youngblood has petitioned to be appointed Administrator of the estate of Anna Louise Henderson 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 June 4, 2018.

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(May9,16,23,30)B

NOTICE TO CREDITORS AND DEBTORS

All creditors and debtors of the estate of LUCILLE MARGARET WILSON, 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.
This 4th day of May, 2018
Heyward Montgomery Wilson, Executor
PO Box 334
Hiawassee, GA 30546
T(May9,16,23,30)B

NOTICE TO CREDITORS AND DEBTORS

All creditors and debtors of the estate of CLINTON MCINTIRE HOOPER 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.
This 4th day of May, 2018
SHARON SIPPLE HOOPER, Executor
108 Church Street, Apt. 203
Hiawassee, GA 30546
T(May9,16,23,30)B

NOTICE OF ARTICLES OF INCORPORATION

Notice is given that articles of incorporation that will incorporate The Sand Bar and Grille, 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, Hiawassee, Georgia 30546 and its initial registered agent at such address is Stephanie W. McConnell.
T(May23,30)P

NOTICE TO DEBTORS & CREDITORS

RE: Estate of Ronald Joseph Denton
All creditors of the Estate of Ronald Joseph 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 22nd day of May, 2018
Anna Wetherington Denton
5983 Brasstown Creek Estates
Young Harris, GA 30582
706-379-2540
T(May30,Jun6,13,20)P

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA
COUNTY OF TOWNS
RE: ESTATE OF MARILYN FRANCIS GORDON
All creditors of the estate of Marilyn Francis Gordon, 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 21st day of May, 2018.
By: Shad Baldwin Gordon
6839 High Ridge Road
Lantana, FL 33462
T(May23,30,Jun6,13)B

APPLICATION TO REGISTER

A BUSINESS TO BE CONDUCTED UNDER TRADE NAME

STATE OF GEORGIA

COUNTY OF TOWNS

The undersigned does hereby certify that Coosa Creek Embroidery, Inc. is conducting business in the County of Towns, State of Georgia, under the name of Scrubs and More. The nature of the business is retail. The names and addresses of the persons, firms or partnership owning and carrying on said trade or business are Coosa Creek Embroidery, Inc., Post Office Box 2387, Blairsville, Georgia 30514. This instrument is made pursuant to provisions of O.C.G.A. § 10-1-490 et seq. requiring the filing of such statement with the Clerk of Superior Court, Towns County, Georgia. This 23rd day of May, 2018.
Coosa Creek Embroidery, Inc.
By: David B. Owenby
Registered Agent
T(May30,Jun6)B

NOTICE OF SALE UNDER POWER

IN SECURITY DEED

STATE OF GEORGIA,

COUNTY OF TOWNS.

On December 21, 2005, Mary D. Hills executed a Deed to Secure Debt to Stephens Federal Bank, n/k/a Oconee Federal Savings and Loan Association, successor by merger, securing a note of Five Hundred and Ninety Eighty Thousand Dollars and NO/100 date for (\$598,000.00), said Security Deed being recorded in Deed Book 357, Pages 262-281, Towns County Deed Records. Said Security Deed conveyed the property hereinafter described.
By virtue of the power of sale contained in said Security Deed to Stephens Federal Bank, n/k/a Oconee Federal Savings and Loan Association, successor by merger, there will be sold by the undersigned at public outcry to the highest bidder for cash, before the Towns County Courthouse door in Hiawassee, Georgia, during the legal hours of sale, being 10 a.m. until 4 p.m. Eastern Time, on the first Tuesday in June, the same being June 5, 2018 the following described property:
All that tract or parcel of land lying and being in Land Lot 170, 17th District, 1st Section, Towns County, Georgia, containing 23.51 acres, as shown on a plat of survey by Timothy Prescott Cable, R.S. #2582, dated April 25, 2000, last revised May 9, 2000, recorded in Plat Book 26, Page 51, Towns County records which description on said plat is incorporated herein by reference.

The property is conveyed subject to the power line easement to Blue Ridge Mountain EMC as recorded in Deed Book 171, Page 559, Towns County records.
Being the same property conveyed unto Mary Darlene Hills by Warranty Deed from Charles Evans Byrd, dated September 24, 2001 filed of record September 24, 2001, in Book 227, Page 161, in the Office of the Clerk, Superior Court, Towns County, Georgia.
AND

All that tract or parcel of land lying and being in Land Lot 170, 17th District, 1st Section, Towns County, Georgia, containing 27.72 acres, as shown on a plat of survey by Lane S. Bishop and Associates, dated February 23, 1998, recorded in Plat Book 23, Page 114, Towns County records which description on said plat is incorporated herein by reference.
The property conveyed is subject to the road easement as shown on said plat.
The grantor grants to the grantee a perpetual non-exclusive easement of ingress and egress to the above described property along the access road from County Road 42 as shown on said plat and as further described in Deed recorded in Book 89, Page 27, Towns County Records.
Being the same property conveyed unto Mary Darlene Hills by Warranty Deed from David W. Plott, dated March 9th, 1998, filed of record March 9, 1998, in Book 165, Page 325, in the Office of the Clerk, Superior Court, Towns County, Georgia.
Said property shall be subject to the 120 day right of redemption of the Internal Revenue Service ("IRS") with notice having been provided to the IRS as required by law.
The debt secured by said Security Deed and note has been and is hereby declared due and payable because of default for non-payment as required by the note and Security Deed. The debt having been declared due and payable and remaining unpaid, and the terms in the note and Security Deed remaining in default, this sale will be made for the purpose of paying the principal, accrued interest and attorney's fees pursuant to the note and Security Deed, plus all expenses of this sale.

Said property will be sold as the property of Mary D. Hills and subject to outstanding ad valorem taxes and/or easements and/or restrictive covenants appearing of record, if any. The undersigned will comply with Georgia law, O.C.G.A. § 44-14-162.2, prior to conducting the sale.
To the best knowledge and belief of the undersigned, equitable title to said property is now held by Mary D. Hills.
The entity with full authority to negotiate, amend and modify all terms of the mortgage with the Debtor is Oconee Federal Savings and Loan Association, successor by merger to Stephens Federal Bank, Phone Number (864)882-2765.

The undersigned will execute a deed to the purchaser at said sale as provided in the aforementioned deed to secure debt to Stephens Federal Bank, n/k/a Oconee Federal Savings & Loan Association, successor by merger.
Dated this 24th day of April, 2018.
Oconee Federal Savings & Loan Association, successor by merger to Stephens Federal Bank, Attorney-in-fact for Mary D. Hills Sanders, Ranck & Skilling, P.C.
P. O. Box 1005
Toccoa, GA 30577
706-886-7533
Attorneys for Oconee Federal Savings & Loan Association
T(May9,16,23,30)B

NOTICE OF SALE UNDER POWER

IN SECURITY DEED

STATE OF GEORGIA,

COUNTY OF TOWNS.

On October 17, 2005, Margaret C. Smith executed a Deed to Secure Debt to Stephens Federal Bank, n/k/a Oconee Federal Savings and Loan Association, successor by merger, securing a note of Sixty Six Thousand and 00/100 date for (\$66,000.00), said Security Deed being recorded in Deed Book 351, Pages 244-264, Towns County Deed Records. Said Security Deed conveyed the property hereinafter described.
By virtue of the power of sale contained in said Security Deed to Stephens Federal Bank, n/k/a Oconee Federal Savings and Loan Association, successor by merger, there will be sold by the undersigned at public outcry to the highest bidder for cash, before the Towns County Courthouse door in Hiawassee, Georgia, during the legal hours of sale, being 10 a.m. until 4 p.m. Eastern Time, on the first Tuesday in June, the same being June 5, 2018 the following described property:
All that tract or parcel of land lying and being in Land Lot 258 in the 18th District, 1st Section of towns county, Georgia, and being known as Lot Thirty (30), Block C, Section 1, Annex B, of the Bald Mountain Park, as shown on a plat of survey made by Thomas M. Patton & Associates, Land Surveyors, Gainesville, Georgia, on November 14, 1974, said plat being recorded in Plat Book 3, Page 179, in the Towns County Superior Court Clerk's Office. Said plat is incorporated herein, by reference hereto, for a full and complete description of the above described property.
Subject to existing highway and utility rights-of-way.
Subject to all easements, restrictions and rights-of-way as shown on said plat.
Subject to Rural Post Roads Right-of Way Deed recorded in Towns County Records in Deed Book 0-1, Page 316.
Being and intended to be the same property conveyed by Warranty Deed (Joint Tenancy With Right of Survivorship) dated August 17, 1991, from Herman Kirby in favor of Larry D. Smith and Margaret C. Smith and recorded in Town County Records in Deed Book 108, Page 496. Mr. Larry D. Smith departed this life on November 6, 1994, a resident of Towns County, Georgia.
The debt secured by said Security Deed and note has been and is hereby declared due and payable because of default for non-payment as required by the note and Security Deed. The debt having been declared due and payable and remaining unpaid, and the terms in the note and Security Deed remaining in default, this sale will be made for the purpose of paying the principal, accrued interest and attorney's fees pursuant to the note and Security Deed, plus all expenses of this sale.

Said property will be sold as the property of Margaret C. Smith and subject to outstanding ad valorem taxes and/or easements and/or restrictive covenants appearing of record, if any. The undersigned will comply with Georgia law, O.C.G.A. § 44-14-162.2, prior to conducting the sale.
To the best knowledge and belief of the undersigned, equitable title to said property is now held by Margaret C. Smith.
The entity with full authority to negotiate, amend and modify all terms of the mortgage with the Debtor is Oconee Federal Savings and Loan Association, successor by merger to Stephens Federal Bank, Phone Number (864)882-2765.

The undersigned will execute a deed to the purchaser at said sale as provided in the aforementioned deed to secure debt to Stephens Federal Bank, n/k/a Oconee Federal Savings & Loan Association, successor by merger.
Dated this 27th day of April, 2018.
Oconee Federal Savings & Loan Association, successor by merger to Stephens Federal Bank, Attorney-in-fact for Margaret C. Smith Sanders, Ranck & Skilling, P.C.
P. O. Box 1005
Toccoa, GA 30577
706-886-7533
Attorney for Oconee Federal Savings & Loan Association
T(May9,16,23,30)B

NOTICE OF SALE UNDER POWER

GEORGIA, TOWNS COUNTY:

By virtue of the power of sale contained in Georgia Security Deed and Security Agreement dated November 3, 2004 from Jo Anne R. Furman ("Grantor") to Branch Banking and Trust Company, a North Carolina state banking corporation ("Bank"), recorded November 4, 2004 in Book 319, page 61 in the Office of the Clerk of the Superior Court of Towns County, Georgia, as modified by Modification Agreements dated October 25, 2010, recorded November 1, 2010 in Book 483, page 532, dated October 25, 2011, recorded November 1, 2011 in Book 502, page 411, and dated October 25, 2016, recorded November 14, 2016 in Book 588, page 798 in said Clerk's Records (collectively, 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 dated March 21, 2005 in the original principal amount of \$212,500.00, as modified and amended from time to time (the "Note"), the undersigned will sell at public outcry to the highest bidder for cash before the door of the Towns County Courthouse in Hiawassee, Georgia, on the first Tuesday in June, 2018, June 5, 2018, between the legal hours of sale, all or parts of real property known and designated as Town County Map Parcel Number 0044A005, located on Twin Oaks Road, and more particularly described as follows (the "Property"):

All that tract or parcel of land lying and being in Land Lot 117, 18th District, 1st Section, Towns County, Georgia, being Tract One (1), containing 0.542 acre, and Tract Two (2), containing 0.128 acre, which is Lot Three (3) of the Paul Westmoreland Subdivision as shown on a plat of survey by Rochester & Associates dated April 8, 1999, revised April 12, 1999, and revised again April 26, 1999, recorded in Plat Book 25, page 66, Towns County Records, which description on said plat is incorporated herein by reference and made a part hereof. There is included all right, title, and interest in the land fronting this lot on Lake Chatuge below the 1933 contour, subject to the TVA easement.

Subject to the restrictions of record as recorded in Deed Book X-1, page 83, and subject to the road right of way conveyed to Towns County as recorded in Deed Book 99, page 435, Towns County, Georgia Records.
Subject to any governmental zoning and subdivision ordinances and regulations in effect thereon.
Being the same property conveyed to Jo Anne R. Furman by Warranty Deed dated November 3, 2004, recorded November 4, 2004 in Book 319, page 59 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 attorneys' 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 Jo Anne R. Furman, who, to the best of the 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.
Branch Banking and Trust Company, attorney-in-fact for Grantor, c/o Adam C. Sanders (GA Bar No. 126280), Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C., 633 Chestnut Street, Suite 1900, Chattanooga, Tennessee 37450 (phone 423-209-4131).
T(May9,16,23,30)B

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE OF SALE UNDER POWER

Under and by virtue of the power of sale contained in a Security Deed from MATT BUTLER to UNITED COMMUNITY BANK, dated September 24, 2012, recorded October 26, 2012, in Deed Book 522, Page 666 and re-recorded in Deed Book 609, Page 637, Towns County, Georgia records, as last modified by Modification of Security Deed dated August 3, 2015, in Deed Book 570, Page 192, Towns County, Georgia records; also that certain Assignment of Rents dated September 24, 2012, recorded in Deed Book 522, Page 681 and re-recorded in Deed Book 527, Page 805, Towns County, Georgia records, said Security Deed being given to secure a Note from MOUNTAIN GLASSWORKS & GRANITE, INC. dated August 3, 2015, in the original principal amount of Two Hundred Six Thousand Five Hundred Sixty Two and 45/100 (\$206,562.45) Dollars, with interest due thereon per annum 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, within the legal hours of sale on the first Tuesday in June, 2018, the following described property:

All that tract or parcel of land lying and being in Land Lot 13, 17th District, 1st Section, Towns County, Georgia, and being shown as Tract 1B-1, containing 0.679 acres, more or less, on a plat of survey prepared by Northstar Land Surveying, dated 3/25/05 and recorded in Plat Book 34, Page 249, Towns County, Georgia records, said plat being incorporated herein by reference and made a part hereof.
The property is conveyed subject to the right of way of State Route #339 as shown on the above reference plat of survey.
The property is conveyed subject to the covenants and restrictions pertaining to said property as recorded in Deed Book 263, Pages 296-298, Towns County, Georgia records.
Subject to all easements, restrictions and rights of way of record.
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, easements, 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 party in possession of the property is MATT BUTLER or a tenant or tenants.

UNITED COMMUNITY BANK,
as attorney in Fact for MATT BUTLER
L. Lou Allen
Stites & Harbison, PLLC
520 West Main Street
Blue Ridge, Georgia 30513
(706) 632-7923
File No. 7484A-03862
T(May9,16,23,30)B

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE OF SALE UNDER POWER

Under and by virtue of the power of sale contained in a Security Deed from ROCK HILL FARMS, INC. to United Community Bank, dated August 6, 2004, recorded August 9, 2004, in Deed Book 311, Page 47, Towns County, Georgia records, as last modified by Modification of Security Deed dated October 1, 2015, recorded in Deed Book 572, Page 407, Towns County, Georgia records, as transferred to JTS CAPITAL 2 LLC by assignment dated September 25, 2017, recorded November 20, 2017 in Deed Book 605, Page 446, Towns County, Georgia records, said Security Deed being given to secure the payment of a certain indebtedness owed by ROCK HILL FARMS, INC. and K-B HEALTH TECHNOLOGY, INC., with interest thereon to the highest bidder 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 June, 2018, the following described property:
All that tract or parcel of land lying and being in Land Lot 125, District 17, Section 1, Towns County, Georgia, containing 40.84 acres, more or less, as shown on a plat of survey entitled "Survey for Rock Hill Farms, Inc." by Tamrok Engineering, Inc. Tommy J. Phillips, Registered Surveyor, dated November 12, 1991, and recorded in Plat Book 15, Page 243, Towns County, Georgia records, said plat being incorporated herein by reference for a more complete description.

Said property being the same property conveyed from Truman Barrett to Rock Hill Farms, Inc. in a Warranty Deed recorded in Deed Book 110, Page 8, 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 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, easements, 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 party in possession of the property is ROCK HILL FARMS, INC. or a tenant or tenants.

JTS CAPITAL 2 LLC,
as attorney in Fact for ROCK HILL FARMS, INC.
L. Lou Allen
Stites & Harbison, PLLC
520 West Main Street
Blue Ridge, Georgia 30513
(706) 632-7923
File No. JT017-00JT1
T(May9,16,23,30)B