

# Towns County Herald

## Legal Notices for June 26, 2019

### NOTICE TO DEBTORS AND CREDITORS

RE: Estate of Harold Nicholson  
All creditors of the Estate of Harold Nicholson, 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 31 day of May, 2019  
Patrick Nicholson  
761 Claude Road  
Hiawassee, GA 30546  
706-896-2637  
T(Jun5,12,19,26)P

### STATE OF GEORGIA COUNTY OF TOWNS

#### NOTICE TO DEBTORS AND CREDITORS

RE: GENEVA H. TAYLOR  
All debtors and creditors of the estate of Geneva H. Taylor, 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 6th day of June, 2019.  
David F. Furby, Executor  
Address: 3916 Woods Grove Road  
Hiawassee, GA 30546  
T(Jun12,19,26,Jul3)B

#### NOTICE TO DEBTORS & CREDITORS

RE: Estate of Robert Crawford  
All creditors of the Estate of Robert Crawford, 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 5 day of June, 2019  
Mertis Crawford  
Name  
515 Sequoia Drive  
Hiawassee, GA 30546  
Address  
706-896-9587  
Phone Number  
T(Jun12,19,26,Jul3)B

### IN THE PROBATE COURT OF TOWNS COUNTY

**STATE OF GEORGIA**  
IN RE: ESTATE OF  
**JAMES F. COKER, DECEASED**  
ESTATE NO. 2019-45  
PETITION FOR LETTERS OF ADMINISTRATION  
NOTICE  
TO: All Interested parties and to whom it may concern:  
Cynthia Coker has petitioned to be appointed Administrator of the estate of James F. Coker deceased, of said County. 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 July 1, 2019.

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(Jun5,12,19,26)B

### NOTICE TO DEBTORS & CREDITORS

RE: Estate of Randy C. Morgan;  
Estate number: 2019-34  
All creditors of the Estate of Randy C. Morgan, 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 day of , 20  
Dawn R. Levine, Administrator  
274 Washington Ave.  
Marietta, GA 30060  
Address  
770-795-4992  
Phone Number  
T(Jun19,26,Jul3,10)B

### IN THE PROBATE COURT OF TOWNS COUNTY

**STATE OF GEORGIA**  
IN RE: ESTATE OF  
**THOMAS WILLIAM ARBAUGH, DECEASED**  
ESTATE NO. 2019-50  
NOTICE  
IN RE: The Petition to Probate Will in Solemn Form in the above-referenced estate having been duly filed,  
TO: Michael Ligdon, Daniel Ligdon, Timothy Ligdon, Lela Arbaugh, Loran Arbaugh, Ronald Arbaugh, Barbara Querry, Robert P. Arbaugh, Anne Arbaugh, Stacy Arbaugh, Elise Arbaugh, Timothy Bowen, Becky Bowen and all & singular heirs at law of Thomas William Arbaugh [List here all heirs having unknown addresses to be served by publication]

This is to notify you to file objection, if there is any, to the Petition to Probate Will in Solemn Form, in this Court on or before July 15, 2019.

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(Jun19,26,Jul3,10)B

### IN THE SUPERIOR COURT OF TOWNS COUNTY

**STATE OF GEORGIA**  
In Re: the Name Change of  
Joshua George David Giuliano, Petitioner  
Civil Action Case Number: 19-CV-75SP  
NOTICE OF PETITION TO  
CHANGE NAME OF ADULT  
Joshua George David Giuliano filed a petition in the Towns County Superior Court on June 17, 2018, to change the name from: Joshua George David Giuliano to Joshua George David McSweeney. Any interested party has the right to appear in this case and file objection within 30 days after the Petition was filed.  
Dated 6/17/2019  
Joshua George David Giuliano  
4759 Jay Tee Road  
Hiawassee, GA 30546  
T(Jun26-Jul17)P

### NOTICE OF SALE UNDER POWER

**GEORGIA, TOWNS COUNTY**  
By virtue of a Power of Sale contained in that certain Security Deed from ELANDA SMITH to Mortgage Electronic Registration Systems, Inc. as nominee for Urban Financial Group, dated June 1, 2009, recorded June 17, 2009, in Deed Book 457, Page 445 , Towns County, Georgia Records, said Security Deed having been given to secure a Note of even date in the original principal amount of Three Hundred Fifty-Two Thousand and 00/100 dollars (\$352,000.00), with interest thereon as provided for therein, said Security Deed having been last sold, assigned and transferred to Reverse Mortgage Solutions, Inc., there will be sold at public outcry to the highest bidder for cash at the Towns County Courthouse, within the legal hours of sale on the first Tuesday in July, 2019, all property described in said Security Deed including but not limited to the following described property: ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT NO. 136 & 137 OF THE 17TH DISTRICT AND 1ST SECTION OF TOWNS COUNTY, GEORGIA AND BEING DESIGNATED AS LOT NO. 1 OF HOWELL PLACE, CONTAINING 0.723 ACRES AS SHOWN ON THAT PLAT OF SURVEY BY TAMROK ASSOCIATES, INC., JON G. STUBBLEFIELD, DATED JULY 31, 1996, AND BEING RECORDED IN PLAT BOOK 19, PAGE 150, IN THE OFFICE OF THE CLERK, OF SUPERIOR COURT OF TOWNS COUNTY, PURSUANT TO O.C.G.A. 44-2-28, REFERENCE IS HEREBY MADE TO SAID RECORDED PLAT OF SURVEY FOR THE PURPOSE OF INCORPORATING SAME HEREIN FOR A MORE COMPLETE METES AND BOUNDS DESCRIPTION OF THE PROPERTY HEREIN CONVEYED.

THIS CONVEYANCE IS MADE SUBJECT TO AND TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, ALL CONVENANT, EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY, ZONING, LOCAL ORDINANCES, AND SUBDIVISION REGULATIONS AS SET FORTH IN SAID PLAT OF SURVEY OR AS APPEARING OF RECORD.

THIS CONVEYANCE IS MADE SUBJECT TO THE ROAD EASEMENT TO THE TVA TRANSMISSION LINE AS SHOWN ON SAID PLAT AS RECORDED IN PLAT BOOK 19, PAGE 150, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF TOWNS COUNTY, GEORGIA.

THIS CONVEYANCE IS MADE SUBJECT TO THE GRANTOR GRANTS TO THE GRANTEE A PERPETUAL EASEMENT TO THE ABOVE DESCRIBED PROPERTY ALONG THE ROADS AS SHOWN ON SAID PLAT OF SURVEY AS RECORDED IN PLAT BOOK 19, PAGE 150, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF TOWNS COUNTY, GEORGIA.

THIS CONVEYANCE IS MADE SUBJECT TO THAT CERTAIN EASEMENT TO BLUE BRIDGE MOUNTAIN ELECTRIC MEMBERSHIP CORPORATION AS RECORDED IN DEED BOOK 151, PAGE 199, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF TOWNS COUNTY, GEORGIA.

THIS CONVEYANCE IS MADE SUBJECT TO THOSE CERTAIN DECLARATIONS OR RESERVATIONS, RESTRICTIONS, COVENANTS AND CONDITIONS DATED THE 10TH DAY OF OCTOBER, 1996, AND RECORDED IN DEED BOOK 148, PAGES 616-618, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF TOWNS COUNTY, GEORGIA.

THE ABOVE DESCRIBED PROPERTY IS THE SAME PROPERTY THAT WAS CONVEYED FROM ELANDA SMITH TO ELANDA SMITH, YOLANDA KEATING AND DIANNE PIKE BY WARRANTY DEED JOINT TENANCY WITH SURVIVORSHIP DATED THE 2ND DAY OF JUNE, 2005. SAID DEED IS RECORDED IN DEED BOOK 336, PAGES 634-635, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF TOWNS COUNTY, GEORGIA.

THE ABOVE DESCRIBED PROPERTY IS THE SAME PROPERTY THAT WAS CONVEYED FROM YOLANDA KEATING AND DIANNE PIKE TO ELANDA SMITH BY QUIT CLAIM DEEDS DATED THE 20TH DAY OF MAY, 2009 AND BEING RECORDED IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF FANNIN COUNTY, GEORGIA.

Said legal description being controlling, however the property is more commonly known as 6196 TOWNSEND MILL ROAD, YOUNG HARRIS, GA 30582.

The indebtedness secured by said Security Deed has been and is hereby declared due because of default under the terms of said Security Deed. The indebtedness remaining in default, this sale will be made for the purpose of paying the same, all expenses of the sale, including attorneys' fees (notice to collect same having been given) and all other payments provided for under the terms of the Security Deed.

Said property will be sold on an "as-is" basis without any representation, warranty or recourse against the above-named or the undersigned. The sale will also be subject to the following items which may affect the title: any outstanding ad valorem taxes (including taxes which are a lien, whether or not now due and payable); the right of redemption of any taxing authority; matters which would be disclosed by an accurate survey or by an inspection of the property; all zoning ordinances; assessments; liens; encumbrances; restrictions; covenants, and any other matters of record superior to said Security Deed.

To the best of the knowledge and belief of the undersigned, the owner and party in possession of the property is ELANDA SMITH, or tenants(s).

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.  
Please note that, pursuant to O.C.G.A. § 44-14-162.2, you are not entitled by law to an amendment or modification of the terms of your loan. The entity having full authority to negotiate, amend or modify all terms of the loan (although not required by law to do so) is: Reverse Mortgage Solutions, Inc., Loss Mitigation Dept., 14405 Walters Road, Suite 200, Houston, TX 77014, Telephone Number: 866-503-5559.  
REVERSE MORTGAGE SOLUTIONS, INC.

as Attorney in Fact for  
ELANDA SMITH  
THE BELOW LAW FIRM MAY BE HELD TO BE ACTING AS A DEBT COLLECTOR, UNDER FEDERAL LAW. IF SO, ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.  
Attorney Contact: Rubin Lublin, LLC, 3145 Avalon Ridge Place, Suite 100, Peachtree Corners, GA 30071  
Telephone Number: (877) 813-0992 Case No. RMU-19-02602-1  
Ad Run Dates 06/05/2019, 06/12/2019, 06/19/2019, 06/26/2019  
rslaw.com/property-listing  
T(Jun5,12,19,26)B

### NOTICE OF SALE UNDER POWER

**GEORGIA, TOWNS COUNTY**  
By virtue of a Power of Sale contained in that certain Security Deed from PHILLIP M CRAFT, MARY F EVANS to JPMORGAN CHASE BANK N.A, dated May 4, 2012, recorded May 22, 2012, in Deed Book 513, Page 441 , Towns County, Georgia Records, said Security Deed having been given to secure a Note of even date in the original principal amount of One Hundred Twenty-Nine Thousand Eight Hundred Twenty-Two and 00/100 dollars (\$129,822.00), with interest thereon as provided for therein, said Security Deed having been last sold, assigned and transferred to New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing, there will be sold at public outcry to the highest bidder for cash at the Towns County Courthouse, within the legal hours of sale on the first Tuesday in July, 2019, all property described in said Security Deed including but not limited to the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 61, 17TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 1.30 ACRES, AS SHOWN ON A PLAT OF SURVEY BY TAMROK ENGINEERING, INC., DATED 1/9/94, RECORDED IN PLAT BOOK 18 PAGE 220 TOWNS COUNTY RECORDS WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART HEREOF.

Said legal description being controlling, however the property is more commonly known as 4400 TWIGGS RD, YOUNG HARRIS, GA 30582.

The indebtedness secured by said Security Deed has been and is hereby declared due because of default under the terms of said Security Deed. The indebtedness remaining in default, this sale will be made for the purpose of paying the same, all expenses of the sale, including attorneys' fees (notice to collect same having been given) and all other payments provided for under the terms of the Security Deed.

Said property will be sold on an "as-is" basis without any representation, warranty or recourse against the above-named or the undersigned. The sale will also be subject to the following items which may affect the title: any outstanding ad valorem taxes (including taxes which are a lien, whether or not now due and payable); the right of redemption of any taxing authority; matters which would be disclosed by an accurate survey or by an inspection of the property; all zoning ordinances; assessments; liens; encumbrances; restrictions; covenants, and any other matters of record superior to said Security Deed.

To the best of the knowledge and belief of the undersigned, the owner and party in possession of the property is PHILLIP M CRAFT, MARY F EVANS, ESTATE AND/OR HEIRS AT LAW OF MARY F EVANS, or tenants(s).

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.  
Please note that, pursuant to O.C.G.A. § 44-14-162.2, you are not entitled by law to an amendment or modification of the terms of your loan.

The entity having full authority to negotiate, amend or modify all terms of the loan (although not required by law to do so) is: NewRez LLC, F/K/A New Penn Financial, LLC, D/B/A Shellpoint Mortgage Servicing, Loss Mitigation Dept., 75 Beattie Place, Ste. 300, Greenville, SC 29601, Telephone Number: 800-365-7107.  
NEW PENN FINANCIAL, LLC D/B/A SHELLPOINT MORTGAGE SERVICING

as Attorney in Fact for  
PHILLIP M CRAFT, MARY F EVANS  
THE BELOW LAW FIRM MAY BE HELD TO BE ACTING AS A DEBT COLLECTOR, UNDER FEDERAL LAW. IF SO, ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Attorney Contact: Rubin Lublin, LLC, 3145 Avalon Ridge Place, Suite 100, Peachtree Corners, GA 30071  
Telephone Number: (877) 813-0992 Case No. SHP-18-03953-1  
Ad Run Dates 06/05/2019, 06/12/2019, 06/19/2019, 06/26/2019  
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