

Towns County Herald

Legal Notices for June 8, 2016

NOTICE

Towns County Fire & Rescue will be accepting sealed bids on a 30 foot Signature Series Tracker Party Hut Pontoon Boat with a 115 HP Mercury Tracker Motor. Bids will be accepted at the Towns County Courthouse. For viewing and questions contact Fire Station 1 at 706-896-2090.

T(Jun8)B

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF MARVEL K. METZGER

All debtors and creditors of the estate of Marvel K. Metzger, 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 20th day of May, 2016.

Anthony Peter Cataldo, Executor

Address: 3906 NW 34th Place

Gainesville, GA 32606

T(May25,Jun1,8,15)B

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF MARTHA M. CULLARS

All debtors and creditors of the estate of Martha M. Cullars, 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 20th day of May, 2016.

Mary Lee Howard, Executor

Address: 1774 Chatuge Shores Rd.

Hiawassee, GA 30546

T(May25,Jun1,8,15)B

IN THE SUPERIOR COURT OF TOWNS COUNTY

STATE OF GEORGIA

Keith Cecil Long, Plaintiff

v.

Toni Jean Perry Long, Defendant

Civil Action File Number: 2016-CV-37-MM

NOTICE OF PUBLICATION

TO: Toni Jean Perry Long

Case: Keith Long vs. Toni Jean Perry Long

Case Number: 2016-CV-37-MM

You are hereby notified that the above-styled action seeking divorce was filed against you in said Court on March 21, 2016, and that by reason of an Order for Service of Summons by Publication entered by the Court on April 5, 2016, you are hereby commanded and required to file with the Clerk of said Court and serve upon David A. Fox, Plaintiff's Attorney, whose address is: PO Box 2515, Gainesville, Georgia, 30503, an answer to the complaint within 60 days of May 18, 2016.

Witness the Honorable Murphy Miller, Judge of said Court.

This 18th day of May, 2016

Cecil Dye

Clerk of Superior Court

Towns County, Georgia

T(May25,Jun1,8,15)P

NOTICE TO CREDITORS AND DEBTORS

All creditors and debtors of the estate of JAMES C. CONNOR, a.k.a. JAMES COLLINS CONNOR 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 26th day of May, 2016.

LYNDA WESSON, Executrix

108 Mull Road

Hiawassee, Georgia 30546

T(Jun1,8,15,22)B

NOTICE TO CREDITORS AND DEBTORS

All creditors and debtors of the estate of JACQUELINE LOUISE VALINOTI 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 18th day of May, 2016.

MICHAEL R. VALINOTI, Executor

145 N. Milwaukie Ave.

Vernon Hills, IL 60061

T(Jun1,8,15,22)B

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF ODELL PLOTT

All debtors and creditors of the estate of Odell Plott, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the undersigned of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned.

This 27th day of May, 2016.

Emory Plott

5211 Ule Cove Road

Young Harris, GA 30582

706-897-8711

T(Jun1,8,15,22)B

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF JANET LEE WOODALL ROSS

All debtors and creditors of the estate of Janet Lee Woodall Ross, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the undersigned of said Estate, according to law, and all persons indebted to said estate are required to make immediate payment to the undersigned.

This 26th day of May, 2016.

Mary Lynn Woodall-Cartmill

832 Lakeshore Drive,

Winder, GA 30680

678-227-0709

T(Jun1,8,15,22)B

NOTICE TO APPEAR

STATE OF GEORGIA

COUNTY OF TOWNS

IN THE SUPERIOR COURT OF TOWNS COUNTY.

In the interest of Rebecca May Harris, Petitioner to Adopt: JACOB ANTHONY WORLEY, Civil File Number: 15A-5RG

TO: KELLY ANN JONES, whereabouts unknown. GREETINGS: You are notified that on December 9, 2015, a Petition for Adoption of JACOB ANTHONY WORLEY was filed in this court by REBECCA MAY HARRIS, and an Amended Petition for Adoption was filed on March 16, 2015 alleging the whereabouts of the mother unknown and seeking termination of the mother's parental rights due to abandonment, failure to communicate and failure to support the child. A free copy of the petition may be obtained from the Clerk of the Superior Court of Towns County, Towns County Courthouse, 48 River Street, Suite A, Hiawassee, Georgia 30546, on any day, Monday through Friday, between the hours of 8:30 a.m. until 4:30 p.m.

A hearing on whether the parental rights of Kelly Ann Jones should be terminated and whether the Petition for Adoption should be granted shall come before the Superior Court of Towns County, Georgia, the Honorable N. Stanley Gunter, Towns County Superior Court Judge, presiding, on the 30th day of June, 2016 at 9:00 a.m. at the TOWNS COUNTY COURTHOUSE, Hiawassee, Georgia. You may then show why the Parental Rights of Kelly Ann Jones should not be granted and why and why the Petition for Adoption should not be granted.

This 3rd day of June, 2016.

PAMELA KENDALL FLOYD

Attorney for the Petitioners

Post Office Box 1114

Hiawassee, Georgia 30546

706-896-7070

T(Jun8,15,22)B

IN THE SUPERIOR COURT OF TOWNS COUNTY

STATE OF GEORGIA

BRUCE ROGERS, as Tax Commissioner for Towns County, Georgia, Plaintiff,

v.

CARLA FRANKLIN f/k/a CARLA CLOER, as Executor for the estate of Betty Ruth Cloer, Deceased, ALL HEIRS AT LAW OF BETTY RUTH CLOER, DECEASED, ALL HEIRS AT LAW OF CARL WILLIAM CLOER, DECEASED, and ALL PERSONS OR ENTITIES KNOWN OR UNKNOWN WHO CLAIM OR MIGHT CLAIM AN INTEREST IN THE PROPERTY DESCRIBED HEREIN, Defendants.

Civil Action File No.: 16-CV-52-mm

NOTICE OF PUBLICATION

TO: (1) ALL HEIRS AT LAW OF BETTY RUTH CLOER, DECEASED

(2) ALL HEIRS AT LAW OF CARL WILLIAM CLOER, DECEASED

(3) ALL PERSONS KNOWN OR UNKNOWN WHO CLAIM OR MIGHT CLAIM AN INTEREST IN THE PROPERTY DESCRIBED HEREIN

By Order for Service by Publication dated the 16th day of May, 2016, you are hereby notified that on the 8th day of April, 2016, the Petitioner herein filed a Petition to Interplead Funds requesting, among other relief, an order establishing entitlement to certain excess funds following a tax sale of the real property located at Tax Parcel Number 19 43. You are required to file with the Clerk of the Superior Court of Towns County, and to serve upon the Petitioner's attorney, Russell W. Wall, Esq., at 122 North Main Street, Suite B, Greensboro, Georgia 30642, any objections and/or claims to said Petition within sixty (60) days of the date of the Order for Service by Publication.

Witness the Honorable Murphy C. Miller, Judge of this Court.

This 19th day of May, 2016.

Cecil Dye

Clerk, Superior Court of Towns County

T(Jun1,8,15,22)B

IN THE SUPERIOR COURT OF TOWNS COUNTY

STATE OF GEORGIA

BRUCE ROGERS, as Tax Commissioner for Towns County, Georgia, Plaintiff,

v.

CARLA FRANKLIN f/k/a CARLA CLOER, as Executor for the estate of Betty Ruth Cloer, Deceased, ALL HEIRS AT LAW OF BETTY RUTH CLOER, DECEASED, ALL HEIRS AT LAW OF CARL WILLIAM CLOER, DECEASED, and ALL PERSONS OR ENTITIES KNOWN OR UNKNOWN WHO CLAIM OR MIGHT CLAIM AN INTEREST IN THE PROPERTY DESCRIBED HEREIN, Defendants.

Civil Action File No.: 16-CV-51-mm

NOTICE OF PUBLICATION

TO: (1) ALL HEIRS AT LAW OF BETTY RUTH CLOER, DECEASED

(2) ALL HEIRS AT LAW OF CARL WILLIAM CLOER, DECEASED

(3) ALL PERSONS KNOWN OR UNKNOWN WHO CLAIM OR MIGHT CLAIM AN INTEREST IN THE PROPERTY DESCRIBED HEREIN

By Order for Service by Publication dated the 16th day of May, 2016, you are hereby notified that on the 8th day of April, 2016, the Petitioner herein filed a Petition to Interplead Funds requesting, among other relief, an order establishing entitlement to certain excess funds following a tax sale of the real property located at Tax Parcel Number 19 41. You are required to file with the Clerk of the Superior Court of Towns County, and to serve upon the Petitioner's attorney, Russell W. Wall, Esq., at 122 North Main Street, Suite B, Greensboro, Georgia 30642, any objections and/or claims to said Petition within sixty (60) days of the date of the Order for Service by Publication.

Witness the Honorable Murphy C. Miller, Judge of this Court.

This 19th day of May, 2016.

Cecil Dye

Clerk, Superior Court of Towns County

T(Jun1,8,15,22)B

NOTICE OF SALE UNDER POWER

IN SECURITY DEED

STATE OF GEORGIA,

COUNTY OF TOWNS

On July 22, 2009, Mary D. Hills executed a Deed to Secure Debt to Stephens Federal Bank, n/k/a Oconee Federal Savings & Loan Association, successor by merger, securing a note of even date for Two Hundred Thousand and No/100 Dollars (\$200,000.00), said security deed being recorded in Deed Book 459, Pages 744-759 Towns County 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 & 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 July, the same being July 5, 2016 the following described property:

All that tract or parcel of land lying and being in land Lot 24, 17th District, 1st Section, Towns County, Georgia, CONTAINING 0.239 ACRES, AND BEING SHOWN AS TRACT ONE (1) on a plat of survey by Tamrok Associates, Inc., dated May 11, 1996, recorded in Plat Book 21, Page 66 Towns County Records which description on said plat is incorporated herein by reference and made a part hereof.

Also conveyed herewith is all of Grantors rights, title and interest in and to Tract One A (1A) as shown on the above referenced plat, the same being a 1/3 undivided interest.

The property is conveyed subject to the road rights of way as shown on the above referenced plat.

The above-referenced foreclosure shall be subject to the IRS 120 day right of redemption.

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 North Georgia Books, LLC 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. Section 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 and North Georgia Books, LLC.

The entity with full authority to negotiate, amend and modify all terms of the mortgage with the Debtor is Oconee Federal Savings & 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 17th day of May, 2016.

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

Attorney for Oconee Federal Savings & Loan Association

T(Jun8,15,22,29)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 C. PHILLIP TARVER to UNITED COMMUNITY BANK, dated January 31, 2007, recorded January 31, 2007, in Deed Book 395, Page 686, Towns County, Georgia records, as last modified by Modification of Security Deed dated September 27, 2013, recorded in Deed Book 543, Page 441, Towns County, Georgia records, said Security Deed being given to secure a Note from C. PHILLIP TARVER dated September 27, 2013, in the original principal amount of One Hundred Four Thousand Five Hundred Eleven and 71/100 (\$104,511.71) Dollars, with interest due thereon 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 July, 2016, the following described property:

All that tract or parcel of land lying and being in the 17th District, 1st Section, Land Lot 56, Towns County, Georgia, containing 1.113 acres and being more particularly described as Lot 26, of Shallow Creek at Hiawassee, Phase I, as shown on a plat of survey by Land Tech Services, Inc., H. Samuel Walker, RLS, dated 10-30-02 and recorded in Plat Book 28, Pages 250 and 251 of the Towns County Records, said plat being incorporated herein by reference.

The aforescribed lot is conveyed subject to and together with the road and water line easements shown on the above referenced plat of survey; and subject to that Declaration of Reservations, Covenants and Restrictions for Shallow Creek at Hiawassee Phase I, dated 11-14-02 and recorded in Deed Book 256, Pages 681-683 of the Towns County 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 C. PHILLIP TARVER or a tenant or tenants.

UNITED COMMUNITY BANK,

as attorney in Fact for C. PHILLIP TARVER

L. Lou Allen

Stites & Harbison, PLLC

520 West Main Street

Blue Ridge, Georgia 30513

(706) 632-7923

File No. 7484A-03793

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

T(Jun8,15,22,29)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 JOEL NICHOLSON to UNITED COMMUNITY BANK, dated December 8, 2005, recorded December 15, 2005, in Deed Book 356, Page 439, Towns County, Georgia records, as last modified by Modification of Security Deed dated June 3, 2013, recorded in Deed Book 536, Page 810, Towns County, Georgia records, said Security Deed being given to secure a Note from JOEL NICHOLSON dated June 3, 2013, in the original principal amount of Sixty Three Thousand Eighty Six and 63/100 (\$63,086.63) Dollars, with interest due thereon 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 July, 2016, the following described property:

All that tract or parcel of land lying and being in Land Lot 193 and 194, 18th District, 1st Section, Towns County, Georgia, containing 6.05 acres, more or less, as shown on a plat of survey by B. Gregory, County Surveyor, dated 1/20/86, recorded in Plat Book 10, Page 29, Towns County, Georgia records. Said plat being incorporated herein by reference hereto. The property is conveyed subject to all matters and conditions shown on the above referenced plat.

The Grantor grants to Grantee a perpetual easement for ingress and egress to the above described property.

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 JOEL NICHOLSON or a tenant or tenants.

UNITED COMMUNITY BANK,

as attorney in Fact for JOEL NICHOLSON

L. Lou Allen

Stites & Harbison, PLLC

520 West Main Street

Blue Ridge, Georgia 30513

(706) 632-7923

File No. 7484A-03794

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

T(Jun8,15,22,29)