

# Towns County Herald

## Legal Notices for July 31, 2019

**IN THE PROBATE COURT OF TOWNS COUNTY  
STATE OF GEORGIA**  
IN RE:  
ROGER LEE SIMPSON, DECEASED  
ESTATE NO. 2019-56  
NOTICE OF PETITION TO FILE FOR YEAR'S SUP-  
PORT

The Petition of Rose Mary Simpson, for a year's support from the estate of Roger Lee Simpson, 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 August 12, 2019, 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 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

(TJul17,24,31,Aug7)

**IN THE PROBATE COURT OF TOWNS COUNTY  
STATE OF GEORGIA**  
IN RE: ESTATE OF  
WILLIAM PAUL SHOOK, DECEASED  
ESTATE NO. 2019-59  
PETITION FOR LETTERS OF ADMINISTRATION  
NOTICE

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

Timothy Paul Shook has petitioned to be appointed Administrator of the estate of William Paul Shook 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 August 12, 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.

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(TJul17,24,31,Aug7)

**IN THE PROBATE COURT OF TOWNS COUNTY  
STATE OF GEORGIA**  
IN RE: ESTATE OF  
WILLIAM EARL BELK, DECEASED  
ESTATE NO. 2019-58  
PETITION FOR LETTERS OF ADMINISTRATION  
NOTICE

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

Bryan Alan Belk has petitioned to be appointed Administrator(s) of the estate of William Earl Belk 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 August 12, 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.

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(TJul17,24,31,Aug7)

**NOTICE TO DEBTORS AND CREDITORS**

RE: Estate of James F. Coker

All creditors of the Estate of James F. Coker, 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 17 day of July, 2019

Cynthia Coker  
67 Gander Gap Road  
Hiawassee, GA  
706-896-0983

(TJul24,31,Aug7,14)

**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 Jerry Bradford McFalls to Mortgage Electronic Registration Systems, Inc., as grantee, as nominee for Acopia, LLC, its successors and assigns, dated August 17, 2012, recorded in Deed Book 518, Page 706, Towns County, Georgia Records, as last transferred to MIDFIRST BANK by assignment recorded in Deed Book 626, Page 36, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED SIXTY-TWO THOUSAND SIX HUNDRED TEN AND 0/100 DOLLARS (\$162,610.00), with 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 September, 2019, 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 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, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above. MIDFIRST BANK 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: Midland Mortgage, a division of MidFirst Bank, 999 N.W. Grand Boulevard Suite 100, Oklahoma City, OK 73118-6116, 800-654-4566. To the best knowledge and belief of the undersigned, the party in possession of the property is Jerry Bradford McFalls or a tenant or tenants and said property is more commonly known as 2304 Rainbow Ridge Rd, 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 and audit of the status of the loan with the holder of the security deed. MIDFIRST BANK as Attorney in Fact for Jerry Bradford McFalls McCalla Raymer Leibert Pierce, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net EXHIBIT "A" ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 18TH DISTRICT, 1ST SECTION, LAND LOT 145, TOWNS COUNTY, GEORGIA, CONTAINING 2.165 ACRES, AND BEING MORE PARTICULARLY DESCRIBED AS LOT 6, CONTAINING 0.993 ACRES, AND LOT 9, CONTAINING 1.172 ACRES OF RAINBOW RIDGE ACRES SUBDIVISION, AND SHOWN ON A PLAT OF SURVEY BY TAMROCK ASSOCIATES, INC., JON G. STUBBLEFIELD, RLS, DATED 11/05/1997 AND RECORDED IN PLAT BOOK 23, PAGE 55, TOWNS COUNTY, GEORGIA RECORDS, SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE; TOGETHER WITH ALL GRANTOR'S RIGHT, TITLE AND INTEREST TO THAT LAND LYING BETWEEN THE AFOREDESCRIBED LOTS AND THE CENTERLINE OF RAINBOW RIDGE ROAD, NO. 2, SUBJECT TO THE RIGHT OF WAY FOR SAID ROAD SUBJECT TO EASEMENT AND OTHER MATERS OF SURVEY AS SHOWN ON THE ABOVE REFERENCED PLAT. A.P.N. #: 0057A075 MR/ca 9/3/19 Our file no. 5560219 - FT17

Under and by virtue of the Power of Sale contained in a Security Deed given by Jerry Bradford McFalls to Mortgage Electronic Registration Systems, Inc., as grantee, as nominee for Acopia, LLC, its successors and assigns, dated August 17, 2012, recorded in Deed Book 518, Page 706, Towns County, Georgia Records, as last transferred to MIDFIRST BANK by assignment recorded in Deed Book 626, Page 36, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED SIXTY-TWO THOUSAND SIX HUNDRED TEN AND 0/100 DOLLARS (\$162,610.00), with 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 September, 2019, 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 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, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above. MIDFIRST BANK 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: Midland Mortgage, a division of MidFirst Bank, 999 N.W. Grand Boulevard Suite 100, Oklahoma City, OK 73118-6116, 800-654-4566. To the best knowledge and belief of the undersigned, the party in possession of the property is Jerry Bradford McFalls or a tenant or tenants and said property is more commonly known as 2304 Rainbow Ridge Rd, 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 and audit of the status of the loan with the holder of the security deed. MIDFIRST BANK as Attorney in Fact for Jerry Bradford McFalls McCalla Raymer Leibert Pierce, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net EXHIBIT "A" ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 18TH DISTRICT, 1ST SECTION, LAND LOT 145, TOWNS COUNTY, GEORGIA, CONTAINING 2.165 ACRES, AND BEING MORE PARTICULARLY DESCRIBED AS LOT 6, CONTAINING 0.993 ACRES, AND LOT 9, CONTAINING 1.172 ACRES OF RAINBOW RIDGE ACRES SUBDIVISION, AND SHOWN ON A PLAT OF SURVEY BY TAMROCK ASSOCIATES, INC., JON G. STUBBLEFIELD, RLS, DATED 11/05/1997 AND RECORDED IN PLAT BOOK 23, PAGE 55, TOWNS COUNTY, GEORGIA RECORDS, SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE; TOGETHER WITH ALL GRANTOR'S RIGHT, TITLE AND INTEREST TO THAT LAND LYING BETWEEN THE AFOREDESCRIBED LOTS AND THE CENTERLINE OF RAINBOW RIDGE ROAD, NO. 2, SUBJECT TO THE RIGHT OF WAY FOR SAID ROAD SUBJECT TO EASEMENT AND OTHER MATERS OF SURVEY AS SHOWN ON THE ABOVE REFERENCED PLAT. A.P.N. #: 0057A075 MR/ca 9/3/19 Our file no. 5560219 - FT17

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(TJul31,Aug7,14,21,28)

**NOTICE OF ARTICLES OF INCORPORATION**

Notice is given that Articles of Incorporation that will incorporate Hiawassee Rock and Mulch, 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 Chatauge Way, Hiawassee, Georgia 30546 and its initial registered agent at such address is Stephanie W. McConnell.

(TJul24,31)

**IN THE PROBATE COURT OF TOWNS COUNTY  
STATE OF GEORGIA**

IN RE: ESTATE OF  
RONALD EVERETT CAMPBELL, DECEASED  
ESTATE NO. 2019-55  
PETITION FOR LETTERS OF ADMINISTRATION  
NOTICE

TO: Anya N. Reimer, All Interested parties and to whom it may concern:

Marilyn N. Wethli has petitioned to be appointed Administrator of the estate of Ronald Everett Campbell 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 August 5, 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

(TJul10,17,24,31)

**STATE OF GEORGIA  
COUNTY OF TOWNS  
NOTICE OF SALE UNDER POWER**

Because of a default under the terms of the Security Deed executed by Nathan L. Elling to Mortgage Electronic Registration Systems, Inc. as nominee for Mortgage Services III, LLC dated June 29, 2012, and recorded in Deed Book 515, Page 647, Towns County Records, said Security Deed having been last sold, assigned, transferred and conveyed to Wells Fargo Bank N.A. securing a Note in the original principal amount of \$247,713.00, the holder thereof pursuant to said Deed and Note thereby secured has declared the entire amount of said indebtedness due and payable and, pursuant to the power of sale contained in said Deed, will on the first Tuesday, August 6, 2019, during the legal hours of sale, before the Courthouse door in said County, sell at public outcry to the highest bidder for cash, the property described in said Deed, to-wit:

All that tract or parcel of land lying and being in Land Lot 8, 19th District, 1st Section, Towns County, Georgia containing 0.769 acres and being Lot Fifty-Eight (58) of Hi River Country as shown on a plat of survey entitled "Survey for Robert and Addy Langford by T. Kirby & Associates, Inc., Tony G. Kirby, R.L.S. #2988, dated September 5, 2007 and filed and recorded at Plat Book 29, Page 294, Towns County, Georgia records, which description on said plat is incorporated herein by reference.

The property is conveyed subject to all matters and conditions on the above referenced plat. The property is conveyed subject to Restrictions of Record pertaining to Hi River Country Subdivision as recorded in Deed Book 80, Pages 762-763, Towns County, Georgia records and subject to the following Restrictions:

- Forty (40) feet front line building set back from road right of way.
- Minimum heated square feet of living space to be 1500 total of 1250 on the main level, if more than one story.
- Any RV's, campers, extra cars must be parked or stored in garage or in back of home out of sight line from street.

Said property is known as 6680 Mountain Laurel Road, Hiawassee, GA 30546, together with all fixtures and personal property attached to and constituting a part of said property, if any. Said property will be sold subject to 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, 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.

The proceeds of said sale will be applied to the payment of said indebtedness and all expenses of said sale as provided in said Deed, and the balance, if any, will be distributed as provided by law.

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 secured creditor.

The property is or may be in the possession of Nathan L. Elling and The Representative of the Estate of Nathan L. Elling, successor in interest or tenant(s).

Wells Fargo Bank, N.A. as Attorney-in-Fact for Nathan L. Elling  
File no. 19-073985  
SHAPIRO PENDERGAST & HASTY, LLP\*  
Attorneys and Counselors at Law  
211 Perimeter Center Parkway, N.E., Suite 300  
Atlanta, GA 30346  
770-220-2535/JP

shapiroandhasty.com

\*THE LAW FIRM IS ACTING AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

(TJul10,17,24,31)