

Towns County Herald

Legal Notices for August 7, 2019

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA IN RE: ROGER LEE SIMPSON, DECEASED ESTATE NO. 2019-56 PETITION FOR LETTERS OF ADMINISTRATION NOTICE

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
T(Jul17,24,31,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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T(Jul17,24,31,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.

David Rogers
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By: Kerry L. Berrong
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T(Jul17,24,31,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

T(Jul24,31,Aug7,14)

IN THE PROBATE COURT OF TOWNS COUNTY STATE OF GEORGIA IN RE: ESTATE OF GAIL BRIDGES MURRAY, DECEASED ESTATE NO. 2019-66 PETITION FOR LETTERS OF ADMINISTRATION NOTICE

TO: All interested parties and to whom it may concern:
Anthony Dale Murray has petitioned to be appointed Administrator of the estate of Gail Bridges Murray 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 September 3, 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(Aug7,14,21,28)

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of ANDREW NEAL ANDERSON 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 Executor of the Estate of ANDREW NEAL ANDERSON.

This 29th day of July, 2019.
Frances C. Norton, Executor
Estate Andrew Neal Anderson
2299 Duncan Road
Young Harris, Georgia 30582

T(Aug7,14,21,28)

NOTICE TO CREDITORS AND DEBTORS

All creditors of the Estate of THOMAS WILLIAM ARBAUGH 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 Executor of the Estate of THOMAS WILLIAM ARBAUGH.

This 29th day of July, 2019.
John Van Nus, III, Executor
Estate Thomas William Arbaugh
551 Travaden Trail
Hiawassee, Georgia 30546

T(Aug7,14,21,28)

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 AFORESAID 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

T(Jul31,Aug7,14,21,28)

STATE OF GEORGIA COUNTY OF TOWNS NOTICE OF SALE UNDER POWER

By virtue of the power of sale contained in that certain Deed to Secure Debt from LINDA J. RADER and EDWARD RADER to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR GMAC MORTGAGE, LLC DBA DITECH.COM dated May 19, 2007, filed for record June 12, 2007, and recorded in Deed Book 407, Page 683, TOWNS County, Georgia Records, as last transferred to LOANCARE, LLC by assignment to be recorded. Said Deed to Secure Debt having been given to secure a Note dated May 19, 2007 in the original principal sum of ONE HUNDRED FORTY ONE THOUSAND AND 0/100 DOLLARS (\$141,000.00), with interest from date at the rate stated in said Note 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, or at such place as has or may be lawfully designated as an alternative location, within the legal hours of sale on the first Tuesday in September, 2019, the following described property: ALL THAT PARCEL OF LAND IN TOWNS COUNTY, STATE OF GEORGIA, AS MORE FULLY DESCRIBED IN DEED BOOK 121, PAGE 251, ID#00100-099-000, BEING KNOWN AND DESIGNATED AS LAND LOT 115, 17TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, BEING 2.01 ACRES, MORE OR LESS, PLAT DATED 4/15/1993, RECORDED IN PLAT BOOK 16, PAGE 275, TOWNS COUNTY, GEORGIA RECORDS.

BY FEE SIMPLE DEED FROM RAYMOND D. PUETT AS SET FORTH IN DEED BOOK 121, PAGE 251 DATED 08/13/1993 AND RECORDED 08/13/1993, TOWNS COUNTY RECORDS, STATE OF GEORGIA.

To the best of the knowledge and belief of the undersigned, the party in possession of the property is LINDA J. RADER and EDWARD RADER or a tenant or tenants. Said property may more commonly be known as: 7061 CLARENCE NICHOLS RD, YOUNG HARRIS, GA 30582-2421 . The debt secured by said Deed to Secure Debt has been and is hereby declared due because of, among other possible events of default, non-payment of the monthly installments on said loan. The debt remaining in default, this sale will be made for the purpose of paying the same and all expenses of this sale, including attorney's fees (notice of intent to collect attorney's fees having been given).

The individual or entity that has full authority to negotiate, amend, and modify all terms of the loan is LOANCARE LLC, 3637 SENTARA WAY, VIRGINIA BEACH, VA 23452; (800) 274-6600. 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 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. Pursuant to O.C.G.A. Section 9-13-172.1, which allows for certain procedures regarding the rescission of judicial and nonjudicial sales in the State of Georgia, the Deed Under Power and other foreclosure documents may not be provided until final confirmation and audit of the status of the loan as provided in the preceding paragraph.

LOANCARE, LLC
As Attorney-in-Fact for
LINDA J. RADER
EDWARD RADER
Phelan Hallinan Diamond & Jones, PLLC
11675 Great Oaks Way, Suite 320
Alpharetta, GA 30022
Telephone: 770-393-4300
Fax: 770-393-4310
PH # 42360

This law firm is acting as a debt collector. Any information obtained will be used for that purpose.

T(Aug7,14,21,28)

STATE OF GEORGIA COUNTY OF TOWNS NOTICE OF SALE UNDER POWER

By virtue of the power of sale contained in that certain Deed to Secure Debt from JOYCE NATIONS to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AS NOMINEE FOR UNITED COMMUNITY BANK dated June 18, 2009, filed for record June 19, 2009, and recorded in Deed Book 457, Page 586, TOWNS County, Georgia Records, as last transferred to OCWEN LOAN SERVICING, LLC by assignment recorded in Deed Book 572, Page 610, TOWNS County, Georgia Records. Said Deed to Secure Debt having been given to secure a Note dated June 18, 2009 in the original principal sum of SIXTY NINE THOUSAND AND 0/100 DOLLARS (\$69,000.00), with interest from date at the rate stated in said Note 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, or at such place as has or may be lawfully designated as an alternative location, within the legal hours of sale on the first Tuesday in September, 2019, the following described property:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 187, 18TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 1.002 ACRES, MORE OR LESS, AND BEING SHOWN AS TRACT FOUR (4) ON A PLAT OF SURVEY BY NORTHSTAR SURVEYING & MAPPING, INC. DATED 2/20/05, REVISED 9/20/05, RECORDED IN PLAT BOOK 35, PAGE 110, TOWNS COUNTY, GEORGIA RECORDS, WHICH PLAT IS INCORPORATED HEREIN BY REFERENCE HERETO.

THE PROPERTY IS CONVEYED SUBJECT TO ALL MATTERS AND CONDITIONS SHOWN ON THE ABOVE REFERENCED PLAT.

THE PROPERTY IS CONVEYED SUBJECT TO THE INGRESS AND EGRESS EASEMENTS ALONG THE ROADWAY SHOWN ON THE ABOVE REFERENCED PLAT OF SURVEY.

To the best of the knowledge and belief of the undersigned, the party in possession of the property is JOYCE NATIONS and BRITTNIE GRIZZLE or a tenant or tenants. Said property may more commonly be known as: 525 TAY WALK WAY, HIAWASSEE, GA 30546-3956. The debt secured by said Deed to Secure Debt has been and is hereby declared due because of, among other possible events of default, non-payment of the monthly installments on said loan. The debt remaining in default, this sale will be made for the purpose of paying the same and all expenses of this sale, including attorney's fees (notice of intent to collect attorney's fees having been given).

The individual or entity that has full authority to negotiate, amend, and modify all terms of the loan is PHH MORTGAGE CORPORATION, 1 MORTGAGE WAY, MT LAUREL, NJ 08054; (800) 746-2936.

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 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. Pursuant to O.C.G.A. Section 9-13-172.1, which allows for certain procedures regarding the rescission of judicial and nonjudicial sales in the State of Georgia, the Deed Under Power and other foreclosure documents may not be provided until final confirmation and audit of the status of the loan as provided in the preceding paragraph. *Auction services to be provided by Auction.com (www.auction.com)* PHH MORTGAGE CORPORATION SUCCESSOR BY MERGER TO OCWEN LOAN SERVICING, LLC. As Attorney-in-Fact for

JOYCE NATIONS
Phelan Hallinan Diamond & Jones, PLLC
11675 Great Oaks Way, Suite 320
Alpharetta, GA 30022
Telephone: 770-393-4300
Fax: 770-393-4310
PH # 43443

This law firm is acting as a debt collector. Any information obtained will be used for that purpose.

T(Aug7,14,21,28)