

# Towns County Herald

## Legal Notices for September 11, 2019

### STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

RE: William Paul Shook  
All debtors and creditors of the estate of William Paul Shook, 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 14th day of August, 2019.  
Timothy Paul Shook, Executor  
Address: 5720 Swanson Road  
Young Harris, GA 30582

T(Aug21,28,Sept4,11)

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

IN RE: ESTATE OF  
DOROTHY L. MOODY A.K.A.  
DOROTHY LINDSEY MOODY, DECEASED  
ESTATE NO. 2019-52  
NOTICE

IN RE: The Petition to Probate Will in Solemn Form in the above-referenced estate having been duly filed,

TO: Tracy White & Alicia Lively  
[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 this Petition to Probate Will in Solemn Form, in this Court on or before September 16, 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(Aug21,28,Sept4,11)

### NOTICE TO CREDITORS

All creditors of the Estate of Colleen H. Hoodenpyle, deceased, late of Towns County, are hereby notified to render their demands to the undersigned according to law, and all person indebted to said estate are required to make immediate payment to me.  
This the 14th day of August, 2019  
David E. Barrett  
As Attorney for Estate of  
Colleen H. Hoodenpyle  
David E. Barrett  
108 Blue Ridge Hwy., Suite 6  
Blairsville, GA 30512  
706-745-0250 (phone)  
706-745-0234 (fax)  
david@davidbarrettllaw.com (email)  
T(Aug21,28,Sept4,11)

### NOTICE TO DEBTORS & CREDITORS

RE: Estate of Annie Pearl Bryson  
All creditors of the Estate of Annie Pearl Bryson, 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 the 22nd day of August, 2019  
Beatrice Thurman  
PO Box 145  
Hiawassee, GA 30546  
706-896-2426  
T(Aug28,Sept4,11,18)

### NOTICE TO DEBTORS & CREDITORS

RE: Estate of Boyce Lemar McNabb  
All creditors of the Estate of Boyce Lemar McNabb, 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 the 19th day of August, 2019  
Flora McNabb  
PO Box 525  
Hiawassee, GA 30546  
706-487-9770  
T(Aug28,Sept4,11,18)

### IN THE SUPERIOR COURT OF TOWNS COUNTY STATE OF GEORGIA

Lisa Marie Purcell, Plaintiff  
v.

Jeffrey Wayne Purcell, Defendant  
Civil Action No. 19-CV-72-JP  
NOTICE OF SUMMONS  
SERVICE BY PUBLICATION  
To: Jeffrey Wayne Purcell, Defendant named above:

You are hereby notified that the above-styled action seeking a Divorce was filed against you in said court on June 10, 2019, and that by reason of an order for service of summons by publication entered by the court on August 19, 2019. You are hereby commanded and required to file with the clerk of said court and serve upon Kris-Ann Poe, Attorney for Plaintiff, whose address is 231 Chatauge Way, Hiawassee, GA 30546 an answer to the complaint within sixty (60) days of the date of the order for service by publication. If you fail to do so, judgement by default will be taken against you for the relief demanded in the complaint.

Witness the Honorable Joy Parks, Judge of said Court  
This the 21 day of August, 2019  
Cecil Dye  
Clerk of Superior Court  
Towns County, Enotah Judicial Circuit  
T(Sept4-Sept25)

### PUBLIC COMMENT NOTICE

0000304-CST TOWNS COUNTY, PI# 0000304  
Public comment notice is given that Surface Transportation Program Federal/State funding is being amended to the State Transportation Improvement Program by increasing the CST from \$54,549,289 to \$71,42,511 for Georgia Department of Transportation Project PI# 0000304; which is the Bridge Replacement located at SR 66 @ BRASSTOWN CREEK 0.5 MI NW OF YOUNG HARRIS.

Such notice is required by the FAST federal transportation law. Comments should be directed to Paul Tanner, State Planning Administrator, at One Georgia Center, 600 West Peachtree St. NW, Atlanta, Georgia 30308.

T(Sept4,11)

### IN THE JUVENILE COURT OF TOWNS COUNTY STATE OF GEORGIA

IN THE INTEREST OF:  
SAVANNAHANN CARTER  
DOB: 06-27-2006  
SEX: FEMALE

CASE NO. 139-19J-27A  
BILLY WAYNE CARTER

DOB: 02-09-2005  
SEX: MALE

CASE NO. 139-19J-28A

CHILDREN UNDER THE AGE OF EIGHTEEN  
NOTICE OF HEARING FOR AMENDED PETITION FOR SUCCESSOR GUARDIANSHIP

TO: Audrey Freeman, of the above named minor children

By Order of Service by Publication, dated the 5th day of September 2019, you are hereby notified that on the 3rd day of June, 2019, Ginger Carter, Petitioner, filed an Amended Petition for Successor Guardianship as to the above named children. This notice is being sent to you pursuant to the provisions of O.C.G.A. §15-11-2. A copy of the Amended Petition for Successor Guardianship may be obtained by you from the clerk at the Towns County courthouse during business hours. The hearing on the Amended Petition for Successor Guardianship if for the purpose of establishing Permanent Guardianship with Ginger Carter as a successor to Leon Carter who is now deceased. The Hearing on Amended Petition for Successor Guardianship will be held on the 9th day of October 2019 at 9 a.m. in Towns County Juvenile Court.

The children and other parties involved may be represented by a lawyer at all stages of the proceedings. If you want a lawyer, you may choose and hire your own lawyer. If you want to hire a lawyer, please contact your lawyer immediately. If you want a lawyer, but are unable to hire one without undue financial hardship, you may ask for a lawyer to represent you. The Court would inquire into your financial circumstances and if the Court finds you to be financially unable to hire a lawyer, then a lawyer will be appointed to represent you. If you want a lawyer to be appointed to represent you, you must let the Court or the office of the Court handling this matter know immediately. Witness, the Honorable Jeremy Clough, Judge of said Court, this the 5th day of September, 2019

Honorable Jeremy Clough  
Judge, Towns County Juvenile Court  
Enotah Judicial Circuit

T(Sept11-Oct2)

### IN THE JUVENILE COURT OF TOWNS COUNTY

STATE OF GEORGIA  
IN THE INTEREST OF:  
SAVANNAHANN CARTER  
DOB: 06-27-2006

SEX: FEMALE  
CASE NO. 139-19J-27A

BILLY WAYNE CARTER

DOB: 02-09-2005

SEX: MALE

CASE NO. 139-19J-28A

CHILDREN UNDER THE AGE OF EIGHTEEN  
NOTICE OF HEARING FOR AMENDED PETITION FOR SUCCESSOR GUARDIANSHIP

TO: Sara West Carter, mother of the above named minor children

By Order of Service by Publication, dated the 5th day of September 2019, you are hereby notified that on the 3rd day of June, 2019, Ginger Carter, Petitioner, filed an Amended Petition for Successor Guardianship as to the above named children. This notice is being sent to you pursuant to the provisions of O.C.G.A. §15-11-2. A copy of the Amended Petition for Successor Guardianship may be obtained by you from the clerk at the Towns County courthouse during business hours. The hearing on the Amended Petition for Successor Guardianship if for the purpose of establishing Permanent Guardianship with Ginger Carter as a successor to Leon Carter who is now deceased. The Hearing on Amended Petition for Successor Guardianship will be held on the 9th day of October 2019 at 9 a.m. in Towns County Juvenile Court.

The children and other parties involved may be represented by a lawyer at all stages of the proceedings. If you want a lawyer, you may choose and hire your own lawyer. If you want to hire a lawyer, please contact your lawyer immediately. If you want a lawyer, but are unable to hire one without undue financial hardship, you may ask for a lawyer to represent you. The Court would inquire into your financial circumstances and if the Court finds you to be financially unable to hire a lawyer, then a lawyer will be appointed to represent you. If you want a lawyer to be appointed to represent you, you must let the Court or the office of the Court handling this matter know immediately.

Witness, the Honorable Jeremy Clough, Judge of said Court, this the 5th day of September, 2019

Honorable Jeremy Clough  
Judge, Towns County Juvenile Court  
Enotah Judicial Circuit

T(Sept11-Oct2)

### IN THE JUVENILE COURT OF TOWNS COUNTY

STATE OF GEORGIA  
IN THE INTEREST OF:  
SAVANNAHANN CARTER  
DOB: 06-27-2006

SEX: FEMALE  
CASE NO. 139-19J-27A

BILLY WAYNE CARTER

DOB: 02-09-2005

SEX: MALE

CASE NO. 139-19J-28A

CHILDREN UNDER THE AGE OF EIGHTEEN  
NOTICE OF HEARING FOR AMENDED PETITION FOR SUCCESSOR GUARDIANSHIP

TO: Bill W. Carter, father of the above named minor children

By Order of Service by Publication, dated the 5th day of September 2019, you are hereby notified that on the 3rd day of June, 2019, Ginger Carter, Petitioner, filed an Amended Petition for Successor Guardianship as to the above named children. This notice is being sent to you pursuant to the provisions of O.C.G.A. §15-11-2. A copy of the Amended Petition for Successor Guardianship may be obtained by you from the clerk at the Towns County courthouse during business hours. The hearing on the Amended Petition for Successor Guardianship if for the purpose of establishing Permanent Guardianship with Ginger Carter as a successor to Leon Carter who is now deceased. The Hearing on Amended Petition for Successor Guardianship will be held on the 9th day of October 2019 at 9 a.m. in Towns County Juvenile Court.

The children and other parties involved may be represented by a lawyer at all stages of the proceedings. If you want a lawyer, you may choose and hire your own lawyer. If you want to hire a lawyer, please contact your lawyer immediately. If you want a lawyer, but are unable to hire one without undue financial hardship, you may ask for a lawyer to represent you. The Court would inquire into your financial circumstances and if the Court finds you to be financially unable to hire a lawyer, then a lawyer will be appointed to represent you. If you want a lawyer to be appointed to represent you, you must let the Court or the office of the Court handling this matter know immediately.

Witness, the Honorable Jeremy Clough, Judge of said Court, this the 5th day of September, 2019

Honorable Jeremy Clough  
Judge, Towns County Juvenile Court  
Enotah Judicial Circuit

T(Sept11-Oct2)

### NOTICE OF SALE UNDER POWER, TOWNS COUNTY

Pursuant to the Power of Sale contained in a Security Deed given by Brittany Wilson Tankersley to Mortgage Electronic Registration Systems, Inc. as nominee for United Community Bank d/b/a United Community Mortgage Services, Inc. dated 1/7/2013 and recorded in Deed Book 527 Page 285 Towns County, Georgia records; as last transferred to or acquired by U.S. BANK NATIONAL ASSOCIATION, conveying the after-described property to secure a Note in the original principal amount of \$170,940.00, with interest at the rate specified therein, there will be sold by the undersigned at public outcry to the highest bidder for cash before the Courthouse door of Towns County, Georgia (or such other area as designated by Order of the Superior Court of said county), within the legal hours of sale on October 1, 2019 (being the first Tuesday of said month unless said date falls on a Federal Holiday, in which case being the first Wednesday of said month), the following described property:

All that tract or parcel of land lying and being in Land Lot 163, 18th District, 1st Section of Towns County, Georgia, being Lot 11, containing 0.900 acres, more or less, of Hidden View Estates Subdivision as shown on a plat of survey by Tamrok Associates, Inc., dated September 3, 1997 and recorded in Plat Book 22, Page 13, Towns County, Georgia records, said plat is incorporated herein by reference.

Subject to all matters and conditions as shown on above referenced plat of survey. Subject to the Reservations and Restrictive Covenants as recorded in Deed Book 114, Page 49, Towns County, Georgia records.

Subject to the Utility Easement granted to Blue Ridge Mountain Electric Membership Corporation as recorded in Deed Book 115, Page 472, Towns County, Georgia records

Together with a right of ingress and egress over and across the roads of Hidden View Estates Subdivision as shown on said plat.

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 is commonly known as 1419 Berrong Road, Hiawassee, GA 30546 together with all fixtures and personal property attached to and constituting a part of said property, if any. To the best knowledge and belief of the undersigned, the party (or parties) in possession of the subject property is (are): Brittany L. Wilson or tenant or tenants.

U.S. BANK NATIONAL ASSOCIATION is the entity or individual designated who shall have full authority to negotiate, amend and modify all terms of the mortgage.

U.S. BANK NATIONAL ASSOCIATION

4801 Frederica Street  
Owensboro, KY 42301

1-855-698-7627

Note, however, that such entity or individual is not required by law to negotiate, amend or modify the terms of the loan.

Said property will be sold subject to: (a) any outstanding ad valorem taxes (including taxes which are a lien, but not yet due and payable), (b) unpaid water or sewage bills that constitute a lien against the property whether due and payable or not yet due and payable and which may not be of record, (c) the right of redemption of any taxing authority, (d) any matters which might be disclosed by an accurate survey and inspection of the property, and (e) 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 to (1) confirmation that the sale is not prohibited under the U.S. Bankruptcy Code; and (2) 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 non-judicial 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 immediately above.

U.S. BANK NATIONAL ASSOCIATION as agent and Attorney in Fact for Brittany Wilson Tankersley  
Aldridge Pite, LLP, 15 Piedmont Center, 3575 Piedmont Road, N.E., Suite 500, Atlanta, Georgia 30305, (404) 994-7637.

1292-1114A

THIS LAW FIRM MAY BE ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. 1292-1114A

T(Sept14,11,18,25)