

# Towns County Herald

## Legal Notices for September 19, 2018

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

RE: ESTATE OF DAVID A. DENTON, JR.  
All debtors and creditors of the estate of David A. Denton, Jr., 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 22nd day of August, 2018.  
David A. Denton, III, Executor  
Address: 1290 Tungsten Trail  
Fairbanks, AK 99712

T(Aug29,Sept15,12,19)B

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

IN RE: ESTATE OF  
ROBERT LEON BRACKETT, DECEASED  
ESTATE NO. 2018-53  
NOTICE

IN RE: The Petition to Probate Will in Solemn Form in the above-referenced estate having been duly filed,  
TO: Ryan Brackett  
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 October 15, 2018.

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(Sept19,26,Oct13,10)B

### NOTICE TO CREDITORS AND DEBTORS

All creditors of the estate of WALTER L. HAINES, 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 Last Will and Testament of Walter L. Haines.  
This 7th day of September, 2018.  
ROY W. HAINES, M.D.  
Executor Estate of Walter L. Haines  
8381 Point O Woods Ct., Springboro, Ohio 45066  
Pamela Kendall Floyd, PC  
Attorney for Estate  
P.O. Box 1114  
Hiawassee, GA 30546

T(Sept12,19,26,Oct13)B

### STATE OF GEORGIA TOWNS COUNTY

RE: Estate of Virgil Dockery  
All debtors and creditors of the estate of Virgil Dockery, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of the estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor.  
This 12th day of September, 2018  
By: Cary D. Cox, PC, Attorney at Law  
Georgia Bar No. 192295  
PO Box 748  
Blairsville, GA 30514

T(Sept19,26,Oct13,10)P

### STATE OF GEORGIA TOWNS COUNTY

RE: Estate of Mary Estell Dockery  
All debtors and creditors of the estate of Mary Estell Dockery, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of the estate, according to law, and all persons indebted to said estate are required to make immediate payment to the Executor.  
This 12th day of September, 2018  
By: Cary D. Cox, PC, Attorney at Law  
Georgia Bar No. 192295  
PO Box 748  
Blairsville, GA 30514

T(Sept19,26,Oct13,10)P

### APPLICATION TO REGISTER A BUSINESS TO BE CONDUCTED UNDER TRADE NAME, PARTNERSHIP OR OTHERS

#### STATE OF GEORGIA COUNTY OF TOWNS

The undersigned does hereby certify that James R. Dutton conducting a business as The Housing Group Real Estate, Inc. in the City of Hiawassee, County of Towns, in the State of Georgia, under the name of Lake Life Real Estate and that the nature of the business is Real Estate Sales and Management and that the names and addresses of the persons, firms, or partnership owning and carrying on said trade or business are: James r. Dutton, 200 Running Bear Trail, Fayetteville, GA 30214. The Housing Group Real Estate, Inc., 886 Lanier Ave W, Fayetteville, GA 30214.

T(Sept19,26)P

### NOTICE: REQUEST FOR SEALED BID

Towns County Georgia is requesting sealed bids for a Type I 14' Ambulance Module. The Module will be mounted to a New Dodge 4500 4x4 Ambulance Prep Package (108" Cab to Axel) Chassis provided by Towns County. Bids are to be addressed to Jim Shirley II Towns County Government, 48 River Street, Suite B. Hiawassee Georgia 30546. Bids are to be submitted certified returned receipt only. Bids will be received no later than October 15, 2018 until 5:00 P.M.. Bids will be opened at the regular County Meeting on Tuesday, October 16, 2018, at 5:30p.m.  
Towns County intends to evaluate bids using the following criteria;

Price  
Experience & capacity  
Reputation & license status  
Previous work experience  
Proposed completion timelines and Insurance to complete overall project  
REQUEST FOR SEALED BIDS  
FOR AMBULANCE MODULE  
TOWNS COUNTY GOVERNMENT  
48 RIVER STREET, SUITE B  
HIAWASSEE GEORGIA, 30546  
Bidders assume the risk for the method of delivery chosen. The County assumes no responsibility for delays caused by any delivery service or for problems with Bidder's email. Bids and all relevant documentation to the Bid shall be delivered in a sealed opaque envelope; the envelope shall be addressed as above and shall be identified with Towns County Ambulance Module Bid. The envelope should be titled "Bid Submission" and include the Bidders name, contact persons and telephone numbers. Only written Bids will be accepted. All required Bid documents should be completed, signed and submitted with the Bid.  
Specification can be obtained by calling Jim Shirley II (706-781-9344), by picking them up at the Towns County Courthouse 48 river Street, Suite B Hiawassee Georgia, 30546. Between the hours of 9:00 a.m. – 4:30 p.m., Monday thru Friday, or by Emailing Jim Shirley II at tcems820@gmail.com

Please include the company's name, address, phone and fax number; as well as the contact person. Towns County Government reserves the right to refuse and reject any or all bids and to waive any or all formalities or technicalities or to accept the bid to be the best and most advantageous to the County, and hold the bids for a period of ten (10) days without taking action. Bids submitted past the aforementioned date and time may not be accepted.  
Contact: Jim Shirley II with any questions 706-781-9344 or tcems820@gmail.com  
Caution to those submitting bids; those not in proper form may be rejected.

T(Sept19,26,Oct13,10)B

### PUBLIC NOTICE

Public Input Requested for the State of Georgia's  
Draft Consolidated Annual Performance and Evaluation Report (CAPER) FFY2017/ SFY2018  
The State of Georgia, in compliance with applicable U.S. Department of Housing and Urban Development (HUD) regulations, has prepared a draft version of the State's Consolidated Annual Performance and Evaluation Report (CAPER) for the Federal Fiscal Year 2017. The CAPER is the annual review of the State's performance in meeting the goals and objectives identified in the 2013-2017 Consolidated Plan and FY 2018 Annual Action Plan. Note that the CAPER also includes the State CDBG Performance and Evaluation Report (State PER) for the State of Georgia Community Development Block Grant (CDBG) Program. The State of Georgia encourages citizens, public agencies and other interested parties to review the contents of its draft CAPER and to submit their written comments.

The report will be available for review on September 7, 2018 after 5 p.m.  
<https://dca.ga.gov/node/4565>  
The report may also be obtained upon request from the Georgia Department of Community Affairs by calling (404) 679-4840 or by e-mail to [housingplanning@dca.ga.gov](mailto:housingplanning@dca.ga.gov). TDD users may call (404) 679-4915 to request a copy. All written comments should be submitted by email or postal mail no later than Wednesday, September 26, 2018 at 5:00 p.m.

Georgia Department of Community Affairs  
Housing Finance and Development  
Attn: CAPER – GHFA HOME Admin  
60 Executive Park South, NE  
Atlanta, GA 30329-2231  
Comentario Publico con Respecto al Borrador del Reporte de Evaluación del Desempeño del Plan Consolidado Anual 2017-2018  
El Estado de Georgia, en cumplimiento de las regulaciones aplicable del Departamento de Vivienda y Desarrollo Urbano de EE.UU. (HUD, por sus siglas en inglés), ha preparado un borrador del Reporte de Evaluación del Desempeño del Plan Consolidado Anual (CAPER, por sus siglas en inglés) por el año fiscal federal 2017. El CAPER es la revista anual de los desempeños del Estado de lograr las metas y los objetivos identificados por el Plan Consolidado 2013-2017 y el Plan de Acción 2017. Note que el CAPER también incluye el Reporte del Desempeño y Evaluación por el Paquete de Subvención para el Desarrollo Comunitario (CDBG) del Estado de Georgia (PER del Estado, por sus siglas en inglés). El Estado de Georgia les anima a los ciudadanos, agencias públicas, y otras partes interesados revisar los contenidos del borrador del CAPER y entregar los comentarios escritos.  
El informe estará disponible para su revisión a las 5:00pm el 7 de septiembre 2018.  
<https://dca.ga.gov/node/4565>  
El público puede llamar directamente al Departamento de Asuntos Comunitarios de Georgia (Department of Community Affairs, DCA) a 404-679-4840 o a través de la línea TDD al (404) 679-4915 para recibir una copia escrita del borrador. También se puede escribir a [housingplanning@dca.ga.gov](mailto:housingplanning@dca.ga.gov).  
Comentario público debe ser entregado por email o correo postal a más tardar a las 5:00pm el miércoles de 26 de septiembre 2018.  
Georgia Department of Community Affairs  
Housing Finance and Development  
Attn: CAPER – GHFA HOME Admin  
60 Executive Park South, NE, Atlanta, GA 30329-2231  
<https://dca.ga.gov/node/4565>

NT(Sept19,26)B

### IN THE JUVENILE COURT OF TOWNS COUNTY

#### STATE OF GEORGIA IN THE INTEREST OF:

C.P.  
DOB: 10-31-2015  
SEX: FEMALE  
case no. 139-18J-25A  
S.P.

DOB: 10-21-2016  
SEX: FEMALE

case no. 139-18J-26A  
CHILDREN UNDER THE AGE OF EIGHTEEN  
NOTICE OF TERMINATION OF PARENTAL RIGHTS HEARING

TO: Michelle Gifford, John Doe and any and all biological fathers of the above-named children

By Order for Service by Publication dated the 29th day of August, 2018, you are hereby notified that on the 20th day of June, 2018, the Towns County Department of Family and Children Services, Georgia Department of Human Services, filed a Petition for Termination of Parental Rights against you as to the above-named children and this Court found it to be in the children's best interest that the Petition be filed. This notice is being sent to you pursuant to the provisions of O.C.G.A. § 15-11-281 and 282. A copy of the Petition for Termination of Parental Rights may be obtained by you from the Clerk at the Towns County Courthouse during business hours. The hearing on the Petition for Termination of Parental Rights is for the purpose of terminating your parental rights. If the Court at the trial finds that the facts set out in the Petition to Terminate Parental Rights are true and that termination of your rights will serve the best interests of your children, the Court can enter a judgment ending your rights to your children.

If the judgment terminates your parental rights, you will no longer have any rights to your children. This means that you will not have the right to visit, contact, or have custody of your children or make any decisions affecting your children or your children's earnings or property. You will not thereafter be entitled to notice of proceedings for the adoption of the above-named children by another, nor will you have any right to object to the adoption or otherwise to participate in the proceedings. Your children will be legally freed to be adopted by someone else.  
Even if your parental rights are terminated:

1) You will still be responsible for providing financial support (child support payments) for your children's care unless and until your children are adopted;

2) Your children can still inherit from you unless and until your children are adopted; and

3) Your children can still pursue any civil action against you.

Under the provisions of O.C.G.A. § 15-11-260, et seq., you may lose all rights to the above-named children and will not be entitled to object to the termination of your rights to these children unless, within thirty (30) days of your receipt of this NOTICE TO PUTATIVE FATHER, you file:

a) A petition to legitimate the children; and

b) Notice of the filing of the petition to legitimate with the Juvenile Court of Towns County.

If you fail to file a timely petition to legitimate the children and notice (as described above) or if your petition to legitimate is subsequently dismissed for failure to prosecute or the Court does not find that you are the legal father of the children named in your petition to legitimate, this Court may enter an order terminating your parental rights, including any right to object thereafter to such proceedings.

This Court will conduct a final hearing upon the Petition for Termination of Parental Rights on the 31st day of October, 2018 at 9:00 a.m. in the Union County Courthouse, Blairsville, Georgia.

The children and other parties involved may be represented by a lawyer at all stages of these 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 not able to hire a lawyer without undue financial hardship, you may ask for a lawyer to be appointed 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 appointed to represent you, you must let the Court or the officer of this Court handling this case know that you want a lawyer immediately.

WITNESS, the Honorable Jeremy Clough, Judge of said Court, this the 29th day of August, 2018.

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

T(Sept15,12,19,26)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 ROCK HILL FARMS, INC. to United Community Bank, dated August 6, 2004, recorded August 9, 2004, in Deed Book 311, Page 47, Towns County, Georgia records, as last modified by Modification of Security Deed dated October 1, 2015, recorded in Deed Book 572, Page 407, Towns County, Georgia records, as transferred to JTS CAPITAL 2 LLC by assignment dated September 25, 2017, recorded November 20, 2017 in Deed Book 605, Page 446, Towns County, Georgia records, said Security Deed being given to secure the payment of a certain indebtedness owed by ROCK HILL FARMS, INC. and K-B HEALTH TECHNOLOGY, INC., with interest 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 October, 2018, the following described property:

All that tract or parcel of land lying and being in Land Lot 125, District 17, Section 1, Towns County, Georgia, containing 40.84 acres, more or less, as shown on a plat of survey entitled "Survey for Rock Hill Farms, Inc." by Tamrok Engineering, Inc. Tommy J. Phillips, Registered Surveyor, dated November 12, 1991, and recorded in Plat Book 15, Page 243, Towns County, Georgia records, said plat being incorporated herein by reference for a more complete description.

Said property being the same property conveyed from Truman Barrett to Rock Hill Farms, Inc. in a Warranty Deed recorded in Deed Book 110, Page 8, Towns County, Georgia 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 ROCK HILL FARMS, INC. or a tenant or tenants.

JTS CAPITAL 2 LLC,  
as attorney in Fact for ROCK HILL FARMS, INC.  
L. Lou Allen  
Stites & Harbison, PLLC  
520 West Main Street  
Blue Ridge, Georgia 30513  
(706) 632-7923  
File No. JT017-00JT1

T(Sept15,12,19,26)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 MARTHA M. CUNNINGHAM to UNITED COMMUNITY BANK, dated May 13, 2013, recorded June 5, 2013, in Deed Book 535, Page 224, Towns County, Georgia records, said Security Deed being given to secure a Note from MARTHA M. CUNNINGHAM dated May 13, 2013, in the original principal amount of Two Hundred Ninety Seven Thousand Three Hundred Thirty Nine and 50/100 (\$297,339.50) 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 October, 2018, the following described property:

All that tract or parcel of land lying and being in the 18th District, 1st Section, Land lots 198 and 199 of Towns County, Georgia, containing 2.054 acres, more or less (1.301 acre of which lies below the 1933 foot elevational contour line of Lake Chatuge) as shown on a plat of survey by Northstar Land Surveying, Inc., W. Gary Kendall, RLS, dated 11/17/03 and recorded in Plat Book 30, Page 297, of the Towns County Records, said plat being incorporated herein by reference.

The above described property is conveyed subject to the flowage easement fights of the United States of America acting by and through the Tennessee Valley Authority over and across that portion of said property which lies below the 1933 foot elevational contour line of Lake Chatuge; and subject to the obligations and together with the benefits under the terms of that Road Easement and Maintenance agreement dated 1/23/02 recorded in Deed Book 235, Pages 327-328 of the Towns County Records.

Subject to Restrictions, Easements, Covenants, Oil, Gas or Mineral rights of record, if any. 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 MARTHA M. CUNNINGHAM or a tenant or tenants.

UNITED COMMUNITY BANK,  
as attorney in Fact for MARTHA M. CUNNINGHAM

L. Lou Allen  
Stites & Harbison, PLLC  
520 West Main Street  
Blue Ridge, Georgia 30513  
(706) 632-7923  
File No. 7484A

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

T(Sept15,12,19,26)B