

Towns County Herald

Legal Notices for April 23, 2014

3RD DUI CONVICTION

Tyler Cole Garrett
PO Box 798, Young Harris, GA 30582
Date of Arrest: 9/29/2012
Disposition Date: 3/24/2014
Entered a Plea of Guilty, Fine of \$1000, 90 Days to Serve in Jail, 12 months Probation after the service of 10 days balance of 80 days suspended, 120 hours community service.

T(Apr23)B

3RD DUI CONVICTION

Charles Bradley Stephenson
470 Burnett Lane, Suches, GA 30572
Date of Arrest: 5/28/2012
Disposition Date: 2/18/2014
Entered a Plea of Guilty, Fine of \$1000, 12 months probation, serve 121 days in jail, 240 community service.

T(Apr23)B

NOTICE TO DEBTORS AND CREDITORS STATE OF GEORGIA COUNTY OF TOWNS

RE: Estate of: James A. Warren
All creditors of the estate of James A. Warren, deceased, late of Towns County, Georgia, 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 to the undersigned.

This the 31st day of March, 2014

Daniel Warren
Personal Representative
881 Locust Trail
Hiwassee, GA 30546
706-896-5433

T(Apr9,16,23,30)P

NOTICE TO DEBTORS AND CREDITORS STATE OF GEORGIA COUNTY OF TOWNS

RE: Estate of: Martin O. Burrell
All creditors of the estate of Martin O. Burrell, deceased, late of Towns County, Georgia, 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 to the undersigned.

This the 26th day of March, 2014

Jennie T. Burrell
Personal Representative
PO Box 244
Gracewood, GA 30812
706-496-4790

T(Apr2,9,16,23)P

NOTICE TO DEBTORS AND CREDITORS STATE OF GEORGIA COUNTY OF TOWNS

TO: All Creditors of Boyce R. Robertson, late of Towns County, Georgia:
On behalf of Boyce R. Robertson, now deceased, you are hereby notified, pursuant to O.C.G.A. 53-7-92, to render in your demands and claims to and all persons who claim indebtedness by Boyce R. Robertson.

Boyce R. Robertson
c/o Sharon V. Stovall
Executor of the Estate
7249 Spout Springs Road
Flowery Branch, GA 30546

T(Apr2,9,16,23)P

NOTICE TO DEBTORS AND CREDITORS STATE OF GEORGIA COUNTY OF TOWNS

RE: Estate of: James Grover Davis, Jr.
All creditors of the estate of James Grover Davis, Jr., deceased, late of Towns County, Georgia, 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 to the undersigned.

This the 11th day of April, 2014

Deborah D. Holman
Personal Representative
1430 Overlook Trail
Hiawassee, GA 30546
706-896-8052

T(Apr16,23,30,May7)P

STATE OF GEORGIA COUNTY OF TOWNS NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF JERRY C. IVEY
All debtors and creditors of the estate of Jerry C. Ivey, 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 18th day of April, 2014.

Theresa Ann Arrowwood, Executor
Address: 2631 State Hwy. 66
Young Harris, GA 30582

T(Apr23,30,May7,14)B

NOTICE OF ARTICLES OF INCORPORATION

Notice is given that Articles of Incorporation which will incorporate, MOUNTAIN LION WARRIOR LACROSSE, INC. will be delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code. The initial registered office of the corporation will be located at 150 South Main Street, Suite D, Hiawassee, Georgia 30546 and the initial registered agent at such address is Bruce L. Ferguson.

T(Apr16,23)B

NOTICE FOR DISCHARGE FROM OFFICE AND ALL LIABILITY PROBATE COURT OF TOWNS COUNTY

RE: PETITION OF CHARLES E. NEAL FOR DISCHARGE AS EXECUTOR OF THE ESTATE OF VELMA M. NEAL, DECEASED.

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

This is to notify you to file objection, if there is any, to the above referenced petition, in this Court on or before May 5, 2014.

BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the grounds of any such objections. All pleadings/objections must be signed before a notary public or before a probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number 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
PROBATE JUDGE
By: Kerry L. Berrong
PROBATE CLERK/DEPUTY CLERK
48 River St. Suite C
Hiawassee, GA 30546
706-896-3467
TELEPHONE NUMBER

T(Apr23)B

NOTICE

The Towns County Planning Commission will meet on May 1, 2014 at 6:30 p.m. at the Towns County Courthouse for preliminary Phase II of Whisper Wood Phase subdivision.

T(Apr23,30)B

IN THE PROBATE COURT COUNTY OF TOWNS STATE OF GEORGIA

IN RE: ESTATE OF
David James Griffith, DECEASED
ESTATE NO. 2014-15
NOTICE

AN ORDER FOR SERVICE WAS GRANTED BY THIS COURT ON March 26, 2014, REQUIRING THE FOLLOWING:

TO: Jeffrey Keith Griffith
(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 the above referenced petition, in this Court on or before April 28, 2014.

BE NOTIFIED FURTHER: All objections to the petition must be in writing, setting forth the grounds of any such objections. All pleadings/objections must be signed before a notary public or before a probate court clerk, and filing fees must be tendered with your pleadings/objections, unless you qualify to file as an indigent party. Contact probate court personnel at the following address/telephone number 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.

48 River St. Suite C
Hiawassee, GA 30546
706-896-3467

David Rogers
Judge of the Probate Court
By: Kerry L. Berrong
Clerk/Deputy Clerk of the Probate Court

T(Apr2,9,16,23)B

NOTICE OF SALE UNDER POWER GEORGIA, TOWNS COUNTY

THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING 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 Nancy J Schaper to Bank of America, NA, dated October 28, 2002, recorded in Deed Book 268, Page 490, Towns County, Georgia Records, as last transferred to Nationstar Mortgage LLC by assignment recorded in Deed Book 524, Page 498, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED FIFTY-TWO THOUSAND TWO HUNDRED AND 0/100 DOLLARS (\$152,200.00), 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 May, 2014, 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 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.

Nationstar Mortgage LLC 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: NationStar Mortgage LLC, 350 Highland Drive, Lewisville, TX 75067, 888-850-9398x3705. To the best knowledge and belief of the undersigned, the party in possession of the property is Blake R. Schaper or a tenant or tenants and said property is more commonly known as 2047 Red Plow Terrace, Clayton, Georgia 30525. 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. Nationstar Mortgage LLC as Attorney in Fact for Nancy J Schaper McCalla Raymer, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net MR/mtj 5/6/14 Our file no. 5269611-FT2 EXHIBIT "A" All that tract or parcel of land lying and being in Land Lot 86, 1st District, Towns County, Georgia, being shown as 0.39 acre according to that certain plat of survey for Barbara Payne, aka Barbara Schaper by Lamar Edwards & Associates, Inc. of Clayton County, Georgia, dated December 13, 1994 and revised December 20, 1994, and being more particularly described as follows: To find the true point of beginning, begin at the common corner of Land Lots 94, 95 and 87 and 86 said district and county; running thence south 27 degrees 12 minutes east a distance of 1596.8 to the true point of beginning; running thence south 69 degrees 35 minutes east a distance of 168.1 feet to a point; running thence south 1 degree 15 minutes west a distance of 72.7 feet to a point; running thence north 77 degrees 57 minutes west a distance of 58.2 feet to a point; running thence north 88 degrees 46 minutes west a distance of 54.1 feet to a point; running thence north 81 degrees 12 minutes west a distance of 96.9 feet to a point; running thence north 26 degrees 11 minutes east a distance of 115.0 feet to the true point of beginning. Being that parcel of land conveyed to Nancy Schaper from Barbara Schaper, a/k/a Barbara Payne by that deed dated 12/N/A/1994 and recorded 01/23/1995 in Deed Book 132, at Page 571 of the Towns County, Ga Public Registry. Tax Map Reference: 93-21A MR/mtj 5/6/14 Our file no. 5269611 - FT2

T(Apr9,16,23,30)B

NOTICE OF SALE UNDER POWER GEORGIA, TOWNS COUNTY

By virtue of a Power of Sale contained in that certain Security Deed from KAREN A. SHAW to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR ONE REVERSE MORTGAGE, LLC, dated August 24, 2012, recorded September 14, 2012, in Deed Book 519, Page 728, Towns County, Georgia Records, said Security Deed having been given to secure a Note of even date in the original principal amount of Two Hundred Forty-Four Thousand Five Hundred and 00/100 dollars (\$244,500.00), with interest thereon as provided for therein, said Security Deed having been last sold, assigned and transferred to Reverse Mortgage Solutions, Inc., there will be sold at public outcry to the highest bidder for cash at the Towns County Courthouse, within the legal hours of sale on the first Tuesday in May, 2014, all property described in said Security Deed including but not limited to the following described property:

TAX ID NUMBER(S): H003 412
LAND SITUATED IN THE COUNTY OF TOWNS IN THE STATE OF GA

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 117 & 118, 18TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA CONTAINING 0.167 ACRES AND BEING LOT TWELVE (12) OF PLANTATION VILLAS AS SHOWN ON A PLAT OF SURVEY BY LANDTECH SERVICES INC., JAMES L. ALEXANDER, R.L.S. # 2653, DATED 09/20/07 AND REVISED 09/26/07 AND AS RECORDED IN PLAT BOOK 37, PAGE 246 AND SHOWN IN PLAT BOOK 29, PAGE 164 TOWNS COUNTY RECORDS WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART HEREOF. COMMONLY KNOWN AS: 402 LONG VIEW DRIVE, HIAWASSEE, GA 30546

Said legal description being controlling, however the property is more commonly known as 402 LONG VIEW DRIVE, HIAWASSEE, GA 30546.

The indebtedness secured by said Security Deed has been and is hereby declared due because of default under the terms of said Security Deed and Note. The indebtedness remaining in default, this sale will be made for the purpose of paying the same, all expenses of the sale, including attorney's fees (notice to collect same having been given) and all other payments provided for under the terms of the Security Deed and Note.

Said property will be sold on an "as-is" basis without any representation, warranty or recourse against the above-named or the undersigned. The sale will also be subject to the following items which may affect the title: 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; matters which would be disclosed by an accurate survey or by an inspection of the property; all zoning ordinances; assessments; liens; encumbrances; restrictions; covenants; and any other matters of record superior to said Security Deed.

To the best of the knowledge and belief of the undersigned, the owner and party in possession of the property is KAREN A. SHAW, THE ESTATE AND/OR HEIRS-AT-LAW OF KAREN A. SHAW, or tenants(s). 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.

The entity having full authority to negotiate, amend or modify all terms of the loan (although not required by law to do so) is: Reverse Mortgage Solutions, Inc., Loss Mitigation Dept., 2727 Spring Creek Dr, Spring, TX 77373, Telephone Number: 866-533-5559.

REVERSE MORTGAGE SOLUTIONS, INC.
as Attorney in Fact for
KAREN A. SHAW

THE BELOW LAW FIRM MAY BE HELD TO BE ACTING AS A DEBT COLLECTOR, UNDER FEDERAL LAW. IF SO, ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Attorney Contact: Rubin Lublin, LLC, 3740 Davinci Court, Suite 150, Peachtree Corners, GA 30092
Telephone Number: (877) 813-0992 Case No. RNU-13-06505-4

Ad Run Dates 04/09/2014, 04/16/2014, 04/23/2014, 04/30/2014
www.rubinlublin.com/property-listings.php

T(Apr9,16,23,30)B

NOTICE OF SALE UNDER POWER GEORGIA, TOWNS COUNTY

THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING 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 Stephen E Patton and Paige H Patton to Americas First Home Mortgage Co., Inc., dated March 15, 2007, recorded in Deed Book 399, Page 799, Towns County, Georgia Records, as last transferred to PNC Bank, National Association successor by merger to National City Bank by assignment recorded in Deed Book 547, Page 634, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of TWO HUNDRED THIRTY-NINE THOUSAND TWO HUNDRED AND 0/100 DOLLARS (\$239,200.00), 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 May, 2014, 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 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.

PNC Bank, National Association successor by merger to National City 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: PNC Mortgage, 3232 Newmark Drive, Miamisburg, OH 45342, 800-523-8654. To the best knowledge and belief of the undersigned, the party in possession of the property is Stephen E Patton or a tenant or tenants and said property is more commonly known as 1204 Dogwood Trail, 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.

PNC Bank, National Association successor by merger to National City Bank as Attorney in Fact for Stephen E Patton and Paige H Patton McCalla Raymer, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net MR/jgn 5/6/14 Our file no. 5310611-FT8 EXHIBIT "A" All that tract or parcel of land lying and being in LL 150, 18th District, 1st Section, Towns County, and being Tract 1, containing 0.50 acres, more or less as shown on a plat of survey for Joseph E. Reece and Teresa Reece, by Northstar Land Surveying, Inc., W. Gary Kendall, RLS, Dated 1-23-01, and recorded in Plat Book 26, Page 135, Towns County, Georgia records, said plat being incorporated herein by reference; together with all of Grantor's right, title and interest to that land lying and between the centerline of Dogwood Trail and the above-described lot, subject to the road right of way; and together with all the Grantor's right, title and interest to that land lying below the 1933 foot contour line of Lake Chatuge and adjacent to the Southern most line of said tract (shown as "La" on said plat of survey), for access to and from the waters of Lake Chatuge as the same fluctuate, and subject to the easement rights of the Tennessee Valley Authority. The after-described property being known as 1204 Dogwood Trail, Hiawassee, Georgia 30546. Also conveyed herewith is a perpetual, non-exclusive 10 foot easement for access to Lake Chatuge over and across the 10 foot easement shown across Tract 2, as shown on a plat of survey done by Northstar Surveying & Mapping, Inc., dated January 23, 2001, revised December 27, 2006 and recorded at Plat Book 37, Page 26 and adjacent to the Southern strip of land leading to Lake Chatuge. Grantor herein reserves perpetual, non-exclusive 10 foot easement 10 feet in width over and across the 10 foot easement shown on Tract 1 as shown on the revised plat of survey referenced above leading from Dogwood Trail to the 1933 contour line. MR/jgn 5/6/14 Our file no. 5310611 - FT8

T(Apr9,16,23,30)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 WESLEY J. BERRY to UNITED COMMUNITY BANK, dated July 3, 2009, recorded July 7, 2009, in Deed Book 458, Page 705 and re-recorded in Deed Book 459, Page 38, Towns County, Georgia records, as last modified by Modification of Security Deed dated April 11, 2011, recorded in Deed Book 494, Page 380, Towns County, Georgia records, said Security Deed being given to secure a Note from WESLEY J. BERRY and MELODY D. LANKFORD dated April 11, 2011, in the original principal amount of One Hundred Sixty One Thousand Eight Hundred Three and 33/100 (\$161,803.33) Dollars, with interest from date at a rate per cent per annum 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 May, 2014, the following described property:

All that tract or parcel of land lying and being in Land Lots 90 and 91, 17th District, 1st Section, Towns County, Georgia, being designated as Lot 18, The Woodlands Subdivision, containing 1.78 acres, more or less, as shown on a plat of survey by Landtech Services, Inc., dated January 8, 2007 recorded in Plat Book 38, Pages 251-253, Towns County, Georgia Records, which description on said plat is incorporated herein by reference and made a part hereof.

Also herewith is a non-exclusive perpetual easement for Ingress, Egress and Utilities along Red Bud Lane as shown on the above referenced plat of survey.

Subject to Restrictive Covenants as recorded in Deed Book 458, Page 331, Towns County, Georgia Records.

Subject to all matters appearing on the above referenced plat of survey.

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 WESLEY J. BERRY or a tenant or tenants.

UNITED COMMUNITY BANK,

as attorney in Fact for WESLEY J. BERRY
L. Lou Allen
Stites & Harbison, PLLC
520 West Main Street
Blue Ridge, Georgia 30513
(706) 632-7923
File No. 7484A-03639

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

T(Apr9,16,23,30)B