Towns County Herald

Legal Notices for July 18, 2012

NOTICE TO DEBTORS AND CREDITORS
All creditors of the Estate of Troy Garnet Spivey, late of Towns County, Georgia deceased, 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.
This the 2th day of July, 2012.
Bruce L. Ferguson, Attorney for
Earl Chester White, Administrator
of the Estate of Troy Garnet Spivey
PO BOX 524
Hiawassee, GA 30546
706-896-9699
T(Jul11,18,25,Aug1)B

STATE OF GEORGIA
TOWNS COUNTY
NOTICE TO DEBTORS AND CREDITORS
RE: Estate of Daniel Miles Cejka
All debtors and creditors of the estate of Daniel Miles Cejka, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of the estate, according to the law, and all persons indebted to said estate are required to make immediate payment to the Executor.
This 3rd day of July, 2012.
Matthew Daniel Cejka, Executor
256 Hampton Oaks Circle
Villa Rica, GA 30180
T(Jul18,25,Aug1,8)B

STATE OF GEORGIA
TOWNS COUNTY
NOTICE TO DEBTORS AND CREDITORS
RE: Estate of Martha O. Amos
All debtors and creditors of the estate of Martha O. Amos, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of the estate, according to the law, and all persons indebted to said estate are required to make immediate payment to the Executor.
This 10th day of July, 2012.
Barbara Anderson-Bates,
Personal Representative
3930 Ryans Lake Terrace
Cumming, GA 30040
404-394-6220
T(Jul18,25,Aug1,8)B

STATE OF GEORGIA
TOWNS COUNTY
NOTICE TO DEBTORS AND CREDITORS
RE: Estate of Mildred Nichols
All debtors and creditors of the estate of Mildred Nichols, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of the estate, according to the law, and all persons indebted to said estate are required to make immediate payment to the Executor.
This 9th day of July, 2012.
Jackie & Johnny Barnes,
Personal Representative
PO Box 284
Hiawassee, GA 30546
706-835-6687
T(Jul18,25,Aug1,8)B

STATE OF GEORGIA
TOWNS COUNTY
NOTICE TO DEBTORS AND CREDITORS
RE: Estate of Jeanne Ruth Conrad Johnson
All debtors and creditors of the estate of Jeanne Ruth Conrad Johnson, deceased, late of Towns County, Georgia, are hereby notified to render their demands and payments to the Executor of the estate, according to the law, and all persons indebted to said estate are required to make immediate payment to the Executor.
This 28th day of June, 2012.
Clarence Johnson, Personal Representative
PO Box 434
Hiawassee, GA 30546
706-970-0195
T(Jul4,11,18,25)B

NOTICE
GEORGIA, TOWNS COUNTY PROBATE COURT
TO: Any heir whose current address is unknown, all known and unknown interested parties and anyone else.
Clarence E. Johnson has petitioned to be appointed Administrator(s) of the estate of Scott William Johnson, 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 13, 2012. 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: Bonnie Sue Dixon,
Probate/Deputy Clerk
48 River Street, Suite C
Hiawassee, GA 30546
706-896-3467
T(Jul11,18,25,Aug1)B

NOTICE
GEORGIA, TOWNS COUNTY PROBATE COURT
TO: Any heir whose current address is unknown, all known and unknown interested parties and anyone else.
Darlene Hughes has petitioned to be appointed Administrator(s) of the estate of Thomas Ray Chastain, 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 7, 2012. 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: Bonnie Sue Dixon,
Probate/Deputy Clerk
48 River Street, Suite C
Hiawassee, GA 30546
706-896-3467
T(Jul11,18,25,Aug1)B

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: ESTATE OF: Alice J. Harrell
All debtors and creditors of the estate of Alice J. Harrell, 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 13th day of June, 2012.
Joseph Bert Harrell,
Personal Representative
6555 NW 37 Ave.
Coconut Creek, FL 33073
706-379-1436
T(Jul11,18,25,Aug1)P

NOTICE TO DEBTORS AND CREDITORS
STATE OF GEORGIA
COUNTY OF TOWNS
RE: ESTATE OF: Leo Joseph Weber
All debtors and creditors of the estate of Leo Joseph Weber, 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 9th day of July, 2012.
Michael H. Weber, Personal Representative
600 Boarshead Drive
Port Orange, FL 32127
386-562-5683
T(Jul11,18,25,Aug1)P

STATE OF GEORGIA, COUNTY OF TOWNS
NOTICE OF JUDICIAL SALE
"CAVEAT EMPTOR"
In the City of Hiawassee, on the Tues, August 7th, 2012 between the hours of 10:00 am and 4:00 pm, there will be sold on the steps of the Towns County Courthouse, at 48 River Street, at public crygut, to the highest bidder for cash, the following property:
The Property will be sold subject to all prior easements, covenants, restrictions, and encumbrances of record. The aforesaid Property, or a portion thereof, may be possessed by Mary & Ray Everett. The Property is being levied on to satisfy the Writ of Fieri Facias (collectively hereinafter referred to as Fi.Fa) and the lien in favor of Citizens South Bank (collectively hereinafter referred to as "Plaintiff in Fi.Fa.") against the Property of Mary and Ray Everett (collectively hereinafter referred to as Defendants in Fi.Fa.).
The Fi.Fa. was issued in the Superior Court of Towns County, Georgia, Civil Action No. 2011-SU-CV-68-MM levied on as the Property of Defendant in Fi.Fa., notice of levy and sale having been given to the Defendant in Fi.Fa. as required by law.
"ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 114, 115, 138 and 139 of the 17th District 1st Section of Towns County Georgia and being shown as 5.10 acres, more or less on a plat of survey prepared by Bernard Gregory, County Surveyor, recorded in Plat Book 10, page 197, Towns County, Georgia records, said Plat being a part hereof and by this reference, incorporated herein."
Said property having been found to be in the possession of the defendants, Mary and Ray Everett, and levied upon as the property of the defendants in accordance with the Writ of Fieri Facias stated above. The sale will be held subject to any unpaid taxes, easements, rights-of-way, easements, protective covenants or restrictions, liens and other superior matters of record, which may affect said property. The sale will be conducted subject to confirmation that the sale is not prohibited under the United States Bankruptcy Code. The Towns County Sheriff makes no warranties whatsoever as to the above described Property. The Sheriff reserves the right to reject any and all bids made, regardless of the amount, for the purchase of the above described Property. Purchaser shall pay all costs in connection with the sale.
Howick, Westfall, McBryan & Kaplan, LLP
One Tower Creek, Suite 600
3101 Towercreek Parkway
Atlanta, Georgia 30339
Tel: 678-384-7000
Direct: 678-384-7019
Fax: 678-384-7034
Email: kharrisgude@hwmklaw.com
Website: www.hwmklaw.com
T(Jun27,Jul4,11,18)B

NOTICE OF SEIZURE OF
PERSONAL PROPERTY
VALUED AT LESS THAN $25,000
Pursuant to O.C.G.A. §16-13-49(n), any party claiming an interest in the following property is hereby notified that on the 1st day of May, 2012, said property was seized by the undersigned agency in Towns County, Georgia.
Property Seized:
PROPERTY ONE: Winchester Model 94 30-30 rifle, Serial No. 4993300
PROPERTY TWO: Smith & Wesson Model SW40VE handgun, Serial No. DTD0753
PROPERTY THREE: Mossberg Model 500 12 gauge shotgun, Serial No. U010295
PROPERTY FOUR: Maverick Model 88 12 gauge pump shotgun, Serial No. MV49368A
PROPERTY FIVE: Flight King High Standard 12 Model RIOT K-102 12 gauge shotgun, no serial no.
PROPERTY SIX: Sears and Roebuck Model 79919051 rifle, no serial no.
PROPERTY SEVEN: FMJ Model D .45 caliber handgun, Serial No. 4523254
Conduct giving rise to said seizure:
Said property was found in the possession of CHARLES CHRISTOPHER LEDFORD, and was, directly or indirectly, used or intended for use to facilitate the possession, possession with intent to distribute, and/or distribution and sale of MARIJUANA, was found in close proximity to a quantity of MARIJUANA; or was the proceeds of said illegal activity, in violation of the Georgia Controlled Substances Act. Further, the said guns and marijuana were seized from the residence of CHARLES CHRISTOPHER LEDFORD, at the time of his arrest for distribution of marijuana, in Towns County, Georgia.
The owner of said property is purported to be:
Charles Christopher Ledford, 2341 Kelley Road, Hiawassee, Georgia 30546
Any party claiming an interest in said property is hereby further notified that you must file any claim in accordance with O.C.G.A. §16-13-49(n) within 30 days of the second publication of this Notice of Seizure in the Towns County Herald, a newspaper of general circulation and the legal organ of this county, by serving said claim to the undersigned seizing agency and the District

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 Jeremiah A Passmore and Shannon E Passmore to Mortgage Electronic Registration Systems, Inc., dated March 20, 2008, recorded in Deed Book 429, Page 249, Towns County, Georgia Records, as last transferred to Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing, LP by assignment recorded in Deed Book 502, Page 207, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of ONE HUNDRED NINETY-SIX AND 0/100 DOLLARS ($107,996.00), 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 within the legal hours of sale on the first Tuesday in August, 2012, 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. The entity that has full authority to negotiate, amend, and modify all terms of the mortgage with the debtor is: Bank of America, N.A., 177 Countrywide Way, Mail Stop: CAO-911-01-05, Lancaster, CA 93536, (661) 951-5100. Please understand that the secured creditor is not required by law to negotiate, amend, or modify the terms of the mortgage instrument. To the best knowledge and belief of the undersigned, the party in possession of the property is Jeremiah A Passmore and Shannon E Passmore or a tenant or tenants and said property is more commonly known as 4730 Rodovich Drive, Young Harris, Georgia 30528. 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. This law firm is seeking solely to foreclose the creditor's lien on real estate and this law firm will not be seeking a personal money judgment against you. Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing, LP as Attorney in Fact for Jeremiah A Passmore and Shannon E Passmore McCalla Raymer, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net MR/em2 8/7/12 Our file no. 5303412-FT11 EXHIBIT "A" All that tract or parcel of land lying and being in the 17th District, 1st Section, Land Lots 205 and 206 of Towns County, Georgia, containing 1.00 acre, more or less, and being the remaining portion of that 3.21 acre tract as shown on a plat of survey by M.E. Richards dated July 23, 1985 and recorded in Towns County Records in Plat Book 8, Page 187. Three tracts having been previously conveyed as shown in Towns County Records in Plat Book 24, Page 101, Plat Book 24, Page 1, and Plat Book 23, Page 156. The property is subject to road easements as shown on plat. The property is subject to an easement to Blue Ridge Mountain EMC as recorded in Deed Book168, page 336, Towns County Records. The property is subject to the boundary line agreement as recorded in Deed Book 80, page 572, Towns County Records The property is subject to the restrictions as recorded in Deed Book 107, pages 668-669, Towns County Records. Grantors also grants to grantee a non-exclusive perpetual easement for ingress and egress to the above described property along the road as shown on said plat. Easement running from Upper Plott Town Road. MR/em2 8/7/12 Our file no. 5303412 - FT11
T(Jul11,18,25,Aug1)

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 Jeffery Lovelady and Detra Lovelady to Mortgage Electronic Registration Systems, Inc., dated May 5, 2008, recorded in Deed Book 434, Page 52, Towns County, Georgia Records, as last transferred to Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP formerly known as Countrywide Home Loans Servicing, LP by assignment recorded in Deed Book 501, Page 821, Towns County, Georgia Records, conveying the after-described property to secure a Note in the original principal amount of TWO HUNDRED FIFTY-TWO THOUSAND THREE HUNDRED AND 0/100 DOLLARS ($252,300.00), 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 within the legal hours of sale on the first Tuesday in August, 2012, 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. The entity that has full authority to negotiate, amend, and modify all terms of the mortgage with the debtor is: Bank of America, N.A., 177 Countrywide Way, Mail Stop: CAO-911-01-05, Lancaster, CA 93536, (661) 951-5100. Please understand that the secured creditor is not required by law to negotiate, amend, or modify the terms of the mortgage instrument. To the best knowledge and belief of the undersigned, the party in possession of the property is Jeffery Lovelady and Detra Lovelady or a tenant or tenants and said property is more commonly known as 593 Glen 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. This law firm is seeking solely to foreclose the creditor's lien on real estate and this law firm will not be seeking a personal money judgment against you. Bank of America, N.A., successor by merger to BAC Home Loans Servicing, LP formerly known as Countrywide Home Loans Servicing, LP as Attorney in Fact for Jeffery Lovelady and Detra Lovelady McCalla Raymer, LLC 1544 Old Alabama Road Roswell, Georgia 30076 www.foreclosurehotline.net MR/em2 8/7/12 Our file no. 5405512-FT11 EXHIBIT "A" All that tract or parcel of land lying and being in the 18th District, 1st Section, Land Lot 231, Towns County, Georgia, containing 2.69 acres, as shown on a plat of survey prepared by Tamrok Engineering, Inc., Tommy J. Phillips, RLS, dated 5/2/90, recorded in Plat Book 14, Page 29, Towns County Records which description is incorporated herein by reference, and being