

# News-Community Herald

## Legal Notices for August 7, 2013

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

**RE: ESTATE OF Jerry Lee Sanders**  
All creditors of the estate of Jerry Lee Sanders, 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 Executor.  
This 16th day of July, 2013.  
Amy Oleta Sanders, Executor  
1477 Ada Lane  
Hiawassee, GA 30546  
T(706)986-3467

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

**RE: ESTATE OF Wilma Purpuse**  
All creditors of the estate of Wilma Purpuse, 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.  
This 23rd day of July, 2013.  
Clare E. Worthy  
14116 Enchantment Way,  
Hiawassee, GA 30546  
706-896-1416  
T(706)987-1421@B

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

**RE: ESTATE OF Gordon R. Held**  
All creditors of the estate of Gordon R. Held, 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.  
This 22nd day of July, 2013.  
Douglas Held  
6766 Richwood Dr.  
Milledgeville, MD 63122  
314-517-5582  
T(706)987-1421@B

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

**RE: ESTATE OF OLA L. LEDFORD**  
All creditors of the estate of Ola L. Ledford deceased 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 26th day of July, 2013.  
Russell M. Stookey, Attorney at Law  
Personal Representative  
P.O. Box 310  
Highland Park, GA 30546  
706-896-2241  
T(706)987-1421@B

### **NOTICE OF INTENT TO INCORPORATE**

Notice is given that the Articles of Incorporation for All & Abbas, Inc., have been delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code. The initial registered office for the corporation will be located at 2608 Docs Dr, Hiawassee, Georgia and its registered agent at such address is Shama Patel.  
T(706)987-1421@B

### **NOTICE OF INTENT TO INCORPORATE**

Notice is given that the Articles of Incorporation for Allasgar02, Inc., have been delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code. The initial registered office for the corporation will be located at 2608 Docs Dr; Hiawassee, Georgia and its registered agent at such address is Shama Patel.  
T(706)987-1421@B

### **IN THE PROBATE COURT**

**COUNTY OF TOWNS**  
STATE OF GEORGIA  
IN RE: ESTATE OF  
Claude Raymond Nicholson, DECEASED  
ESTATE NO. 2013-28

**TO:** Shane Nicholson and Darlene Cary (List here all interested parties having unknown addresses to be served by publication)  
I wish to notify you to file objection, if there is any, to the above referenced petition, in this Court on or before August 26, 2013.  
**BE NOTIFIED FURTHER:** All objections to the petition must be in writing, setting forth the grounds for 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 the 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  
Address  
Hiawassee, GA 30546  
706-896-3467  
Telephone Number  
David Rogers  
Judge of the Probate Court  
By: Kerry L. Berrong  
Clerk of the Probate Court  
T(706)987-1421@B

### **NOTICE TO CREDITORS AND DEBTORS**

**RE: ESTATE OF KATHERINE LUNGER NYSTRON**, 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.  
This 29th day of July, 2013.  
Holly Nystrom Boatright, Executrix  
1710 S. Highway 20  
Milledgeville, Florida 32068  
T(706)987-1421@B

### **IN THE PROBATE COURT**

**COUNTY OF TOWNS**  
STATE OF GEORGIA  
IN RE: ESTATE OF  
Amy Victoria Burch, DECEASED  
ESTATE NO. 2013-28

**TO:** Kerry L. Berrong (List here all interested parties having unknown addresses to be served by publication)  
I wish to notify you to file objection, if there is any, to the above referenced petition, in this Court on or before August 26, 2013.  
**BE NOTIFIED FURTHER:** All objections to the petition must be in writing, setting forth the grounds for 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 the 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  
Address  
Hiawassee, GA 30546  
706-896-3467  
Telephone Number  
David Rogers  
Judge of the Probate Court  
By: Kerry L. Berrong  
Clerk of the Probate Court  
T(706)987-1421@B

### **NOTICE TO CREDITORS AND DEBTORS**

**RE: ESTATE OF CLARE E. WORTHY**  
All creditors of the estate of Wilma Purpuse, 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.  
This 23rd day of July, 2013.  
Clare E. Worthy  
14116 Enchantment Way,  
Hiawassee, GA 30546  
706-896-1416  
T(706)987-1421@B

### **IN THE PROBATE COURT**

**COUNTY OF TOWNS**  
STATE OF GEORGIA  
IN RE: ESTATE OF  
Amy Victoria Burch, DECEASED  
ESTATE NO. 2013-28

**TO:** Kerry L. Berrong (List here all interested parties having unknown addresses to be served by publication)  
I wish to notify you to file objection, if there is any, to the above referenced petition, in this Court on or before August 26, 2013.  
**BE NOTIFIED FURTHER:** All objections to the petition must be in writing, setting forth the grounds for 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 the 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  
Address  
Hiawassee, GA 30546  
706-896-3467  
Telephone Number  
David Rogers  
Judge of the Probate Court  
By: Kerry L. Berrong  
Clerk of the Probate Court  
T(706)987-1421@B

### **NOTICE OF INTENT TO INCORPORATE**

Notice is given that Articles of Incorporation which will incorporate, OBE'S SEAFOOD, 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 333 Big Sky Drive, Hiawassee, GA 30546. The initial registered agent at such address is Timothy K. Barrett.  
T(706)987-1421@B

### **NOTICE OF INTENT TO INCORPORATE**

Notice is given that Articles of Incorporation for T&S Body, Shop, Inc., will be delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code. The initial registered office for the corporation will be located at 71 Gumlog Road, Young Harris, GA 30582, and its registered agent at such address is Terry J. Roberts.  
T(706)987-1421@B

### **NOTICE OF INTENT TO INCORPORATE**

Notice is given that Articles of Incorporation for Worthy Family Dentistry, P.C., 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 19 South Main Street, Hiawassee, GA 30546, and its registered agent at such address is Clare E. Worthy.  
T(706)987-1421@B

### **NOTICE OF SALE UNDER POWER IN SECURITY DEED COUNTY OF TOWNS**

Because of a default in the payment of the indebtedness secured by a Security Deed described in said Deed, to-wit: McCure to United Community Bank dated April 14, 2005, and recorded in Deed Book 332, Page 466, and Deed Book 451, Page 600, Towns County Records, said Security Deed having been last sold, assigned, transferred and conveyed to CF SOUTH-EST TRUST 2011-1, a Delaware Statutory Trust by Assignment, securing a Note in the original principal amount of \$301,127.50, the holder thereof pursuant to said Deed and Note thereby secured has declared the entire amount of said indebtedness due and payable and, pursuant to the power of sale contained in said Deed, will sell at public outcry to the highest and best bidder the legal hours of sale, before the Courthouse door in said County, sell at public outcry to the highest bidder for cash, the property described in said Deed, to-wit: ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 1ST SECTION, 17TH DISTRICT, LAND Lots 80 and 81 of Towns County, Georgia, containing 4,396 acres, more or less, as shown on Plat Book 129, PAGES 370-371, prepared by James L. Alexander, Georgia R.L.S., #2653, of Landtech Services, Inc., dated March 22, 2005 and recorded April 6, 2005 in Plat Book 34, Page 136, Towns County Records, said plat is incorporated herein, by reference hereto, for a full and complete description of the above property. Said property is known as 6130 Martin Circle, Young Harris, GA 30582, together with all fixtures and personal property attached to and constituting a part of said property, if any. 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 by the Department of Public Safety, any assessments, liens, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above. The proceeds of said sale will be applied to the payment of said indebtedness and all expenses of said sale as provided in said Deed, and the balance, if any, will be distributed to the lender. The sale will be conducted subject to (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 indebtedness evidenced by the Note. The property is or may be in the possession of Robert L. McCure and Jana McCure, successor in interest or tenant(s).  
CF SOUTHEAST TRUST 2011-1, a Delaware Statutory Trust, Attention: Robert L. McCure and Jana McCure, File no. 13-041263  
SHAPIRO, SWERTFEGER & HASTY, LLP\*  
Attorneys and Counselors at Law  
2572 Inspecchio Blvd. Suite 100  
Atlanta, GA 30341-3941  
(770) 220-2535/AB  
www.swertfeger.net

**\*THE LAST FIRM IS ACTING AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.**  
[FC-NOS]  
T(Aug7,14,21,28)@B

### **NOTICE OF SALE UNDER POWER IN SECURITY DEED COUNTY OF TOWNS**

Under and by virtue of the Power of Sale contained in a Deed to Secure Debt from James R. Shirley and Barbara L. Shirley to Bank of Hiawassee, dated July 25, 2008, and recorded in Deed Book 440, Page 290, in the office of the Clerk of the Superior Court of Towns County, Georgia, as modified by that certain Modification of Deed to Secure Debt dated July 23, 2009 and recorded in Deed Book 480, Page 101, aforesaid records; and as assigned to Citizens South Bank by that certain Master Assignment recorded in Deed Book 486, Page 790, aforesaid records (as same may have been further modified from time to time, collectively, the "Security Deed"), the undersigned will sell at public outcry to the highest and best bidder for cash before the door of the Courthouse of Towns County, Georgia, during the legal hours of sale, on the first Tuesday in September, 2013, the following described real property, to-wit:  
PARCEL ONE:  
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN SECTION 1, DISTRICT 18, LAND LOT 118, TOWNS COUNTY, GEORGIA, AND BEING KNOWN AS LOTS R-1 AND R-2 OF NANTAHALA BAY CLUB, AS SHOWN ON A PLAT OF SURVEY ENTITLED "PRELIMINARY SITE PLAN OF NANTAHALA BAY CLUB - 39 LOTS DRAWN FOR NBC DEVELOPMENT CORP." BY WILLIAM F. ROLANDER, R.S., DATED 1/2/91, REVISED 9/1/92 AND RECORDED IN PLAT BOOK 17, PAGE 93 IN THE OFFICE OF THE CLERK OF SUPERIOR COURT, TOWNS COUNTY, GEORGIA. SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE.

SAID PROPERTY BEING CONVEYED SUBJECT TO THE SEWER LINE EASEMENT AS SHOWN ON THE ABOVE REFERENCED DEED. ALSO CONVEYED HEREWITH IS A PERPETUALLY NON-EXCLUSIVE RIGHT OF INGRESS AND EGRESS FROM LONGVIEW DRIVE (A CITY STREET) TO SAID PROPERTY OVER ADJACENT PROPERTY.  
THE PROPERTY IS CONVEYED SUBJECT TO THE DRIVEWAY EASEMENT AS SHOWN ON SAID PLAT.  
PARCEL TWO:  
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 118, 18TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, AND BEING KNOWN AS LOT V-1 AND LOT V-2 OF NANTAHALA BAY CLUB, AS SHOWN ON A PLAT OF SURVEY ENTITLED "PRELIMINARY SITE PLAN OF NANTAHALA BAY CLUB - 39 LOTS DRAWN FOR NBC DEVELOPMENT CORP.", BY WILLIAM F. ROLANDER, R.S., DATED 1/2/91, REVISED 9/1/92, AND RECORDED IN PLAT BOOK 17, PAGE 93 IN THE OFFICE OF THE CLERK OF SUPERIOR COURT, TOWNS COUNTY, GEORGIA. SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE TO THE ABOVE REFERENCED DEED.  
ALSO CONVEYED HEREWITH IS A PERPETUALLY NON-EXCLUSIVE RIGHT OF INGRESS AND EGRESS FROM LONGVIEW DRIVE (A CITY STREET) TO SAID PROPERTY OVER ADJACENT PROPERTY.

THE DEBT SECURED BY THE SECURITY DEED IS EVIDENCED BY A RENEWAL NOTE, DATED JULY 23, 2009, FROM SHIRLEY PROPERTIES, INC. TO BANK OF HIAWASSEE IN THE ORIGINAL PRINCIPAL AMOUNT OF \$481,487.00 AS THE SAME HAS BEEN REDUCED TO JUDGMENT AS ENTERED ENTERED MAY 30, 2013 IN CIVIL ACTION FILE NO. 11-CV-262-MM, Superior Court of Towns County, State of Georgia (the Note as reduced to judgment is hereinafter referred to as the "Note"); plus interest from date on the unpaid balance until paid, and other indebtedness.  
Default has occurred and continues under the terms of the Note and Security Deed by reason of, among other possible events of default, the nonpayment when due of the indebtedness evidenced by the Note and secured by the Security Deed and the failure to comply with the terms and conditions of the Note and Security Deed. By reason of this default, the Security Deed has been declared foreclosable according to its terms.

The above-described real property will be sold to the highest and best bidder for cash as the property of Shirley Properties, Inc., the proceeds to be applied to the payment of said indebtedness, attorneys' fees, and any other expenses of said sale, all as provided in the Note and Security Deed. The sale shall be subject to the following: all outstanding ad valorem taxes and/or assessments, if any; possible redemption rights of the Internal Revenue Service, if any; and all prior assessments, liens, easements, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.

To the best of the undersigned's knowledge and belief, the real property is presently owned by James R. Shirley and Barbara L. Shirley, and tenants holding under them.  
To the best of the undersigned's knowledge and belief, the party in possession of the real property is James R. Shirley and Barbara L. Shirley, and tenants holding under them.  
Park Sterling Bank, successor by merger to Citizens South Bank, as successor in interest to Bank of Hiawassee, as Attorney-in-Fact for James R. Shirley and Barbara L. Shirley, M. Todd Westfall, Esquire Howick, Westfall, McBryant & Kaplan, LLP Suite 600, One Tower Creek 3101 Towercreek Parkway Atlanta, Georgia 30339 (678) 384-7005  
T(Aug7,14,21,28)@B

### **NOTICE OF SALE UNDER POWER IN SECURITY DEED COUNTY OF TOWNS**

Under and by virtue of the Power of Sale contained in the Real Estate Deed to Secure Debt from Shirley Properties, Inc. to Bank of Hiawassee, dated July 3, 2007, and recorded in Deed Book 411, Page 381, in the office of the Clerk of the Superior Court of Towns County, Georgia, as last modified by that certain Modification of Deed to Secure Debt dated July 23, 2009 and recorded in Deed Book 460, Page 159, aforesaid records; as assigned to Citizens South Bank by that certain Master Assignment recorded in Deed Book 486, Page 790, aforesaid records (as same may have been further modified from time to time, collectively, the "Security Deed"), the undersigned will sell at public outcry to the highest and best bidder for cash before the door of the Courthouse of Towns County, Georgia, during the legal hours of sale, on the first Tuesday in September, 2013, the following described real property, to-wit:  
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE 18TH DISTRICT, 1ST SECTION, LAND LOT 226, TOWNS COUNTY, GEORGIA, AND BEING KNOWN AS LOT 4, DEED DATED 7/3, LOT 9, LOT 11, LOT 12, LOT 13, LOT 14 AND LOT 17 OF SCENIC VIEWS SUBDIVISION, AS SHOWN ON A PLAT OF SURVEY ENTITLED "FINAL SURVEY FOR SCENIC VIEWS SUBDIVISION" BY DUYTOUT FERRARI, R.S., FEBRUARY 14, 2003, AS REVISED AUGUST 23, 2004, FEBRUARY 20, 2006 AND MARCH 8, 2006 AS RECORDED IN PLAT BOOK 35, PAGES 270-271, IN THE OFFICE OF THE CLERK, SUPERIOR COURT, TOWNS COUNTY, GEORGIA, SAID PLAT BEING INCORPORATED BY REFERENCE HEREIN.  
ALSO CONVEYED IS AN EASEMENT FOR INGRESS, EGRESS AND UTILITIES OVER THE SUBDIVISION EASEMENT AS SHOWN ON THE ABOVE REFERENCED PLAT OF SURVEY. SUBJECT TO MATTERS AS SHOWN ON ABOVE REFERENCED PLAT.  
SUBJECT TO RESTRICTIONS AS RECORDED IN DEED BOOK 385; PAGES 591-595; TOWNS COUNTY RECORDS.  
PROPERTY KNOWN AS: LOTS 6, 7, 9, 12, 13, 14 AND 17 OF SCENIC VIEWS SUBDIVISION, TOWNS COUNTY, HIAWASSEE, GEORGIA 30546.  
LESS AND EXCEPT LOT 4 OF THE ABOVE DESCRIBED PROPERTY HERETOFORE CONVEYED FROM CITIZENS SOUTH BANK TO SHIRLEY PROPERTIES, INC. DATED FEBRUARY 14, 2003, AND RECORDED IN DEED BOOK 511, PAGE 250, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF TOWNS COUNTY TO WHICH SAID DEED AND RECORDS REFERRED TO HEREIN MADE FOR COMPLETE BOUNDARIES AND DESCRIPTION.  
LESS AND EXCEPT LOT 11 OF THE ABOVE DESCRIBED PROPERTY HERETOFORE CONVEYED FROM CITIZENS SOUTH BANK TO SHIRLEY PROPERTIES, INC. DATED FEBRUARY 14, 2003, AND RECORDED IN DEED BOOK 511, PAGE 250, IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF TOWNS COUNTY TO WHICH SAID DEED AND RECORDS REFERRED TO HEREIN MADE FOR COMPLETE BOUNDARIES AND DESCRIPTION.

THE DEBT SECURED BY THE SECURITY DEED IS EVIDENCED BY A RENEWAL NOTE, DATED JULY 23, 2009, FROM SHIRLEY PROPERTIES, INC. TO BANK OF HIAWASSEE IN THE ORIGINAL PRINCIPAL AMOUNT OF \$481,487.00 AS THE SAME HAS BEEN REDUCED TO JUDGMENT AS ENTERED ENTERED MAY 30, 2013 IN CIVIL ACTION FILE NO. 11-CV-262-MM, Superior Court of Towns County, State of Georgia (the Note as reduced to judgment is hereinafter referred to as the "Note"); plus interest from date on the unpaid balance until paid, and other indebtedness.  
Default has occurred and continues under the terms of the Note and Security Deed by reason of, among other possible events of default, the nonpayment when due of the indebtedness evidenced by the Note and secured by the Security Deed and the failure to comply with the terms and conditions of the Note and Security Deed. By reason of this default, the Security Deed has been declared foreclosable according to its terms.

The above-described real property will be sold to the highest and best bidder for cash as the property of Shirley Properties, Inc., the proceeds to be applied to the payment of said indebtedness, attorneys' fees, and any other expenses of said sale, all as provided in the Note and Security Deed. The sale shall be subject to the following: all outstanding ad valorem taxes and/or assessments, if any; possible redemption rights of the Internal Revenue Service, if any; and all prior assessments, liens, easements, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.

To the best of the undersigned's knowledge and belief, the real property is presently owned by Shirley L. Busteded and the estate of Peter J. Busteded and Sherry L. Busteded and Sherry L. Busteded, a division of Citizens South Bank in the original principal amount of \$89,446.70 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 within the legal hours of sale, before the Courthouse door of Towns County, Georgia, within the legal hours of sale on the first Tuesday in September, 2013, the following described property:

ALL THAT TRACT AND PARCEL OF LAND LYING AND BEING IN THE 17TH DISTRICT, 1ST SECTION, LAND LOT 154 OF TOWNS COUNTY, GEORGIA, CONTAINING 0.95 ACRES, MORE OR LESS, AS SHOWN ON A PLAT OF SURVEY PREPARED BY BERNARD GREGORY, County Surveyor, dated June 29, 1987, and recorded in Plat Book 28, Page 62 of Towns County records, said plat being incorporated herein by reference and said plat being more particularly described as follows:  
BEGINNING at the intersection of GA Highway 75 as County Road 152 and running North 31 West a distance of 232 feet along the easterly side of County Road 152 to the Beginning Corner, which is located on the easterly side of County Road 152 and the center line of a branch in the manner following: the center line of the branch is marked by surveyors cords as follows: North 15 West 78 feet; North 11 West 42 feet; North 7 West 71 feet; North 15 West 142 feet to a point in the centerline of said branch and intersection of the centerline of another branch; thence following the centerline of said second branch as marked by a surveyors cord North 47 West 58 feet; thence along the centerline of said branch running South 40 West 211 feet to an iron pin located on the Easterly side of County Road 152; thence running along the Easterly side of said County Road 152, South 51 East 184 feet to a point; thence continuing along the Easterly side of said County Road 152, South 46 30 East 155 feet to the Beginning Point.

The debt secured by said Deed to Secure Debt 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 Deed to Secure Debt. 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 Deed to Secure Debt and by law, including attorney's fees (notice of intent to collect attorney's fees having been given). Said property is commonly known as 6419 Sampson Road, Young Harris, GA 30582, together with all fixtures and personal property attached to and constituting a part of said property. To the best knowledge and belief of the undersigned, the party (or parties) in possession of the subject property is (are): Burchell Deward Gilbert Jr. and Dana Diana Gilbert or tenants or tenants.

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) any matters which might be disclosed by an accurate survey and inspection of the property; and (c) all matters of record superior to the Deed to Secure Debt first set out above, including, but not limited to, assessments, liens, encumbrances, zoning ordinances, easements, restrictions, covenants, etc. The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankruptcy Code; (2) O.C.G.A. Section 9-13-172.1; and (3) 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 a non-proceeds rescission 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.  
Pursuant to O.C.G.A. Section 44-14-162.2, the entity that is fully authorized to negotiate, amend and modify all terms of the Deed to Secure Debt described herein, is:  
Select Portfolio Servicing, Inc.  
Attention: Loss Mitigation Department  
3815 South West Temple  
Salt Lake City, Utah 84115  
1-888-818-6032  
The foregoing notwithstanding, nothing in O.C.G.A. Section 44-14-162.2 shall be construed to require the secured creditor to negotiate, amend or modify the terms of the Deed to Secure Debt described herein. This sale is conducted on behalf of the secured creditor under the power of sale granted in the aforementioned security instrument, specifically being:  
The Bank of New York Mellon (f/k/a The Bank of New York), as indenture trustee for Encore Credit Receivables Trust 2005-1  
Burchell Deward Gilbert Jr. and Dana Diana Gilbert  
Richard B. Maner, P.C.  
5775 Glenridge Drive  
Building D, Suite 100  
Atlanta, GA 30328  
(404)252-6385  
THIS LAW FIRM IS ACTING AS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.  
T(Aug7,14,21,28)@B

### **NOTICE OF SALE UNDER POWER IN SECURITY DEED COUNTY OF TOWNS**

Under and by virtue of the Power of Sale contained in the Real Estate Deed to Secure Debt from Peter J. Busteded and Sherry L. Busteded to Bank of Hiawassee, dba Bank of Blairsville, dated March 31, 2006, and recorded in Deed Book 365, Page 353, in the office of the Clerk of the Superior Court of Towns County, Georgia, as last modified by that certain Modification of Security Deed dated March 24, 2011 and recorded in Deed Book 492, Page 519, aforesaid records; as assigned to Citizens South Bank by that certain Master Assignment recorded in Deed Book 486, Page 790, aforesaid records (as same may have been further modified from time to time, collectively the "Security Deed"), the undersigned will sell at public outcry to the highest and best bidder for cash before the door of the Courthouse of Towns County, Georgia, during the legal hours of sale, on the first Tuesday in September, 2013, the following described real property, to-wit:  
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 11, 24, 25 & 26, 17TH DISTRICT 1ST SECTION, TOWNS COUNTY, GEORGIA CONTAINING 1.046 ACRES AND BEING SHOWN AS LOT TWENTY-SEVEN (27) OF MEADOW BROOKE SUBDIVISION, PHASE 1, ON A PLAT OF SURVEY BY LANDTECH SERVICES, INC. #S 2653, DATED 1/23/05, REVISED 1/31/06 AND RECORDED IN PLAT BOOK 35 PAGES 245-247 TOWNS COUNTY RECORDS, WHICH PLAT IS BY REFERENCE INCORPORATED HEREIN AND MADE A PART HEREOF ABOVE PROPERTY.  
THE PROPERTY IS SUBJECT TO THE ROAD EASEMENTS AND RIGHT OF WAYS AS SHOWN ON SAID PLAT.  
THE PROPERTY IS SUBJECT TO THE RESTRICTIONS RECORDED IN DEED BOOK 365 PAGES 517-528, RE-RECORDED IN DEED BOOK 366 PAGES 434-445 TOWNS COUNTY RECORDS, FURTHER RE-RECORDED IN DEED BOOK 368 PAGES 340-351, TOWNS COUNTY RECORDS.  
THE PROPERTY IS SUBJECT TO THE EASEMENT TO BLUE RIDGE MOUNTAIN EMC RECORDED IN DEED BOOK 362 PAGE 659 TO THE ABOVE REFERENCED DEED.  
THE PROPERTY IS SUBJECT TO THE SETBACK LINES AS SHOWN ON SAID PLAT.  
THE PROPERTY IS SUBJECT TO EASEMENTS FOR UTILITIES INCLUDING POWER, WATER, TELEPHONE, ETC. #S 2653, DATED 1/23/05, GRANTOR GRANTS TO GRANTEE A NON-EXCLUSIVE EASEMENT TO AND FROM STATE HIGHWAY 17 AND THENCE ALONG THE SUBDIVISION ROADS FOR INGRESS AND EGRESS TO THE ABOVE PROPERTY.  
PROPERTY KNOWN AS: LOT 27 MEADOWBROOKE SUBDIVISION, TOWNS COUNTY, YOUNG HARRIS, GEORGIA 30582.

The debt secured by the Security Deed is evidenced by a Renewal Promissory Note, dated March 24, 2011, from Peter J. Busteded and Sherry L. Busteded to the Bank of Blairsville, a division of Citizens South Bank in the original principal amount of \$89,446.70 Dollars, with interest from date at a rate per cent per annum to judgment as evidenced by that certain Summary Judgment entered July 15, 2013 in Civil Action File No. 13-CV-196-RG, in the Superior Court of Union County, State of Georgia (the Note as reduced to judgment is hereinafter referred to as the "Note"); plus interest from date on the unpaid balance until paid, and other indebtedness.  
Default has occurred and continues under the terms of the Note and Security Deed by reason of, among other possible events of default, the nonpayment when due of the indebtedness evidenced by the Note and secured by the Security Deed and the failure to comply with the terms and conditions of the Note and Security Deed. By reason of this default, the Security Deed has been declared foreclosable according to its terms.

The above-described real property will be sold to the highest and best bidder for cash as the property of Peter J. Busteded and Sherry L. Busteded, the proceeds to be applied to the payment of said indebtedness, attorneys' fees, and the lawful expenses of said sale, all as provided in the Note and Security Deed. The sale shall be subject to the following: all outstanding ad valorem taxes which are a lien, but not yet 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, easements, encumbrances, zoning ordinances, restrictions, covenants, and matters of record superior to the Security Deed first set out above.

To the best of the undersigned's knowledge and belief, the real property is presently owned by Sherry L. Busteded and the estate of Peter J. Busteded.

To the best of the undersigned's knowledge and belief, the real property is presently owned by Sherry L. Busteded and the estate of Peter J. Busteded, and tenants holding under them.  
Mark Sterling Bank, successor by merger to Citizens South Bank, as successor in interest to Bank of Hiawassee d/b/a Bank of Blairsville, as Attorney-in-Fact for Peter J. Busteded and Sherry L. Busteded.  
M. Todd Westfall, Esquire Howick, Westfall, McBryant & Kaplan, LLP Suite 600, One Tower Creek 3101 Towercreek Parkway Atlanta, Georgia 30339 (678) 384-7000  
T(Aug7,14,21,28)@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 WENDY PETERSEN MCARTHUR, NOT PERSONALLY BUT AS TRUSTEE ON BEHALF OF THE CHATUGE TRUST DATED JUNE 2, 2011 TO UNITED COMMUNITY BANK, dated September 25, 2012, recorded September 27, 2012, in Deed Book 520, Page 664, Towns County, Georgia records, as last modified by Modification of Security Deed dated March 25, 2013, recorded in Deed Book 533, Page 10, Towns County, Georgia records, said Security Deed being given to secure a Note from Wendy Petersen McArthur, TRUSTEE OF THE CHATUGE TRUST dated March 25, 2013, in the original principal amount of Seven Hundred Eighty One Thousand Three Hundred seventy Three and 70/100 (\$708,373.70) 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 within the legal hours of sale, before the Courthouse door of Towns County, Georgia, within the legal hours of sale on the first Tuesday in September, 2013, the following described property:  
All that tract or parcel of land lying and being in the 17th District, 1st Section, Towns County, Georgia, and being Lot Fifty-Five (55) of Chatuge Shores Subdivision, containing 0.479 acres as shown on a plat of survey, as last modified by Modification of 4/18/95, as filed and recorded in Plat Book 20, Page 172, Towns County, Georgia records. Said plat is being incorporated herein by reference hereto.

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 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 all 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 real property is WENDY PETERSEN MCARTHUR, NOT PERSONALLY BUT AS TRUSTEE ON BEHALF OF THE CHATUGE TRUST UNDER PROVISIONS OF A TRUST AGREEMENT DATED JUNE 2, 2011 or a tenant or tenants.  
UNITED COMMUNITY BANK, as attorney in Fact for WENDY PETERSEN MCARTHUR, NOT PERSONALLY BUT AS TRUSTEE ON BEHALF OF THE CHATUGE TRUST  
L Lou Allen  
Stites & Harbison, PLLC  
520 West Main Street  
Blue Ridge, Georgia 30513  
(706) 632-7922  
File No. 7484A-03526  
THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.  
T(Aug7,14,21,28)@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 SOUTHERN MULTICAPITAL CORPORATION TO UNITED COMMUNITY BANK, dated December 29, 2010, recorded January 3, 2011, in Deed Book 487, Page 199, Towns County, Georgia records, as last modified by Modification of Security Deed dated February 9, 2011, recorded in Deed Book 491, Page 130, Towns County, Georgia records; also that certain Assignment of Rents dated December 29, 2010, recorded in Deed Book 487, Page 194, Towns County, Georgia records, said Security Deed being given to secure a Note from SOUTHERN MULTICAPITAL CORPORATION dated December 29, 2010, in the original principal amount of Seventy Two Thousand and 00/100 (\$72,000.00) Dollars; said Security Deed also given to secure a Note dated February 9, 2011, in the original principal amount of Sixteen Thousand and 00/100 (\$16,000.00) 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 September, 2013, the following described property:

All that