

Towns County Herald

Legal Notices for October 29, 2014

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Ira Paul Plott
 All creditors of the estate of Ira Paul Plott, 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 3rd day of October, 2014
 Mary Ruth McColium
 Personal Representative
 205 Manor Place,
 Cornelia, GA 30531
 706-778-7508
TjOct18,15,22,29jP

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Jimmie Alford Taylor
 All creditors of the estate of Jimmie Alford Taylor, 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 3rd day of October, 2014
 Dieta Taylor
 Personal Representative
 350 Glen Road,
 Hiawassee, GA 30546
 706-896-2609
TjOct18,15,22,29jP

NOTICE TO DEBTORS AND CREDITORS

STATE OF GEORGIA
COUNTY OF TOWNS
RE: Estate of Randall K. Cruse, Sr.
 All creditors of the estate of Randall K. Cruse, Sr., 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 1st day of October, 2014
 Brenda Mitchell
 Personal Representative
 3163 Gull's Wharf
 Gainesville, GA 30501
 678-971-5318
TjOct18,15,22,29jP

STATE OF GEORGIA

COUNTY OF TOWNS
NOTICE TO DEBTORS AND CREDITORS
RE: ESTATE OF RICHARD JOSEPH GAETA
 All debtors and creditors of the estate of Richard Joseph Gaeta, 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 the 14th day of October, 2014
 Maria Cressla, Executor
 Address: 2705 Vinings
 Oak Drive, Vinings, GA 30339
TjOct22,29,Nov5,12jP

NOTICE OF PETITION TO CHANGE NAME

Parwa Kaur hereby given that GAGAN PARWANA, the undersigned, filed his petition in the Superior Court of Towns County, Georgia, on the 26th day of September, 2014, praying for a change in the name of petitioner from GAGAN PARWANA to JOHN SINGH PARWANA. Notice is hereby given pursuant to law to any interested or affected party to appear in said Court and to file objections to such name change. Objections must be filed with said Court within thirty (30) days of the filing of this petition.
 This 26th day of September, 2014.
 Clerk, Towns County Superior Court
 Parwa Kaur, Plaintiff
 Attorney at Law
 Post Office Box 1114
 Hiawassee, Georgia 30546
 Telephone: 706-896-7070
 Facsimile: 706-896-6343
 Email: pkflaw@yahoo.com
TjOct18,15,22,29jP

NOTICE OF TRADE NAME REGISTRATION

Notice is hereby given that the business operated at 138 N. Main Street, Hiawassee, Georgia 30546, with a mailing address of 138 N. Main Street, Hiawassee, Georgia 30546, in the name of The Hair Company and Salon (a/k/a THE HAIR Co. & Salon), is owned and carried on by Lindie Beck with a physical and mailing address of 130 Emory Circle, Unit 10, Blairsville, Georgia 30512, and that the Registration Statement relating thereto as required by O.C.G.A. § 10-1-490 has been filed with the Clerk of the Superior Court of Towns County, Georgia.
 By: Lindie Beck
TjOct22,29jP

NOTICE OF INCORPORATION

Notice is given that Articles of Incorporation which will incorporate, Holloway Family Dentistry, P.C., have been delivered to the Secretary of State for filing in accordance with the Georgia Business Corporation Code. The initial registered office of the corporation is located at 150 South Main Street, Suite D, Hiawassee, GA 30546 and the initial registered agent at such address is Bruce L. Ferguson.
TjOct22,29jP

NOTICE OF INTENT TO INCORPORATE

Notice is given that the Articles of Incorporation for Kosish, 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 Shamana Patel.
TjOct22,29jP

NOTICE TO DEBTORS AND CREDITORS

GEORGIA, TOWNS COUNTY
RE: Estate of Floyd R. Shook
 All creditors of the Estate of Floyd R. Shook, Deceased, late of Towns County, Georgia are hereby notified to render in their demands to the undersigned according to law, and all persons indebted to the estate are required to make immediate payment to the undersigned.
 Terence N. Furness
 Executor, Estate of Floyd R. Shook, Deceased
 115 Ridgeway Lane
 Marietta, GA 30068
TjOct29,Nov5,12,19jP

IN THE PROBATE COURT

COUNTY OF TOWNS
STATE OF GEORGIA
IN RE: ESTATE OF
BENTLEY JACOB LEE GILBERT WILLIAMS, MINOR.
ESTATE NO. 2014-60
CITATION FOR TEMPORARY LETTERS OF GUARDIANSHIP:
NOTICE OF PETITION FOR TEMPORARY LETTERS OF GUARDIANSHIP OF MINOR
Date of second publication, if any November 5, 2014
TJ: Brittany Gilbert & Justin Williams
 You are hereby notified that Dana Gilbert has filed to be appointed temporary guardian of the above-named minor. All objections to the Petition described above either to the appointment of a temporary guardian or the appointment of the Petitioner as temporary guardian must be in writing, set forth the grounds of any such objections, and be filed with this Court no later than ten (10) days after the second publication of this notice if you are served by publication. All pleadings must be signed before a notary public or Georgia probate court clerk and filing fees must be tendered with your pleadings, unless you qualify to file as an indigent party. Contact Probate Court personnel at the below address/telephone number for the required amount of filing fees.
NOTE: If a natural guardian files an objection to the creation of the temporary guardianship, the Petition will be dismissed. If a natural guardian files an objection to the appointment of the petitioner as guardian, or if a parent who is not a natural guardian files an objection to the Petition, a hearing on the matter shall be scheduled at a later date. If no objection is filed, the Petition may be granted without a hearing.
 48 River St. Suite C
 Hiawassee, GA 30546
 Address
 706-896-3467
 Telephone Number
 David Rogers
 Judge of the Probate Court
 By: Kerry L. Berrong
 Clerk/Deputy Clerk of the Probate Court
TjOct29,Nov5jP

IN THE PROBATE COURT

COUNTY OF TOWNS
STATE OF GEORGIA
IN RE: ESTATE OF
HERMAN EARL PARTON, DECEASED
ESTATE NO. 2014-53
NOTICE OF PETITION TO FILE FOR YEAR'S SUPPORT
 The Petition of Helen Parton, for a year's support from the estate of Herman Earl Parton, deceased, for decedent's surviving spouse, having been duly filed, all interested persons are hereby notified to show cause, if any they have, on or before November 10, 2014, 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 on or before the time stated in the preceding sentence. All pleading 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
 Address
 706-896-3467
 Telephone Number
 David Rogers
 Judge of the Probate Court
 By: Kerry L. Berrong
 Clerk/Deputy Clerk of the Probate Court
TjOct29,Nov5jP

IN THE JUVENILE COURT

OF TOWNS COUNTY
STATE OF GEORGIA
IN THE INTEREST OF:
ELISABETH GILBERT
DOB: FEMAL - 1999
SEX: FEMALE
CHILD UNDER THE AGE OF EIGHTEEN
Case no. 139-14J-24A
NOTICE OF DEPENDENCY HEARING
TJ: RYAN GILBERT, FATHER OF THE ABOVE-NAMED CHILD
 By Order for Service by Publication dated the 2nd day of October, 2014, you are hereby notified that on the 18th day of September, 2014, the Towns County Department of Family and Children Services, Georgia Department of Family and Children Services, filed a Petition for Temporary Custody (Dependency) against you as to the above-named child alleging the child is deprived. You are required to file with the Clerk of Juvenile Court, and to serve upon Special Assistant Attorney General Stephany L. Zaic, an answer in writing within sixty (60) days of the date of the Order for Service by Publication.
 This Court will conduct a final hearing upon the allegations of the Petition and enter an order of disposition on the 2nd day of December, 2014, at 9:30 a.m., at the Towns County Courthouse, Hiawassee, Georgia.
 The child 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 Gerald Bruce, Judge of said Court, this _____ day of _____, 2014.
 Honorable Gerald Bruce
 Judge, Juvenile Court
 Towns County, Georgia
 Enotah Judicial Circuit
TjOct15,22,29,Nov5jP

IN THE PROBATE COURT

COUNTY OF TOWNS
STATE OF GEORGIA
IN RE: ESTATE OF
MILDRED TAYLOR ANDREW, DECEASED
ESTATE NO. 2014-55
PETITION FOR LETTERS OF ADMINISTRATION
NOTICE
 TJ: All known and unknown interested parties Denise Wiggins McDonald has petitioned to be appointed Administrator of the estate of Mildred Taylor Andrew 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 November 17, 2014. All pleadings/objections must be signed under oath 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
 Judge of the Probate Court
 By: Kerry L. Berrong
 Clerk/Deputy Clerk of the Probate Court
 48 River St., Suite C
 Hiawassee, GA 30546
 Address
 706-896-3467
 Telephone Number
TjOct29,Nov5,12,19jP

IN THE SUPERIOR COURT

OF TOWNS COUNTY
STATE OF GEORGIA
CHATUGE MOUNTAIN ENTERPRISES, INC.,
PLAINTIFF
vs.
The heirs of Walter J. Burrell
The Beneficiaries of the Trust with Carl Fredericks as Trustee
(unknown persons)
The United States of America, and Through its Agency the Tennessee Valley Authority;
As part of that property described in Deed Book R, page 569 in the Office of the Superior Court of Towns County, Georgia, known as part of CHR 502 F.
Aparto Real Estate & Investment Limited Partnership.
Our Mountain Place, LLC
And all persons known or unknown Who claim or might claim an interest Adverse to Plaintiff's title in land lot 79, 18th District, 1st Section, Towns Co., GA,
Defendants
Civil Action No. 14-CV-162-MM
NOTICE
TJ: Beneficiaries of the Trust of Carl Fredericks as Trustee, W.J. Burrell, devisees or heirs at law, and to all other persons unknown who may claim an interest in the subject real property:
 You are hereby notified that the above styled action seeking to establish title to the following described property against All The World was filed on September 19, 2014 with an Amendment to the Complaint filed on October 17, 2014, in the Superior Court of Towns County, Georgia, Enotah Judicial Circuit, and that by reason of order for service by publication entered on October 17, 2014, you are hereby commanded to be and appear at the said Court within thirty (30) days from the date of the Order for service by publication to answer said petition and file pleadings before the Court. Said real property is described as follows:
ALL THAT TRACT OR PARCEL OF LAND, SITUATE, LYING AND BEING, IN LAND LOT 79, 18TH DISTRICT, 1ST SECTION TOWNS COUNTY, GEORGIA, SHOWN ON A PLAT OF SURVEY BY CHASTAIN AND ASSOCIATES, P.C. CONTAINING .041 ACRE OF LAND, AS DESCRIBED ON A SURVEY FOR F.I.S. PROPERTIES AND RECORDED IN PLAT BOOK 36, PAGE 238 IN THE OFFICE OF THE CLERK OF SUPERIOR COURT OF TOWNS COUNTY, GEORGIA.
 And being more particularly described as follows:
 Beginning at a point north 16 degrees 41 minutes 58 seconds east 388.54 feet from a 4 inch disk in concrete at TVA monument HMK-29 as shown on plat book 18, page 288 and on Tennessee Valley Authority map of Chatuge Reservoir dated July 1964 sheet 100; running thence north 72 degrees 54 minutes 27 seconds east 157.75 feet to a 5/8 inch rebar running south 88 degrees 34 minutes 59 seconds east 24.41 feet to a 1/2 inch iron pipe on the western line of U.S. Highway 76; running thence along the western line of Highway 76 north 05 degrees 44 minutes 01 seconds west 147.87 feet to a nail at the base of a 1 & 1/2 inch open top pipe; running thence south 73 degrees 07 minutes 46 seconds to the centerline of the old Bell Creek Road; running thence along the centerline of old Bell Creek road to the point of beginning.
 Witness the Honorable Clerk of said Court, this 17th day of October, 2014.
 Cecil Dye, Clerk Towns Co. Superior Court
 Enotah Judicial Circuit
TjOct22,29,Nov5,12jP

SUMMARIES OF PROPOSED

CONSTITUTIONAL AMENDMENTS
 Pursuant to requirements of the Georgia Constitution, Attorney General Samuel S. Oltens, Secretary of State Brian P. Kemp, and Legislative Counsel Wayne R. Allen hereby provide the summaries of the proposed constitutional amendments that will appear on the November 4, 2014, general election ballot for consideration by the people of Georgia:
 - 1 -
 To prohibit an increase in the state income tax rate in effect
 January 1, 2015.
 Senate Resolution No. 415
 Resolution Act No. 592
 Ga. L. 2014, p. 888
 "() YES
 Shall the Constitution of Georgia be amended to prohibit the General Assembly from increasing the maximum state income tax rate?"
 Summary
 This proposal prohibits the General Assembly from increasing the maximum marginal state income tax rate above the rate in effect on January 1, 2015. It adds a new Paragraph IV to Article VII, Section III of the Georgia Constitution.
 A copy of this entire proposed constitutional amendment is on file in the office of the judge of the probate court and is available for public inspection.
 - 2 -
 Adding reckless driving penalties or fees to the brain and spinal injury trust fund.
 House Resolution No. 1183
 Resolution Act No. 589
 Ga. L. 2014, p. 887
 "() YES
 Shall the Constitution of Georgia be amended to allow additional reckless driving penalties or fees to be added to the Brain and Spinal Injury Trust Fund to pay for care and rehabilitative services for Georgia citizens who have survived neurotrauma with head or spinal cord injuries?
 Summary
 This proposal authorizes the General Assembly to provide by law for the imposition of additional penalties or fees for the offense of reckless driving and to provide for the allocation of such additional penalties or fees to the Brain and Spinal Injury Trust Fund, for the specified purpose of meeting any and all costs, or any portion of the costs, of providing care and rehabilitative services to citizens of this state who have survived neurotrauma with head or spinal cord injuries. It amends Paragraph VI (k) of Article III, Section IX of the Georgia Constitution.
 A copy of this entire proposed constitutional amendment is on file in the office of the judge of the probate court and is available for public inspection.
SUMMARY OF PROPOSED STATE-WIDE REFERENDUM QUESTION
 Pursuant to Code Section 21-2-4 of the O.C.G.A., the Secretary of State is authorized to include with the summaries of proposed constitutional amendments a summary of any state-wide referendum question to be voted on at the same general election:
 - A -
 Allows property owned by the University System of Georgia and operated by providers of student housing and other facilities to remain exempt from taxation.
 House Bill No. 788
 Act No. 613
 Ga. L. 2014, p. 679
 "() YES
 Shall property owned by the University System of Georgia and utilized by providers of college and university student housing and other facilities continue to be exempt from taxation to keep costs affordable?"
 Summary
 This Act provides for an ad valorem tax exemption for private interests in property of the Board of Regents of the University System of Georgia that is operated by a private party and further provides that such arrangements shall not constitute special franchises for purposes of ad valorem taxation.
 If approved by a majority of the voters, the tax exemption provided by the Act becomes effective January 1, 2015, and applies to all tax years beginning on or after that date.
WjOct15,22,29jP

NOTICE OF SALE UNDER POWER

IN SECURITY DEED
STATE OF GEORGIA
COUNTY OF TOWNS
 Under and by virtue of the Power of Sale contained in the Deed to Secure Debt and Security Agreement from Brandon Derick Dills and Carolyn Holloway Dills to The Bank of Hiawassee, a division of Citizens South Bank dated November 23, 2010, and recorded in Deed Book 485, Page 80, in the offices of the Clerk of the Superior Court of Towns County, Georgia; 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 modified from time to time, collectively the "Security Deed"), and pursuant to that certain Discharge of Debtor entered August 28, 2014 in Chapter 7 Case No. 14-20871-jrs filed in the United States Bankruptcy Court, Northern District of Georgia; 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 November, 2014, the following described real property, to wit:
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 308 & 309, 18TH DISTRICT, 1ST SECTION OF TOWNS COUNTY, GEORGIA, CONTAINING 4.10 ACRES, MORE OR LESS, AS SHOWN ON A PLAT OF SURVEY BY B. GREGORY, COUNTY SURVEYOR, DATED 3/16/83, RECORDED IN PLAT BOOK 7, PAGE 194, TOWNS COUNTY, GEORGIA RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE END OF A ROAD, SAID POINT BEING 4.752 FEET FROM THE JUNCTION OF GA HIGHWAY 17-75 AND MILL CREEK ROAD, RUN THENCE N 75 E 95 FEET TO A POINT; THENCE N 86 E 408 FEET TO A ROCK ON THE USF LINE; THENCE S 7 W 482 FEET TO AN IRON PIN ON THE NORTH RIGHT OF WAY OF A ROAD; THENCE ALONG THE ROAD N 82 W 73 FEET; N 79 W 00 FEET; N 87 W 121 FEET TO AN IRON PIN; THENCE LEAVING THE ROAD N 20 W 409 FEET TO THE POINT OF BEGINNING.
THE GRANTOR GRANTS TO GRANTEE A PERPETUAL WATER RIGHT TO THE SPRING ON THE GRANTOR'S REMAINING PROPERTY.
THE GRANTOR GRANTS TO GRANTEE A PERPETUAL EASEMENT FOR INGRESS AND EGRESS TO THE ABOVE DESCRIBED PROPERTY, SAID EASEMENT TO RUN FROM THE COUNTY ROAD ABOVE THE ROAD RUNNING SOUTH OF THE ABOVE DESCRIBED PROPERTY RUNNING TO THE U.S. FOREST PROPERTY.
LESS AND EXCEPT
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 309, 18TH DISTRICT, 1ST SECTION OF TOWNS COUNTY, GEORGIA, CONTAINING 0.98 ACRES, MORE OR LESS AS SHOWN ON A PLAT OF SURVEY BY BLAIRVILLE SURVEYING CO., ROBERT J. BREEDLOVE, R.L.S. DATED APRIL 29, 1997 AS REVISED JUNE 6, 1997, JUNE 13, 1997 AND FEBRUARY 2, 1998 AND RECORDED IN PLAT BOOK 22, PAGE 88, TOWNS COUNTY, GEORGIA RECORDS. SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE ALSO CONVEYED IS ALL THAT LAND LYING BETWEEN THE SOUTHERLY BOUNDARY OF INGRESS AND EGRESS TO AND FROM SAID PROPERTY OF THE UNIMPROVED SUBDIVISION ROAD AS SHOWN ON SAID PLAT OF SURVEY, SUBJECT TO THE ROAD RIGHT OF WAY.
SUBJECT TO ALL MATTERS AND CONDITIONS AS SHOWN ON ABOVE PLAT OF SURVEY.
SUBJECT TO THE EXISTING WATER LINE RUNNING THROUGH SAID PROPERTY AND SERVING AND FURNISHING WATER TO OTHER PROPERTY OF GRANTOR, GRANTOR, HIS SUCCESSORS AND ASSIGNS, SHALL HAVE THE RIGHT TO GO UPON SAID PROPERTY FOR THE PURPOSE OF MAINTAINING SAID WATER LINE AND SYSTEM.
ALSO CONVEYED HEREIN IS AN EASEMENT FOR INGRESS AND EGRESS TO AND FROM SAID PROPERTY AND MILL CREEK ROAD (RUNNING ALONG SAID UNIMPROVED SUBDIVISION ROAD WESTERLY APPROXIMATELY 1350 FEET MORE OR LESS TO MILL CREEK ROAD, NOW KNOWN AS DILLS ROAD, BEING COUNTY ROAD #92) OVER THE PRESENTLY EXISTING UNIMPROVED SUBDIVISION ROAD, AS SHOWN ON PLAT OF SURVEY RECORDED IN PLAT BOOK 14, PAGE 68 OF THE TOWNS COUNTY, GEORGIA RECORDS.
KNOWN AS: 3.12 ACRES ON DILLS RD., HIWASSEE, GA 30546.
 In addition, under and by virtue of the power of sale contained in the Security Deed, the undersigned will also sell at public outcry to the highest bidder for cash before the door of the Courthouse of Towns County, Georgia, immediately following the sale of the above-described real property, the following described personal property owned by Brandon Derick Dills and Carolyn Holloway Dills a/k/a Carolyn Nicole Dills, or their successors-in-title and secured by the Security Deed, to wit:
 All personal property described in and subject to the Security Deed, which is hereby incorporated by this reference.
 Less and except any fixtures subject to the security interest on the above-described real property.
 The debt secured by the Security Deed is evidenced by a Promissory Note, dated November 23, 2010, from Brandon Derick Dills to Bank of Hiawassee, a division of Citizens South Bank, in the original principal amount of \$34,485.50, (as same may have been further modified, renewed or amended, collectively 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 by the debtor 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 Brandon Derick Dills and Carolyn Holloway Dills a/k/a Carolyn Nicole Dills, 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 and/or assessments, if any; possible redemptive rights of the Internal Revenue Service, if any; and all prior assessments, easements, restrictions or matters of record.
 To the best of the undersigned's knowledge and belief, the real property is presently owned by Brandon Derick Dills and Carolyn Holloway Dills a/k/a Carolyn Nicole Dills.
 To the best of the undersigned's knowledge and belief, the party in possession of the real property is Brandon Derick Dills and Carolyn Holloway Dills a/k/a Carolyn Nicole Dills, and tenants holding under them.
 All personal property will be sold in one lot to the highest and best bidder for cash as the property of Brandon Derick Dills and Carolyn Holloway Dills a/k/a Carolyn Nicole Dills, or their successors-in-title, on an "as is, where is" basis and without representation, warranty or recourse, express or implied, of the undersigned, and subject to all matters of record affecting said personal property, 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 Security Deed.
 Park Sterling Bank, successor by merger to Citizens South Bank, as successor in interest to Bank of Hiawassee, as Attorney-in-Fact for Brandon Derick Dills and Carolyn Holloway Dills a/k/a Carolyn Nicole Dills.
 M. Todd Westfall, Esquire
 Howick, Westfall, McBryan & Kaplan, LLP
 Suite 600, One Tower Creek
 3101 Towercreek Parkway
 Atlanta, Georgia 30339
 (678) 501-7951
TjOct18,15,22,29jP

STATE OF GEORGIA

COUNTY OF TOWNS
NOTICE OF SALE UNDER POWER
 Because of a default in the payment of the indebtedness secured by a Security Deed executed by Arvind Raina and Maninder Kaur to Mortgage Electronic Registration Systems, Inc. as nominee for Provident Funding Associates, L.P. dated August 6, 2009, and recorded in Deed Book 460, Page 636, Towns County Records, said Security Deed having been last sold, assigned, transferred and conveyed to Wells Fargo Bank, N.A. by Assignment, securing a Note in the original principal amount of \$312,000.00, the holder thereof pursuant to said Deed and Note hereby secured has declared the entire amount of said indebtedness due and payable and, pursuant to the power of sale contained in said Deed, will on the first Tuesday, November 4, 2014, during 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 LAND LOT 159, 18TH DISTRICT, 1ST SECTION, TOWNS COUNTY, GEORGIA, CONTAINING 3.407 ACRES, AND BEING AS TRACT ONE (1) ON A PLAT OF SURVEY BY T. KIRBY AND ASSOCIATES, INC. DATED 02/22/2008, RECORDED IN PLAT BOOK 38, PAGE 116, TOWNS COUNTY RECORDS WHICH DESCRIPTION ON SAID PLAT IS INCORPORATED HEREIN BY REFERENCE AND MADE A PART HEREOF.
THE GRANTOR GRANTS TO GRANTEE A PERPETUAL NONEXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND THE RIGHT TO RUN WATER AND UTILITIES TO THE ABOVE DESCRIBED PROPERTY ALONG THE EASEMENT AS SHOWN ON SAID PLAT, RUNNING FROM VICTORIA WOODS ROAD. THE PROPERTY IS CONVEYED SUBJECT TO THE EASEMENT TO BLUE RIDGE MOUNTAIN EMC AS RECORDED IN DEED BOOK 216, PAGE 602, TOWNS COUNTY GEORGIA RECORDS.
THE PROPERTY IS ALSO CONVEYED SUBJECT TO THE RESTRICTIONS OF RECORD AS PERTAINS TO VICTORIA WOODS SUBDIVISION RECORDED IN DEED BOOK 94, PAGES 130-133 AND DEED BOOK 94, PAGES 207-209, TOWNS COUNTY GEORGIA RECORDS.
PROPERTY IS CONVEYED SUBJECT TO THAT PERPETUAL WATER RIGHT TO THE SPRING LOCATED ON THE ABOVE DESCRIBED PROPERTY AND THE RIGHT TO RUN THE NECESSARY WATER LINE TO MAINTAIN SAME, ALONG WITH OTHER CONDITIONS AND LIMITATIONS AS REFERRED BY JERRY SANDERS IN DEED BOOK 199, PAGES 505-506, TOWNS COUNTY CLERKS OFFICE.

Said property is known as 1490 Ada Lane, Hiawassee, GA 30546, 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 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 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 as provided by law.
 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 secured creditor.
 The property is or may be in the possession of Arvind Raina and Maninder Kaur, successor in interest or tenant(s).
 Wells Fargo Bank, N.A. as Attorney-in-Fact for Arvind Raina and Maninder Kaur
 File no. 12-037205
 SHAPIRO, SWERTFEGER & HASTY, LLP
 Attorneys and Counselors at Law
 2872 Woodcock Blvd., Suite 100
 Atlanta, GA 30341-3941
 www.swertfeger.com
 *THE LAW FIRM IS ACTING AS A DEBT COLLECTOR. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.
 [FC-NDS]
TjOct18,15,22,29jP