

Towns County Herald

Legal Notices for February 27, 2019

NOTICE OF INCORPORATION

Notice is hereby given that articles of incorporation that will incorporate Towns County Soccer Booster Club have been delivered to the Secretary of State in accordance with Georgia Business Corporation Code. The initial registered office of the corporation is located at (2098 Woodlake lane, Young Harris, GA 30582) and its initial registered agent at such address is (Brandi Rutan).

T\Feb20,27)B

NOTICE OF INCORPORATION

Notice is hereby given that articles of incorporation that will incorporate Chill Clothing Company, Inc. have been delivered to the Secretary of State for filing in accordance with the Georgia Corporation Code. The initial registered office of the corporation is located at 231 Chatuge Way, Hiawassee, Georgia 30546 and its initial registered agent at such address is Stephanie W. McConnell.

T\Feb27,Mar6)B

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE TO DEBTORS AND CREDITORS

RE: ESTATE OF PATRICIA ANN LIGHT
All debtors and creditors of the estate of Patricia Ann Light, 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 19th day of February, 2019.

Mary Ann Richards, Executor
2501 Culpepper Trace
Bethlehem, GA 30620
Lawrence S. Sorgen, Attorney for Executor
P.O. Box 67
Hiawassee, GA 30546

T\Feb20,27,Mar6,13)B

NOTICE OF SUMMONS

SERVICE BY PUBLICATION

IN THE SUPERIOR COURT OF TOWNS COUNTY, CIVIL ACTION NO. 18-CV-149-SG

RONALD K. WEINTRAUB VS BRITTANY NICOLE PARKER

TO: BRITTANY NICOLE PARKER, DEFENDANT by order of service by publication dated February 12, 2019 you are hereby notified that Ronald K. Weintraub filed suit against you for Complaint for Damages on September 24, 2018. You are hereby required to file with the Superior Court of Towns County and serve upon Plaintiff's attorney, David E. Berrett, 108 Blue Ridge Hwy., Ste. 6, Blairsville, GA 30512 an answer in writing within sixty (60) days of the date of the order for publication.

Witness the Honorable N. Stanley Gunter, Judge of said Court

This the 31st day of January, 2019

Cecil Dye,
Clerk of Superior Court
Towns County

T\Feb20,27,Mar6,13)B

NOTICE TO DEBTORS AND CREDITORS

All creditors of the Estate of Jean Jay Warren, a/k/a Jean J. Warren, 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.
Jayne Warren Belk
Jack Leonard McGinnis,
Co-Executors of the Estate of Jean Jay Warren
a/k/a Jean J. Warren
Suzanne G. Mason, Esq.
Abrams, Davis, Mason & Long
1100 Peachtree Street NE, Suite 1600
Atlanta, GA 30309

T\Feb27,Mar6,13,20)B

ADVERTISEMENT FOR BIDS

Bid Package One (1) through Seventeen (17) Project: Towns County Middle/High School Modernization - Phase 2
Owner: Towns County Schools
Architect: Robertson Loa Roof
CM: Charles Black Construction Company, Inc.
Contractors are invited to submit lump sum bids for Bid Package One (1) through Seventeen (17), Towns County Middle/High School Modernization - Phase 2.

Sealed bids will be received by the Construction Manager until 3:00 p.m., Tuesday, March 12, 2019 at the Cleveland Office of the Construction Manager, Charles Black Construction Company, Inc., 1955 Highway 129 South, Cleveland, Georgia 30528. Bids must be submitted in Duplicate on the Construction Manager's Proposal Form along with a 5% Bid Bond if required by the Bid Package. No Faxed or E-Mailed Bids Accepted

A thorough review of the bid package description and bid documents are required prior to submitting bids.

Schedule of days to inspect the existing school. The existing school will be open to proposers for inspection on Friday, March 1, 2019, 3:15 PM to 5:00 PM. A representative from Charles Black Construction Company, Inc. will be on site to conduct the site visit. All potential proposers must check in and out of the building with the Charles Black Construction Company's representative.

The form of agreement will be a modified AIA Subcontract Agreement, between the Construction Manager and the Successful Bidder. Bidding Documents are available for the COST OF REPRODUCTION from:
AGC Plan Room/Gainesville Whiteprint
312 Bradford Street, NW
Gainesville, Georgia 30501
(770) 534-2086

Documents will be available for review at the following locations.
Charles Black Construction Company, Inc.
1955 Highway 129, South
Cleveland, Georgia 30528
Dodge Data & Analytics
www.construction.com
iSqFt
www.iSqFt.com

CM: Charles Black Construction Company, Inc.
PROJECT: Towns County Middle/High School Modernization - Phase 2
ADVERTISEMENT FOR BIDS
INDEX TO BID PACKAGES
Bid Pkg Bid Package Bid
Number Name Date
1. Concrete March 12, 2019
2. Masonry March 12, 2019
3. Structural Steel March 12, 2019
4. Door, Frames and Hardware March 12, 2019
5. Installation of Doors and Hardware March 12, 2019
6. Overhead Coiling Doors and Shutters March 12, 2019
7. Aluminum Storefronts, Glass & Glazing March 12, 2019
8. Drywall, Ceilings, Acoustical Panels, and DE-FIS March 12, 2019
9. Decorative Resinous Flooring March 12, 2019
10. Resilient Flooring, Carpet Tile and Base March 12, 2019
11. Painting March 12, 2019
12. Specialties March 12, 2019
13. Manufactured and Custom Casework March 12, 2019
14. Stadium and Arena Seating March 12, 2019
15. Plumbing March 12, 2019
16. HVAC March 12, 2019
17. Electrical March 12, 2019

See Bid Package Description, General Package Notes & Construction Manager's Special Conditions Prior to Pricing
Allen Mauney, Project Manager
Charles Black Construction Company, Inc.
P.O. Box 960 * 1955 Highway 129 South
Cleveland, Georgia 30528

The Construction Manager and Owner reserve the right to reject any and all bids and to waive technicalities.

T\Feb13,20,27,Mar6)B

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE:

FRANCES BARBARA SHOOK, DECEASED
ESTATE NO. 2019-15
NOTICE OF PETITION TO FILE FOR YEAR'S SUP-PORT

The Petition of Grover Shook, for a year's support from the estate of Frances Barbara Shook, 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 March 11, 2019, 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 objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed the Petition may be granted without a hearing.

David Rogers

Judge of the Probate Court

By: Kerry L. Berrong

Clerk of the Probate Court

48 River St., Suite C

Hiawassee, GA 30546

Address

706-896-3467

Telephone Number

T\Feb13,20,27,Mar6)B

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE:

MARtha JO ROWLAND, DECEASED
ESTATE NO. 2019-11
NOTICE

IN RE: The Petition to Probate Will in Solemn Form in the above-referenced estate having been duly filed,

TO: Michael Ray Rowland

[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 Petition to Probate Will in Solemn Form, in this Court on or before March 25, 2019.

BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the Petition may be granted without a hearing.

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T\Feb27,Mar6,13,20)B

NOTICE OF LEGAL

STATE OF GEORGIA

COUNTY OF TOWNS

The Towns County Water and Sewage Authority has declared for surplus a 2004 Dodge Ram ¾ ton 4WD truck with service body. The Authority will accept sealed bids at the Authority Office located at 1224 Jack Dayton Circle, Young Harris, GA 30582 or by mail at P.O. Box 8, Young Harris, GA 30582. Bids will be accepted until 3 PM on Tuesday, March 19th, 2019. Late bids will NOT be accepted. Please make sure to include a name, phone number, and bid amount on your sealed bid. The truck is being sold AS IS with NO Warranty. Acceptance of the bid is final. The Authority reserves the right to reject any and all bids. The truck can be inspected by appointment by calling (706) 896-4372 and scheduling a time for inspection. Bid opening will be at the monthly Board meeting of the Authority on Tuesday, March 19th, 2019 at 6 PM. If your bid is accepted, you will be contacted the following day.

T\Feb27,Mar6,13)B

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE:

DESTINY GRACE MCNABB, MINOR
ESTATE NO. 2019-18
NOTICE

Date of second publication, if any March 6, 2019

TO: Father of the above-named Minor

You are hereby notified that Cynthia Darlene Haynes has filed a Petition seeking to be appointed temporary guardian of the above-named Minor. All objections to the Petition to the appointment of a temporary guardian or the appointment of the Petitioner as temporary guardian, must be in writing, setting forth the grounds of any such objections, and be filed with this Court ten (10) days after the second publication of this notice if you are served by publication. All objections should be sworn to before a notary public or Georgia probate court clerk and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees.

NOTE: If a natural guardian files a timely 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.

David Rogers Judge of the Probate Court

By: Kerry L. Berrong Clerk of the Probate Court

48 River St., Suite C

Address

Hiawassee, GA 30546

706-896-3467

Telephone Number

T\Feb27)P

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE:

RONALD JOSEPH DENTON, DECEASED
ESTATE NO. 2018-20
NOTICE

[For Discharge from Office and all Liability]

IN RE: Petition for Discharge of Personal Representative

TO: All Interested Parties, all and singular the heirs of said Decedent, the beneficiaries under the will, 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 March 11, 2019.

BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the Petition may be granted without a hearing.

David Rogers

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T\Feb27)B

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE:

RALPH EDWIN GRADY, DECEASED
ESTATE NO. 2019-21
NOTICE OF PETITION TO FILE FOR YEAR'S SUP-PORT

The Petition of Jean K. Grady, for a year's support from the estate of Ralph Edwin Grady, 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 March 25, 2019, 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 objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed the Petition may be granted without a hearing.

David Rogers

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T\Feb27,Mar6,13,20)B

IN THE PROBATE COURT OF TOWNS COUNTY

STATE OF GEORGIA

IN RE:

LOLA MILDRED CURTIS, DECEASED
ESTATE NO. 2019-10
PETITION FOR LETTERS OF ADMINISTRATION

NOTICE

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

Betty Faye Bradley has petitioned to be appointed Administrator of the estate of Lola Mildred Curtis 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 March 4, 2019.

BE NOTIFIED FURTHER: All objections to the Petition must be in writing, setting forth the grounds of any such objections. All objections should be sworn to before a notary public or before a Probate Court Clerk, and filing fees must be tendered with your objections, unless you qualify to file as an indigent party. Contact Probate Court personnel for the required amount of filing fees. If any objections are filed, a hearing will be scheduled at a later date. If no objections are filed, the Petition may be granted without a hearing.

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T\Feb6,13,20,27)B

NOTICE OF SALE UNDER POWER

GEORGIA, TOWNS COUNTY

By virtue of a Power of Sale contained in that certain Security Deed from JOSEPH HENSON to BANK OF HIAWASSEE, dated March 31, 2005, recorded April 5, 2005, in Deed Book 331, Page 682. Towns County, Georgia Records, said Security Deed having been given to secure a Note of even date in the original principal amount of Eighty-Six Thousand and 00/100 dollars (\$86,000.00), with interest thereon as provided for therein, said Security Deed having been last sold, assigned and transferred to Wilmington Savings Fund Society, FSB, D/B/A Christiana Trust as Owner Trustee of the Residential Credit Opportunities Trust V, 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 March, 2019, all property described in said Security Deed including but not limited to the following described property:

ALL THAT TRACT AND PARCEL OF LAND LYING AND BEING IN THE 18TH DISTRICT, 1ST SECTION, LAND LOT 36, TOWNS COUNTY, GEORGIA, CONTAINING 0.54 ACRES AND BEING LOT 12-A, AS SHOWN ON A PLAT OF SURVEY PREPARED BY B. GREGORY, COUNTY SURVEYOR, DATED 7/21/78, AND RECORDED IN PLAT BOOK 5, PAGE 211, TOWNS COUNTY, GEORGIA RECORDS, SAID PLAT BEING INCORPORATED HEREIN BY REFERENCE. SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT AN IRON PIN ON THE RIGHT OF WAY OF PINE LAKE ROAD AND THE NORTHEAST CORNER OF LOT 11A, RUNNING THENCE ALONG PINE LAKE ROAD N 49 DEGREES E 65 FEET, THENCE N 35 DEGREES E 50 FEET; THENCE ALONG THE DIVIDING LINE BETWEEN LOTS 12A AND 13A, N 76 DEGREES 45 MINUTES W 210.8 FEET TO AN IRON PIN, THENCE N 76 DEGREES 45 MINUTES W 33 FEET TO AN IRON PIN; THENCE N 44 DEGREES W 90 FEET TO AN IRON PIN; THENCE ALONG THE DIVIDING LINE BETWEEN LOTS 11A AND 12A, S 73 DEGREES 15 MINUTES E 234 FEET TO THE POINT OF BEGINNING. THE ABOVE PROPERTY IS RESTRICTED AGAINST MOBILE HOMES. THE GRANTOR GRANTS TO GRANTEE A PERPETUAL ACCESS TO LAKE CHATUGE ON THE TWO LAKE ACCESS LOTS SET ASIDE FOR THE USE OF ALL LOTS.

Said legal description being controlling, however the property is more commonly known as 2153 PINELAKE RD, 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 attorneys' 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 JOSEPH HENSON, 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.

Please note that, pursuant to O.C.G.A. § 44-14-162.2, you are not entitled by law to an amendment or modification of the terms of your loan. The entity having full authority to negotiate, amend or modify all terms of the loan (although not required by law to do so) is: American Mortgage Investment Partners Management LLC, Loss Mitigation Dept., 3020 Old Ranch Parkway, Ste 180, Seal Beach, CA 90740, Telephone Number: 562-735-6555 x100.

WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST AS OWNER TRUSTEE OF THE RESIDENTIAL CREDIT OPPORTUNITIES TRUST V

as Attorney in Fact for JOSEPH HENSON

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, 3145 Avalon Ridge Place, Suite 100, Peachtree Corners, GA 30071

Telephone Number: (877) 813-0992 Case No. AMI-16-01376-5

Ad Run Dates 02/06/2019, 02/13/2019, 02/20/2019, 02/27/2019

rubinlublin.com/property-listing

T\Feb6,13,20,27)B

STATE OF GEORGIA

COUNTY OF TOWNS

NOTICE OF SALE UNDER POWER

Under and by virtue of the power of sale contained in that certain Security Deed given by Brian D. Schmitz and Sarah A. Schmitz, Grantors, in favor of David B. Phelps and Roberta J. Phelps, dated January 22, 2010, and recorded in Deed Book 468, Pages 748-752, Towns County Records, as modified by that First Modification to Real Estate Promissory Note and Security Deed dated March 23, 2015 and recorded in Deed Book 563, Pages 18-20, Towns County Records; and as assigned by Assignment of Security Deed and Promissory Note executed by Roberta J. Phelps as Executor of the estate of David B. Phelps, dated November 28, 2018 and recorded in Deed Book 621, Page 493 of the Towns County Records (hereinafter, together with said modification thereto and assignment thereof, the "Security Deed"), conveying the hereinafter described property to secure a Note in the original principal amount of \$222,995.97 with interest thereon as set forth therein, Roberta J. Phelps (Lender), as attorney-in-fact for Grantors, Brian D. Schmitz and Sarah A. Schmitz, will sell 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 March, 2019 (to wit: March 5, 2019) the following:

All that tract or parcel of land lying and being in the 17th District, 1st Section, Land Lot 68 of Towns County, Georgia containing 1.23 acres, more or less, and being a portion of Lot #16 of Truelove Mountain Subdivision and further being shown as Tract 2 on a plat of survey by Landtech Services, Inc., dated 6/06/06, last revised on 1/18/09 as recorded in Plat Book 38, Page 215 of the Towns County records, said plat being incorporated herein by reference; together with a non-exclusive perpetual easement for ingress, egress and utilities across Tract 1B as shown on said plat of survey. It is the parties expressed intent that this easement is not to be considered a "common usage road" as that term is used in paragraph 5 of the Covenants hereinafter referred to so as not to invoke a 50 foot setback requirement from the easement.

To the best knowledge and belief of the undersigned, the real property is in the possession of Brian D. Schmitz and Sarah A. Schmitz or others with the permission of Grantor, and may be known having a physical address of 8262 Truelove Mountain Road, Young Harris, GA 30582.

The real property will be sold on an "AS IS, WHERE IS" basis, without recourse against Lender and without representation or warranty of any kind or nature whatsoever with respect thereto, with no assurance afforded as to the exact acreage contained in the real property description and subject to, among other exceptions, all of the following:

(a) All outstanding taxes (including, without limitation, taxes that are liens, but not yet due or payable), assessments and utility bills that are valid liens and encumbrances upon any of the real property and which are prior in the right to the Security Deed;

(b) All valid zoning ordinances;

(c) All valid federal tax liens (if any) affecting any of the real property and the rights of the United States Government relative thereto, including, but not limited to, the right of redemption of the United States Government, if any such rights validly exist; and

(d) Any and all easements, limitations, restrictions, reservations, covenants, encumbrances and other matters to which the Security Deed is subordinate in terms of priority as a matter of fact or as a matter of law.

The indebtedness evidenced by the Note and secured by the Security Deed has been declared immediately due and payable because of defaults by Grantor under the Note, including, but not limited to, defaults resulting from the failure to pay the indebtedness as and when due in accordance with the Note. The proceeds of the sale of the real property shall be applied in accordance with the Security Deed to the payment of the unpaid indebtedness under the Note and all fees, costs, charges, and expenses of the sale and of all proceedings in connection therewith, including, without limitation, attorney's fees incurred by Lender (notice of intent to collect attorney's fees having been given as provided by law).

The sale will be conducted subject to (1) confirmation that the sale is not prohibited under the U.S. Bankruptcy Code; and (2) final confirmation and audit of the status of the loan with the holder of the Security Deed. Pursuant to O.C.G.A. § 9-13-172.1, which allows for certain procedures regarding the rescission of judicial and non-judicial 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 immediately above.

PennyMac Loan Services, LLC as agent and Attorney in Fact for Bruce King Aldridge Pite, LLP, 15 Piedmont Center, 3575 Piedmont Road, N.E., Suite 500, Atlanta, Georgia 30305, (404) 994-7637.

1120-22324A